

Meeting:
DRC Citizen Advisory Panel

Date:
July 16, 2008

Location:
Menlo Park Senior Center
110 Terminal Avenue, Menlo Park, CA

Time:
Meeting Start: 7:00 pm
Meeting Adjourn: 9:20 pm

Minutes Prepared By:
Sudhish Verma

Issue Date:
October 15, 2008

Attendees (sign-in sheet attached)	
<p><u>CAP Members</u> Jim Bigelow, Redwood City Mike Dubinsky, Fremont Tim Pitsker, Fremont- Vice Chair Barry Ferrier, Union City Margaret Fruth, Menlo Park Susan Robinson, Menlo Park- Chair Yen Han Chan, Newark Eric Hentschke, Newark – Alternate Arthur Ringham, Atherton Malcolm Dudley, Atherton</p> <p><u>DRC Staff</u> Paul Matsuoka, Joint Powers Board Sylvia Cox, Joint Powers Board</p> <p><u>Consultants</u> Sudhish Verma, Parson Brinckerhoff</p>	<p><u>Members of the Public</u> Peggy Claassen, City of Newark Dave Cortez, Caltrans Onnolee Trapp, League of Women Voters Matt Henry, Menlo Park Susan Arrington, Menlo Park Janet Perez, Menlo Park</p>

- | Item No. | Discussion |
|-----------------|--|
| 1. | Call to Order |
| 2. | Roll Call |
| 3. | Approval of March 19, 2008 Minutes <ul style="list-style-type: none"> o A motion to approve the minutes was made by J. Bigelow and seconded by T. Pitsker. The minutes were approved. |
| 4. | Public Comments <ul style="list-style-type: none"> o There were no public comments. |
| 5. | Information Items <ul style="list-style-type: none"> o S. Robinson suggested that in the interest of time, the CAP should allocate 45 minutes each to information items and action items on the agenda. A motion to accept S. Robinson’s suggestion was made by M. Fruth and seconded by M. Dubinsky. The motion passed. |
| a. | 2007-2008 Alameda County Civil Grand Jury Final Report <ul style="list-style-type: none"> o M. Dubinsky stated that the Alameda County Grand Jury enquired about the Dumbarton project with a number of people including P. Matsuoka, the Program Manager of the project, and had concluded that the Dumbarton project had flaws. |

- M. Dubinsky added that the CAP should reconsider the project since similar ideas were on some CAP members' minds, and therefore had to be on minds of citizens as well.
- J. Bigelow disagreed with the summary of the Grand Jury reports. He stated that the conclusion of the reports was "no response". He also pointed out that the two counties that performed the reports were putting up the least amount of money and did not share the congestion problems in East Palo Alto and Menlo Park that the Dumbarton Rail Corridor project is trying to resolve.
 - A discussion on the merits of BART and the Dumbarton Rail Corridor project ensued between B. Ferrier, M. Dubinsky, and Y. Chen.
 - T. Pitsker informed the panel on a conversation he had with Doug Kimsey, Planning Director of the Metropolitan Transportation Commission. They discussed freight and UPRR issues related to the project including the new rail bridge over Alameda Creek. T. Pitsker asked that the bridge be removed from the environmental document since it was an illegal gift of tax payer dollars to the UP and would endanger a source of drinking water.
 - S. Robinson asked for the purpose of the proposed bridge over Alameda Creek. P. Matsuoka replied that freight service from the Port of Oakland to the Central Valley would be re-routed from the Coast and Centerville lines to the Niles Subdivision via the proposed rail bridge. This will decongest the railroad to allow ACE, CC and DRC trains to use the Centerville line.
 - S. Robinson asked if there had been any negotiations with UP so far. P. Matsuoka replied that no negotiations had taken place, but there will be. It is premature to know the impacts, but the EIS/R will discuss them all. It is up to the decision makers to choose whether the bridge is in or out of the environmental document.
 - T. Pitsker asked for a motion to take the Alameda Creek bridge out of the environmental document unless there was an agreement with UP to move freight away from the Centerville Line. S. Robinson stated it could be an informational item and placed on the next agenda as an action item.
- b. 2007-2008 Santa Clara County Civil Grand Jury Report
- M. Dudley said that the outcome of grand jury reports could depend largely on the members of the jury. He also stated that the members of the jury have all the facts, while the CAP does not and that it is not the place of the CAP to have a response.
 - S. Robinson said that the CAP was put in place to provide feedback to the PAC and the staff, and it was valid to consider views of the citizens impacted by the project and grand jury reports, however, it was not up to the CAP to decide the appropriate way to respond to the grand jury.
 - T. Pitsker recommended using the existing Mission Blvd. Bridge instead of constructing a new rail bridge over Alameda Creek. There is a discontinued rail line that is owned by the Niles historic district that could be put back in use.
 - A discussion ensued between B. Ferrier, Y. Chen, and T. Pitsker on the need to complete the environmental document and define the impacts before making a decision to remove alternatives.
 - S. Robinson stated that that more information was needed to support an action item to remove the proposed bridge at Alameda Creek and use the Mission Blvd. Bridge instead. It was suggested that T. Pitsker write a proposal of his request so that everyone would be clear on the terms.
- c. Consideration for Dumbarton Project Future (Arthur Ringham)
- A. Ringham prepared a draft motion. He stated that the bus option could provide more frequent service with more stops for less money, and thus the staff should discontinue the study of the Dumbarton rail service. He presented a comparison between the bus and rail alternatives. He asked that the blanks in his

comparison table be filled out by the project team. P. Matsuoka replied that the technical studies required to fill out the blanks were currently being performed and the purpose of the environmental document was to disclose those findings.

- A discussion ensued between S. Robinson, A. Ringham, B. Ferrier, T. Pitsker, and J. Bigelow regarding whether the project should continue with the environmental document and whether a bus alternative was preferred over rail. S. Robinson asked if RM2 funding could be used for buses. P. Matsuoka replied that if the PAC chose the bus alternative, then the funding would go to buses. S. Robinson asked if there was any consensus on whether Jack's proposal should be an information item or an action item or whether they should wait until after the EIR to decide between bus and rail. There was no consensus.
- P. Matsuoka stated that the environmental process is a legal process. The NOI defined the alternatives that would be studied. Any motion to remove or add alternatives would jeopardize the environmental document's legal process. He added that the right time to make such comments would be after the draft EIR was circulated, when all the information would be available.
- It was expressed that J. Ringham's proposal be part of the record so that the PAC would be able to read it. It was agreed that the letter would be included as Correspondence.

6. Action Items

a. Review of the PAC agenda of July 22, 2008

- S. Robinson said that the main agenda item for the upcoming PAC meeting would be MTC's proposal to reprogram \$91 million of RM2 funds from the Dumbarton project to the BART to Warm Springs project.
 - According to the proposal the Dumbarton project would receive \$91 million in future year (FY 2019-20 to FY 2026-27) Alameda County Regional Transportation Improvement Program (RTIP) funds recently pledged to the BART project.
 - The purpose of the action item was to build a consensus on what CAP should recommend to the PAC.
 - Staff had prepared three alternative approaches to develop a response to MTC's proposal. The three proposals were 1) oppose, 2) accept, or 3) an alternative proposal.
 - The alternative proposal was to agree to MTC's proposal to reprogram the funds with a few conditions (refer to agenda), including an interim bus service to build ridership in the corridor.
- A discussion ensued on the merits of each proposal. B. Ferrier initially favored Option 3 and liked the interim bus service. J. Bigelow favored Option 1 and recommended to hold onto the 91 million and start with the phasing option to deal with the funding shortfall. M. Dudley strongly opposed the transfer of funds and explained that Resolution 26 was passed to prevent the competition of transit projects. He favored Option 1. T. Pitsker favored Option 2. B. Ferrier changed his mind about Option 3 because he did not want to wait until 2019 for the funding payback. M. Fruth prefers the funding to be reprogrammed for the funding of buses.
- A discussion ensued on the relevance of the Santa Clara County sales tax measure. If the sales tax measure was approved, BART to San Jose would be a reality and it would be the appropriate time to discuss whether they should borrow the funding from the Dumbarton project. If the sales tax was not approved, then BART to San Jose was not likely to happen. Also, by waiting until after November to make the decision, a lot more information about Dumbarton, including the updated cost estimates, would be available to base a decision on.

- J. Bigelow motioned that the CAP should request MTC not to transfer the funds until after the results of the November ballot to see if the Santa Clara County sales tax measure passes and the Draft EIS has been circulated. Then, revisit the issue after the issues are known. M. Dudley seconded the motion. The motion failed 5 to 5.
 - A motion to request funds to provide enhanced bus service and to stop work on the environmental document was made by M. Fruth and seconded by T. Pitsker. The motion failed 3 ayes to 7 nays.
 - A motion to accept the third alternative as defined by the staff, was made by A. Ringham, but was not seconded by any other member of the CAP. The motion failed.
 - It was agreed that no consensus could be made.
7. Correspondence
- A proposal letter from A. Ringham was submitted.
8. Member Comments and Member Requests
- B. Ferrier said that the Dumbarton project would be on the agenda of the ACTIA Transportation Forum in Fremont the next day.
9. Time and Date of Next Meetings
- The next meeting will be held on the Wednesday preceding the next PAC meeting at 7pm in the East Bay. The date of the next PAC meeting was not yet determined.
10. Adjourn
- Meeting adjourned at 9:20 pm
- Attachments:**
- Sign-in sheet