



Policy Advisory Committee

Union City Council Chambers
34009 Alvarado-Niles Road
Union City, California 94587

Friday, May 7, 2010, 1:00 PM

Agenda

1. Call to Order
2. Roll Call
3. Chairperson Comments
4. Project Manager Comments
5. Public Comment (For items not on the agenda)
6. Consent Calendar
 - a. Minutes of December 18, 2009 Meeting
7. Report of the Citizens Advisory Panel
8. Information Items
 - a. Technical Study Update (JPB)
 - b. Interim Bus Update (DBROC)
9. Correspondence
10. Requests from Members
11. Next Meeting Date
12. Adjourn

Meeting:
DRC Policy Advisory Committee

Date:
December 18, 2009

Location:
Palo Alto City Council Chambers
250 Hamilton Avenue, Palo Alto, CA

Time:
Meeting Start: 1:00 pm
Meeting Adjourn: 2:55 pm

Minutes Prepared By:
Wenlin Yang

Issue Date:
April 22, 2010

Attendees (sign-in sheet attached)	
<p><u>Policy Committee Members</u> Director Tom Blalock, CCJPA Council Member David Casas, VTA Mayor Mark Green, ACTIA (Chair) Commissioner Sue Lempert, MTC (Vice Chair) Council Member Barbra Pierce, SMCTA Council Member Yoriko Kishimoto, VTA Council Member Heyward Robinson, SMCTA Commissioner Dean Chu, MTC Council Member Carlos Romero, SMCTA Council Member Ana Apodaca, ACTIA</p>	<p><u>Project Staff</u> Marian Lee, Joint Powers Board Howard Goode, Joint Powers Board Todd McIntyre, Joint Powers Board Hilda Lafebre, Joint Powers Board William Gimpel, Parsons Brinckerhoff Wenlin Yang, Joint Powers Board Donna Chung, Joint Powers Board</p> <p><u>Others</u> Please refer to the attached sign-in sheet</p>

Item No. Discussion

1. Call to Order

Chair M. Green called the meeting to order.

2. Roll Call

H. Robinson, A. Apodaca, S. Lempert, M. Green, Y. Kishimoto, C. Romero were present to start the meeting without a quorum. B. Pierce arrived during the report of the Citizen Advisory Panel to form a quorum. T. Blalock, D. Casas and D. Chu arrived later.

3. Chairperson Comments

Chair M. Green stated that there was a productive meeting with the Capitol Corridor staff this morning on the FRA grant application which includes Segment G of the Dumbarton project. Preparation of the application is underway and going well. M. Green expressed his optimism about this new funding opportunity.

4. Project Manager Comments

M. Lee reported that the San Francisco Public Utility Commission (SFPUC) is proceeding with its regional water bay division pipeline repair and seismic upgrade project adjacent to the Dumbarton Rail Corridor in Newark and Menlo Park. Staff is coordinating with SFPUC to ensure the Dumbarton project is not negatively affected.

The California High Speed Rail Authority recently released a revised business plan that reflected changes in the service level and is anticipating completing the Environmental Impact Report (EIR) for the Peninsula segment by 2011. The Altamont Corridor connection project on the East Bay held environmental scoping meetings last month and is proceeding with technical studies. M. Lee stated that timing is ideal for the Dumbarton project to coordinate with both projects.

5. Public Comments (For items not on the agenda)

J. Bigelow, a Citizen Advisory Panel member and a representative from the Redwood City and Menlo Park Chamber of Commerce, provided his support to proceed with the technical analysis to update the environmental document. Mr. Bigelow noted that value engineering should be conducted to reduce the capital cost. He also noted that local investments in the corridor should be identified as funding secured so the project meets the MTC funding criteria for prioritization. J. Bigelow also urged the PAC to postpone the reassignment of RM2 operating funds to interim bus service enhancements.

6. Consent Calendar

Minutes of September 25, 2009 Meeting

S. Lempert motioned to approve the meeting minutes and Y. Kishimoto seconded. The minutes were approved with B. Pierce, C. Romero, and A. Apodaca abstaining as they did not attend the September 25, 2009 meeting.

7. Report of the Citizen Advisory Panel (CAP)

Ferrier's report included the following highlights:

- Nine CAP members and one alternate from Newark attended the meeting.
- The CAP has concerns that UPRR wants to sell the entire Oakland subdivision and the uncertain costs associated with the transaction. The CAP noted the potential benefits of leveraging federal grants.
- A motion recommending the PAC not support reassignment of RM2 funding for interim bus until after the environmental document goes through a public review process and the next steps for the Dumbarton Rail project are determined failed: 3 (yes) – 4 (no) – 2 (abstain).
- The CAP concurred with the direction presented by staff for the proposed technical analysis and provided their unanimous support for the staff recommendation.

8. Information Items

a. Oakland Subdivision Negotiating Plan (CCJPA)

David Kutrosky, Managing Director from the Capitol Corridor Joint Powers Authority (CCJPA), presented the following:

- 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.
- The preliminary proposed work plan budget is \$870,000 for the entire Oakland Subdivision right-of-way negotiation. There is only \$300,000 identified in the project budget. 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.
- To meet the goals of adding additional CC trains between Oakland and San Jose, Capitol Corridor is preparing a grant application which includes the procurement and construction of the Dumbarton Project Segment G, to the Federal Rail Administration (FRA) High Speed Intercity Passenger Rail program (HSIPR) in spring 2010. CCJPA will likely use the Union City Intermodal Station funding as the 20% local match.

- CCJPA will continue to provide updates, and if the FRA application is successful, CCJPA will come back to the PAC for direction on right-of-way negotiations and a specific budget allocation request.

The following were key discussion items:

- S. Lempert stated that originally the right-of-way negotiation strategy included addressing all issues from Newark to Union City, not just Segment G. She asked staff if this approach had changed. H. Goode stated that although it was envisioned to be advantageous to take the regional approach to tackle right-of-way issues, an opportunity has arisen now to work with Capitol Corridor and possibly acquire and build Segment G which would benefit the Dumbarton project. This is not the right time to negotiate other project right-of-way issues because the specific regional needs have yet to be evaluated and finalized.
 - S. Lempert asked where the additional \$410,000 would come from. D. Kutrosky answered that it would come from the FRA grant.
 - Y. Kishimoto and S. Lempert stated that MTC should be taking a role in looking at the big picture needs of the region, including the overall Dumbarton project needs and even the high speed rail needs on the right-of-way south of San Jose. A. Bockelman said that MTC is concerned about regional rail and will take the information from the Dumbarton meeting back to the MTC planning department for further consideration.
 - H. Robinson stated his support for the FRA application.
 - B. Pierce asked that if the current CCJPA plan would impact taking a regional approach in the future. D. Kutrosky stated that the package of CC capital projects, including building Segment G, would be an initial improvement to the Bay Area rail system and would be compatible with further enhancements.
 - M. Green stated the potential benefits of the FRA application and moving forward with Segment G negotiations are very clear. He suggested staff consider holding a closed session to brief committee members on the negotiations.
 - D. Casas asked if the FRA grant can be redirected for other uses on the project. D. Kutrosky stated the money can only be used for intercity rail projects.
 - T. Blalock said that the CCJPA board has voted to proceed with this application and hopes CCJPA will have the money to complete the East Bay improvements.
- b. Agenda item 8b - Use of RM2 Operating Funds for Interim Bus Service (MTC)

Alix Bockelman, Director of MTC Programming and Allocation, presented the following:

- Currently \$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 rail project is determined to be unable to continue due to delivery or financing obstacles. This would trigger a public hearing process for commission approval.
- If the PAC requests the reassignment of the RM2 operating funds, MTC will also need board concurrence from the sponsoring agencies listed in the RM2 legislation.
- It should be noted that a political issue could arise down the road if the bus money is eventually transferred back to Dumbarton rail service and bus riders are impacted.
- If the PAC would like to proceed with interim bus enhancement service in the Dumbarton Corridor, the Dumbarton Bridge Route Operations Committee (DBROC) which administers the operation of the existing Dumbarton Express

bus service may be best suited to advance this work and MTC can help to facilitate.

The following were key discussions on this item:

- H. Robinson stated that interim bus enhancement is needed because existing bus service is doing very well and the rail service may be years away. He asked if augmenting the RM2 operating funds would require abandoning the rail project or putting it on indefinite hold. A. Bockelman responded that abandonment is not an absolute requirement but the legislation has certain requirements and legal staff can help to work out the nuance of the temporary nature of the project delivery obstacle.
- Y. Kishimoto said she would like to see ridership build up for the future rail service but would only support the funding reassignment if it is temporary.
- T. Blalock asked if RM2 has time limits for collection. A Bockelman replied there is no time limit, but there is a specific amount for each of the capital projects and an annual total amount that can be used for operations.
- S. Lempert stated that the intent of this committee is to implement rail service and she is concerned that the legislation will require strong language declaring the project being infeasible. Ms. Lempert also stated concerns about potential labor issues associated with returning operating funds from bus to rail in the future. She stated that the reassignment would may yield limited short-term benefits but significant obstacles and set back for the rail project.
- D. Casas asked when the \$91M would be repaid. A. Bockelman replied after 2015. D. Casas stated that he is concerned that there is no plan to solve the funding problem. There needs to be a transportation solution for relieving corridor congestion. People are paying RM2 tolls now.
- B. Pierce said she agreed with S. Lempert about the language issue and long-term impacts to the project.
- C. Romero asked if the \$5.5M RM2 operating funding sunsets and if it accrues. A. Bockelman replied that it does not sunset and does not accrue. C. Romero asked how much is the operating cost for the existing Dumbarton Express bus service. C. LaVigne, AC Transit staff, estimated the current annual operating cost at \$2.5M. C. Romero said that he thinks the various bus operations in the Dumbarton corridor should be consolidated and RM2 funding should be utilized now to benefit the community and reduce greenhouse gases from cars.
- A. Apodaca asked if any action on the interim bus would affect the environmental documents. M. Lee noted that there could be some impact to the document. On the positive, if the interim bus service is well planned, it may help the project justification with higher transit ridership in the corridor. On the negative side, however, the language in the declaration of MTC funding reassignment, if not clear stated, could negatively affect the operation funding analysis. Additionally, the environmental analysis would probably need to address the impacts of reverting operations funding back from bus to rail service.

The following were key discussions on this item:

- Diane Howard, a former committee member and council member of Redwood City, stated her full support for moving forward with the environmental process and urged the PAC not to be distracted by the interim bus issue.
- Christian Peeples, a board member from AC Transit, addressed the PAC with his concern about heavy demand for bus service in this corridor and possible cutbacks on bus service due to operating funds shortages. He stated that the Dumbarton bus service has been integrated with the existing AC Transit bus

operation so the labor issue raised by S. Lempert should not be a concern. He is supportive of future rail service but currently there is no rail service so the PAC should seriously consider using the \$5.5M now to support immediate transportation needs in the corridor.

- Steve Van Pelte, a resident of the San Mateo County, said he thinks rail can not compete with buses in terms of route flexibility and schedule frequency. The PAC should be focused on better integration with Capitol Corridor, BART, and the regional bus systems.
- Chair M. Green concluded that rail is what the voters approved. He believed the light is at the end of the tunnel for finding new funding, such as the Alameda County Measure B reauthorization in 2012. The project should also work on value engineering for any cost saving opportunities. He would like to see the project stay on course and not be burdened by the uncertainty of the \$5.5M operating funding reassignment that may not be easily reverted back to rail.

9. Action Item

a. Agenda item 9a – Dumbarton Rail Technical Analysis

H. Goode and M. Lee presented the item with the following key points:

- Many changes have occurred in the Dumbarton Rail Corridor in the years since the project was originally scoped, and the project's 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 \$400,000, and the analysis is expected to take 6-9 months to complete.
- There is sufficient remaining budget (\$3.9M) to complete the technical analysis, the final environmental document, UPRR negotiations, and 30% engineering design.
- If the analysis results in small changes it is likely the environmental process will be complete by the end of 2011. If the analysis results in large changes, significant updating efforts will be necessary and it is likely the environmental process will be complete by the end of 2012.

The followings are key discussions on this item:

- D. Chu stated that the proposed bridge toll hike will only fund the Dumbarton Highway Bridge Retrofit Project and not be used to fund the Dumbarton Rail Corridor project.
- S. Lempert complimented staff for a good report and proposal to reset the project for the future. She stated that since the reaction is mixed from the PAC on the interim bus, the project should focus on the technical analysis that can advance

the environmental process. She also reminded staff that funding is a strategic issue and although the funding plan has to be solid it does not mean we must have all cash in hand. She also asked staff to look more closely into regional system integration so people can cross the bay without multiple transfers.

- H. Robinson also concurred that staff did good work and he will support the recommendation. He is impressed to learn the new hybrid vehicle that may be a future solution for this rail corridor. He said that TSM should also be an emphasis in the technical analysis to receive fair evaluation and further planning. He is encouraged that the ridership will be updated and asked to have a destination-to-destination analysis, not just station-to-station comparison, for all the alternatives. He supports a regional transit solution, though not necessarily a rail solution, and asked staff to watch the environmental schedule closely.
- Y. Kishimoto asked if other regional rail projects have looked at the new hybrid rail technology. H. Goode responded that so far this has been implemented only in Japan and Europe, not in the United States. Y. Kishimoto said that this may be a good opportunity for a demonstration project in the Bay Area and encouraged staff to work with multiple agencies, such as ACE, Caltrain, and CCJPA, to put the technical analysis into a regional context and to coordinate funding efforts. She asked that the comments on the funding strategy (from S. Lempert) and the regional rail context be incorporated into the proposed technical analysis scope.
- S. Lempert motioned to approve the staff recommendation on the technical analysis and H. Robinson seconded. The recommendation was unanimously approved.

10. Correspondence

No correspondence was received.

11. Requests from Members

No member comments or requests were made.

12. Next Meeting Date

The next meeting was tentatively scheduled to be held in April and staff will coordinate the exact time and date via e-mail communication.

13. Adjourn

Chair M. Green thanked Y. Kishimoto and D. Casas for their service on the committee as they will be leaving the VTA Board next year and new VTA appointees will be made. He also welcomed C. Romero and B. Pierce to the committee and looks forward to working with them in future meetings.

Meeting adjourned at 2:55 pm

Attachments:

Sign-in sheet



Subject: Policy Advisory Committee Meeting

Date: December 18, 2009

Time: 1 PM

Location: Palo Alto City Council Chambers

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Memorandum

Date: May 7, 2010

To: Policy Advisory Committee

From: Marian Lee, JPB

Re: Technical Study Updates

At the December 18, 2009 Policy Advisory Committee (PAC) meeting, the committee directed project staff to proceed with technical studies intended to update information relevant to the Dumbarton Rail Corridor Project. Phase I of the analysis has been completed as follows:

1. Ridership Sensitivity Tests – The VTA ridership model is being used to test alternative service levels and service configuration for the rail project.
2. Review of Changing Conditions – This task involves outreach and evaluation to determine how recent changes in key project assumptions may impact the project. These changes include the most recent regional forecasts of population and employment (ABAG Projections 2009), the rollout of the HSR program for the Peninsula and Altamont corridors, and potential additions and refinements to the alternatives to be considered for the rail corridor project.

A presentation of the Phase I analysis will be provided at the meeting. Phase II analysis, which includes evaluation of enhanced TSM alternatives and expanded service plans, is scheduled to be completed and presented to the PAC in the Fall.



Memorandum

Date: May 7, 2010

To: Policy Advisory Committee

From: Marian Lee

Re: Dumbarton Regional Bus Operations Committee (DBROC)
Interim Bus Service Update

AC Transit and MTC will provide an update on:

- DBROC agreement extension
- RFP for Dumbarton corridor bus services
- Interim bus proposal
- Legal determination for temporary use of RM2 funding for Interim Bus