

Meeting:

DRC CAP

Location:

**Menlo Park Senior Center
100 Terminal Avenue, Menlo Park**

Date:

May 30, 2007

Time:

Meeting Start: **7:10 PM**
Meeting Adjourn: **9:15 PM**

Minutes Prepared By: Issue Date:

Wenlin Yang

Attendees (sign-in sheet attached)	
<p><u>CAP Members</u></p> <p>Tim Pitsker, Fremont Judy Zlatnik, Fremont Matt Henry, Menlo Park Chairperson Susan Robinson, Menlo Park Chris Cabrales, Newark Yen Han Chen, Newark Jim Bigelow, Redwood City Barry Ferrier, Union City Harry Wong, Union City</p> <p><u>DRC Staff</u></p> <p>Steve Minden, Caltrain Wenlin Yang, Caltrain Sylvia Cox, Caltrain Christine Dunn, SMCTA Marie Pang, SMCTA Pat Gelb, Parsons Gui Shearin, Parsons</p>	<p><u>Members of the Public</u></p> <p>Peggy Claassen, City of Newark Mike Dubinsky Steve Schmidt</p>

Item No. Discussion

1. Welcome and Introductions
 - o **S. Minden** opened the meeting and introduced members of the Staff.
2. Roll Call
 - o Tim Pitsker, Judy Zlatnik, Matt Henry, Susan Robinson, Chris Cabrales, Yen Han Chen, Jim Bigelow, Barry Ferrier, and Harry Wong were present. Redwood City representative Bruce Coddling was absent. Representatives for the City of East Palo Alto, Town of Atherton and VTA have not been assigned to date.
3. Information Items
 - o **W. Yang** and **S. Minden** gave a presentation on the history of the DRC project. Topics included history, purpose and need, project organization, proposed alternatives, environmental studies, schedule, funding, costs, and the next steps.

4. Discussion

- **H. Wong** stated that the frequency of freight on the Oakland subdivision was a couple of times a week and that there were shippers in Union City.
- **T. Pitsker** asked for clarification on where funding was coming from. **S. Minden** replied that 135 million was secured RM2 funding. About 6 million dollars had already been received by funding partners and they were due to contribute 12 million for the preliminary engineering up to the 35% design. **T. Pitsker** asked if VTA had approved their full 2 million allocation. **W. Yang** stated that the first \$250K was authorized in March and they anticipated approval of the remaining \$1.75M as a part of FY08 budget action at the June Board meeting; on other end funding from the Infrastructure bond was being pursued by Capitol Corridor and the City of Union City. The Infrastructure bond has funding available for the movement of goods.
- **T. Pitsker** stated that the project should be redefined to leave out the freight bridge.
- **J. Bigelow** stated that the San Mateo County Transportation Authority (SMCTA) had listed in the 2009 budget 30 to 35 million dollars of Measure A funding for the West Bay portions of the DRC project. This funding will be used for West Bay mitigation, rail improvements and the new station at Menlo Park. He stated that there may be more funding coming from the SMCTA.
- **M. Henry** asked for the likelihood of freight on the West side. **S. Minden** replied that the Caltrain standard is heavy rail and that the Dumbarton bridge will be heavy rail, which will not preclude freight from running over the bridge. The level of freight service will be realistically studied. **M. Henry** asked if there was any law that required freight to be allowed on the Dumbarton. **S. Minden** replied that all heavy rail is controlled by the Surface Transportation Board, a federal agency. To prohibit freight from the Dumbarton would require a hearing before the Board where shippers could voice their concerns and the STB would make the decision. There is a chance that this project could go through this process. **W. Yang** stated that the UPRR must contribute to rebuilding the bridge if they want to use it, per the original contract between UPRR and Southern Pacific that was inherited by the SMCTA. If the UPRR wants to use the bridge, they must share in the cost of the repairs. She also stated that there is a \$250,000 buyout clause in the contract. But, the contract terms may not have the jurisdiction to preclude freight. It is unclear if the federal jurisdiction over interstate commerce would may the contract buyout clause void. **S. Robinson** asked if the UPRR could retroactively pay their share of the costs if they later decide that they want to run freight over the bridge. This answer to this question was unknown. **H. Wong** stated that he did not believe that the UPRR has any shippers on the Peninsula. **W. Yang** stated that there is Granite Rock in South San Francisco which receives delivery from Watsonville, and Guinness North America in Menlo Park. **H. Wong** stated that he could not see the UPRR wanting to contribute \$25 million to service one shipper.
- **H. Wong** asked what the UPRR was asking for the purchase of the Oakland Subdivision. **S. Minden** replied that they had not received a price, but that the UPRR has made several demands. The project only requires about a third of the Oakland Subdivision, from Industrial to Shinn, but the UPRR will only consider selling the entire Oakland Subdivision. The UPRR asked that a third track be constructed at Centerville, but this goes against a PUC regulation. The UPRR also asked for a grade separated flyover over the Coast line and controlled sidings on the Coast line.
- **T. Pitsker** asked if the environmental document could be done without the project being defined. **S. Minden** replied, that yes, the whole purpose of the document was to define the project through the selection of the locally preferred alternative.
- **H. Wong** asked why the schedule has slipped. **S. Minden** stated that funding issues, phasing options, the concerns brought up at scoping meetings, and the negotiations with the UPRR are responsible. **T. Pitsker** asked if there were any ongoing negotiations with the UPRR. **S. Minden** replied no.

5. Role of the CAP

- **S. Minden** stated that the role of the CAP is "advisory". The CAP will not be able to set policy, but they get a voice to give to the PAC. The chair of the CAP will be able to give a report to the at each PAC meeting. **S. Robinson** asked if they could put items on the Agenda for the PAC to

discuss. **S. Minden** stated that they could propose items to the PAC and the PAC members would decide if it would go on the next meeting's agenda.

- **W. Yang** stated that the CAP meeting minutes would be provided to the PAC. The CAP role will be to provide community input. The CAP will not review technical reports and work in progress. The CAP will get to review these items when the DEIR is available.
- **S. Robinson** asked for the advantage of being on the CAP. **B. Ferrier** stated that the CAP members get more time to present their concerns to the PAC while the general public only gets three minutes. **S. Minden** stated that the CAP's role will be to provide input, such as what might be acceptable and specific concerns to be addressed in the studies.
- **M. Henry** asked what the answer to his freight question was. **S. Minden** replied that he did not know, but when he did, he would inform them. **T. Pitsker** stated that the law is very ambiguous.
- **B. Ferrier** stated that he wants this project to be elevated politically to Washington D.C.

6. Meeting Schedule

- After discussion, it was decided that meetings were needed to educate the CAP members on the project and address each member's specific position. Information on ridership modeling, a cost comparison of the project and an electrified system, and information on each alternative and its associated costs were asked for.
- After the CAP has been brought up to speed, it was agreed that CAP meetings will be synchronized with PAC meetings so that the CAP can comment on the PAC's agenda items. Generally, PAC meetings are the third Tuesday of every other month. It was recommended that CAP meetings will be the second Wednesday of every other month. Meeting location will alternate between each side of the Bay.

7. Election of Officer

- **M. Henry** motioned for Susan Robinson to chair the CAP. **T. Pitsker** seconded the motion. Susan Robinson was unanimously (9:0) voted to be the chairperson.

8. Public Comment

- **Peggy Claassen**, representing the City of Newark, stated that the Caltrain Staff had been working with the long term interest of the City of Newark.
- **Malcolm Dudley**, a resident of Atherton, asked what happened to the East Palo Alto Station.
- **Steve Schmidt**, a resident of Menlo Park, stated that there are people in Menlo Park who are in favor of the project and that it is a good project. As a member of the City Council, he had heard the same concerns in regards to the project. He cautioned the CAP that some of the mitigations that are being talked about will kill the project. He stated that it is not responsible to not find a solution. He asked them to keep an open mind and make the project work.
- **Jack Ringham**, a resident of Atherton, stated that there was no mention of High Speed Rail and that there is currently a study which has High Speed Rail come through the Altamont Pass and over the Dumbarton as an alternative. The other alternative is via Pacheco Pass. He stated that if the Altamont Pass is chosen, there will be a significant impact to the DRC project. **S. Minden** stated that there has been discussion at the Staff level. **J. Ringham** asked why it wasn't being considered until it became a reality. He stated that variations including high speed rail should be studied now.
- **Jon Hazard**, a resident of Menlo Park, stated that he believed the CAP would be used to choose the options. He stated that he didn't realize that the UPRR was such a problem and if the UPRR will ever allow the project. He asked if it was responsible to go ahead with Rail Alternative A-C if you didn't know what the price tag to finish the project will be. S. Robinson asked if A-C is the project or a phase. H. Wong stated that the BART extension to Fremont was a phase. He stated that he like the A-C option because it is doable and is a useful project. He stated that the flaws to the BRT option was that no one rides the bus and that finding money to convert the Dumbarton from a busway to a railway will be difficult to find in the future.
- The next CAP meeting will be June 27, 2006 at 7 pm at the Menlo Park Senior Center.

Attachments: Sign-In Sheet, DRC CAP Presentations