

**CITIZENS ADVISORY COMMITTEE (CAC)  
SAN MATEO COUNTY TRANSPORTATION AUTHORITY (TA)  
1250 San Carlos Avenue, San Carlos CA 94070  
Bacciocco Auditorium, 2<sup>nd</sup> Floor**

**MINUTES OF APRIL 3, 2012**

**MEMBERS PRESENT:** B. Arietta (Chair), J. Bigelow, J. Fox, R. Hedges, R. Hees, E. Lasensky, J. Londer, D. Maez, D. Mensing, L. Shaine, L. Simonson, B. Warhurst, J. Whittemore, G. Zimmerman

**MEMBERS ABSENT:** A. Vargas

**STAFF PRESENT:** J. Ackemann, C. Chung, J. Hurley, M. Lee, N. McKenna

Chair Barbara Arietta called the meeting to order at 4:31 p.m. and Larry Shaine led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

A motion (Shaine/Bigelow) to approve the February 28, 2012 minutes was passed.

**PUBLIC COMMENT**

None

**ITEMS FOR REVIEW – APRIL 5, 2012 TA BOARD MEETING**

**Measure A Program Update (TA Item 10)**

Director of Caltrain Modernization Program Marian Lee said this presentation is being made at the request of TA Chair Carole Groom to clarify the roles and responsibilities of the TA Board.

- The general framework of the Expenditure Plan (Plan) was passed by the voters in 1988.
- Voters approved a 2004 Plan and related to that Plan staff was successful in adopting two planning documents, the five-year Strategic Plan adopted in 2008 and an Implementation Plan adopted in 2009 that set policy for how to advance the program.
- Goals of the 2004 Plan are:
  - Reduce commute corridor congestion.
  - Make regional connections.
  - Enhance safety.
  - Meet local mobility needs.
- The Plan anticipates collecting approximately \$1.5 billion and an estimated match of \$2.2 billion.
- Transportation needs are much greater than the sales tax that is collected, so ability to leverage funding is crucial to meeting the needs of the county.
- Local shuttles, pedestrian and bike and alternative congestion relief categories are subject to Call for Projects (CFP).
- Caltrain and highways programs are a plan-based approach.

- Ferry, BART and local streets programs are agreement-based approach.
- Accessible services, Dumbarton Corridor and grade separations approach will be determined at a future time.
- There are upcoming CFP for shuttles and highways.
- The Shuttles CFP will be merit based and staff has developed the criteria and project selection. The TA proactively supports a more robust shuttle program for the county and there will be performance monitoring to ensure the best use of funds.
- The Highways Program CFP is based on the Short Range Highway Plan which is part prescriptive and part merit based. This CFP significantly leverages TA funds and recognizes funding challenges.
- The role of the Board and Management as Fiduciaries/Trustees is to administer consistent with the broadly stated goals of the voter-approved Plan and requires countywide focus.
- The Trustee Role is established by State law and the voter-approved Plan.

Jim Bigelow asked on the Gateway 2020 and three cities in San Mateo County who don't have a defined project but have short-term, mid-term and long-term, will there be any guidance on how the local agencies need to work together to bring forward a project or projects. Director, Transportation Authority Program Joe Hurley said the 2020 Gateway Study was to explore options to improve access between the Dumbarton Bridge and Highway 101 corridor. This was identified in the Original Measure A and in the New Measure A as a Key Congestion Area Project. Candidate projects that came out of the 2020 Gateway Study and span multiple jurisdictions should secure local support from all effected jurisdictions.

Larry Shaine asked if the \$1.5 billion total revenue is just sales tax or does it include other miscellaneous revenue items. Ms. Lee said just sales tax.

Rich Hedges asked if the income on projected estimates improved. The expenditure for transit is 30 percent and is exactly the same as the 2035 Plan, is that a coincidence? There is private money for grade separations for 28<sup>th</sup> and 31<sup>st</sup> avenues in San Mateo. It will be the first private money in public/private partnership. Lastly, shuttles are not marketed to the general public. He sends an e-newsletter every six months with all the shuttles and transit options in his community.

### **Program Report: Caltrain Modernization Early Investment Memorandum of Understanding Update (TA Item 12a)**

Ms. Lee reported:

- California High Speed Rail Authority (CHSRA) reached out to its bookends to identify early improvements in the corridor, as well as the Los Angeles corridor, if funding can be identified.
- Staff defined the blended system as:
  - A two-track system that would connect from San Jose Diridon to a northern terminus station at the new Transbay Terminal in downtown San Francisco.
  - It would include the Downtown Extension Project that would connect the existing 4<sup>th</sup> & King Station all the way to the new Transbay Terminal Station.
  - There would be High Speed Rail (HSR) stations at San Jose, Millbrae and downtown San Francisco.

- There would be core capacity projects which include upgrades to existing stations, upgrading tunnels and bridges, possibly adding some tracks and figuring out what to do with all the at-grade crossings.
- Based on the conceptual understanding of what the blended system is, MTC landed on two projects for Caltrain, the advanced signal system and electrification of the corridor.
- Assuming the monies are there and things go smoothly the signal system would be done by 2015 and the corridor electrified by 2019.
- The agreement tries to identify these parameters.
- The MOU:
  - The MOU has nine parties signing. They include the CHSRA, MTC, the Peninsula Corridor Joint Powers Board (JPB), the San Francisco Transportation Authority, the Transbay Joint Powers Authority (TJPA), the Santa Clara Valley Transportation Authority (VTA), the SMCTA and the cities of San Francisco and San Jose. All the parties either have a role of planning, funding, construction and/or operations in the corridor.
  - The MOU is a two-track system and there is no reference to a four-track system.
  - The MOU confirms the two-track system supports not only Caltrain and HSR, but also freight and existing rail tenants.
  - The project will be planned and designed to be supportive of the local land use policies and transit oriented development policies.
  - In the MOU is a commitment by JPB to update and recirculate the Caltrain Electrification Environmental Report (EIR). Staff has heard a lot of concerns the document is out-of-date and what we are going to be doing with the at-grade crossings.
  - Funding plan included in the MOU shows a project cost of \$1.5 billion. This is a combination of the signal project, infrastructure needed to convert the system and also the purchase or lease of electric multiple units.
  - The cost of \$1.5 billion is split approximately 50/50. Fifty percent or \$706 million will come from HSR Proposition 1A money and the other monies will be matched from local, regional, State and Federal levels.
  - The MTC approved the MOU on March 28. CHSRA will take the MOU to their board on April 12. The VTA, JPB and SMCTA will bring for action in May. The TJPA and the City of San Jose will bring for action in June.
- MTC staff was very receptive to input from all stakeholders on the MOU. While we got the critical regional elements that set the right parameters in what we are trying to do for the corridor some of the conditions local cities asked for did not make it.
- What did not make it into the MOU include:
  - Some cities wanted the MOU to make a positional statement on the Pacheco Pass or Altamont alignment.
  - Some people wanted a condition in the MOU that we shouldn't sign on until the Attorney General has commented if the blended system meets all the Proposition 1A requirements.
- Specific comments related to local planning included:
  - Put a condition in the MOU that we will proceed in a way that embraces the concepts of context sensitive solutions.

- Train traffic will not be increased until defining what grade separations would be needed or what will be done with all the at-grade crossings.
- As the environmental document is updated these specific comments can be a commitment the JPB can make.

Mr. Hedges said he attended the MTC meeting and was pleased Executive Director Steve Heminger cited San Mateo as one of the most cooperative cities, not only with HSR, but also in the idea of Transit Oriented Developments (TOD).

George Zimmerman said it is very important to remember grade separations are just as crucial as signalization.

Ms. Maez said there have been some concerns on the tracks and the curves and they haven't been addressed. Ms. Lee said with the early investment project and an electrified Caltrain, it is still planned to operate at the same speed as operated today, 79 miles per hour. When HSR gets here, staff is contemplating up to 110 miles per hour and at that time the tracks and curves will be assessed.

Mr. Shaine asked how the whole issue of the governor's recent announced plan to lengthen the bookends to save \$30 billion fits in. Ms. Lee said the new business plan is built off of Caltrain having a blended system.

Mr. Bigelow said there have been some critical comments made relative to the Caltrain corridor with an appearance we are like the Salvation Army and need money to get electrified. One of the things to change that perception is we have 50 miles of real estate with tracks on it and HSR doesn't. There is just as much opposition to this project as there is support so we need to keep pushing.

Chair Arietta said the MOU mentions potential passing tracks as part of the blended system, but there is no funding identified or allocated so would an additional EIR need to be done? Ms. Lee said yes. Outside of the signal project and electrification project staff needs to come up with a funding strategy for all the other items. Bridges have to be upgraded and there is a cost associated with that, but the passing tracks are currently in a planning process. Staff has laid out five conceptual ideas and it gains two additional slots for HSR trains, but have to weigh the impact and the cost of the passing tracks with a justification from HSR on them actually needing those two additional slots.

Chair Arietta asked how Baby Bullet service will be handled. Ms. Lee said there is no schedule yet, but in the prototype it starts with an assumption that the overall travel time is under one hour from San Francisco to San Jose.

John Fox asked if it is better to purchase or lease the electric multiple units (EMU) and what is the strategy on doing both versus one or another. Ms. Lee said she will come back with the strategy.

Laurie Simonson said the justification for the number of trains per hour needs to be shown before the passing tracks are proposed. What happens to the MOU if the attorney general says a blended system is not consistent with Proposition 1A. Ms. Lee said there would be a big problem.

Mr. Hees said he likes that this is a simple document, staff is moving ahead, and appreciates Ms. Lee's knowledge and review of it. He asked if the EMUs were selected. Ms. Lee said there was a preferred selection of EMUs in the environmental document that got Federal clearance, but not State certification.

Jeff Londer said he read the elimination of the requirements for EIR/California Environmental Quality Act (CEQA) if there were grade separations eliminated. Ms. Lee said people are concerned on the proposed state law to streamline CEQA, but not sure what agencies or projects this applies to.

Mr. Londer said there will probably be a loss of Caltrain ridership for those who transfer to HSR to get to San Francisco faster and asked if this is factored in. Ms. Lee said staff doesn't have the exact service plan laid out and will have to do some ridership models. The other part of this is the integration of the fare structure and systems which have not yet been determined.

Jim Whittemore said on the CEQA requirement it is his understanding that the proposal reduces the requirements for anything that is \$100 billion or more.

Mr. Whittemore would like to know what the inflation factor is that the entire plan is predicated on, and what the impacts of the plan are on a 2 percent and 5 percent increase in the Federal fund rates. During the time of electrification and/or the increase of at-grade crossings will there be a significant hit to existing service and a loss of riders during this period of time? What are the estimates and figures behind the estimates for the lost revenue from ridership during the period this project is being implemented? What is "Plan B" if this doesn't come to fruition for electrification? This solves the issue of electrification but it does not make this railroad self-sustaining and the ongoing issue of the lack of dedicated stream of funding for this railroad will exist in 2020 when this project is done.

Mr. Hedges asked when the ridership study is done what is the capacity of the HSR system.

Mr. Shaine said the TA Board approved a substantial amount of money for signalization improvements. Is this different then what is being discussed for HSR. Mr. Hurley said what the TA Board approved was the county's contribution toward the capital improvements, of which includes signal and communication improvements.

Chair Arietta said she finds it hard to believe that all of the entities involved in the MOU that it wouldn't be legal. Ms. Lee said she has been hearing positional statements and when staff started defining the blended system they screened through the Proposition 1A language because it has very specific design parameters. When staff screened the blended system approach through the parameters staff struggled with the travel time. The travel time depends on how people read it. It doesn't say you have to, it says "is your system designed to." There is

interpretation in the words that leaves room for both parties to argue both sides. From a technical perspective Ms. Lee thinks we can meet the criteria.

Chair Arietta asked when the Attorney General will make a decision. Ms Lee said she didn't know.

**Approval of Minutes (TA Item 4a)**

No discussion

**Acceptance of Statement of Revenues and Expenditures for February 2012 (TA Item 4b)**

Mr. Zimmerman said on page 6 of 11 Interest on Investments chart, he would like clarification on the year-to-date summary gain/loss figure of \$315,836. He asked if this represents a loss due to an expenditure to a capital fund or does it reflect a loss due to the investments. Mr. Hurley said he will look into it and get back with an answer.

A motion (Shaine/Bigelow) to support acceptance of the Statement of Revenues and Expenditures for February 2012 was approved.

**Sam Trans Liaison Report – March 14, 2012 (TA Item 7)**

No discussion

**Authorize Reprogramming of \$21,791,646 from Inactive Projects Under the 1988 Measure A Streets and Highways Program (TA Item 11a)**

Mr. Hees said he supports the general concept, but is there a need for the money to reprogram to another project. Mr. Hurley said the funding is being freed up and made available for the upcoming highway program CFP.

Mr. Hees said by doing this reprogramming of funds, is it killing the project? Mr. Hurley said no because if a project sponsor that wants to reactivate it, and there is merit and political and public support for it, they have the opportunity to apply under the CFP to activate the project with the New Measure A funding.

Mr. Bigelow said if the money is put back in the pot any of the sponsors can apply for a new project. Mr. Hurley said the Original Measure A was extremely prescriptive and in the development of the New Measure A, staff didn't want to get locked out of funding a project because we didn't identify it or anticipate it back in 2004. There is much more flexibility in the New Measure A than the Original Measure A program.

Mr. Hurley said this action is not to kill projects, but to make the money currently programmed to what staff considers an inactive project available for the upcoming CFP.

Interim Manager Programming and Monitoring Celia Chung said the funds are being taken from the inactive projects to apply them to the pot so they would be available for other projects. These projects are not being declared dead. These projects will be able to apply for funds in the future if there is political support and additional funding is identified. When staff went through the exercise to identify which projects were inactive they went through a very deliberate

evaluation. The project had to have no activity in over five years and there was no deliverable or subsequent phase of the project being worked on currently. Both of these questions had to be answered with no's before they were considered inactive by staff and then recommended to be on the list.

Mr. Whittemore said he supports doing this and this is good project management.

Ms. Simonson said the City of Half Moon Bay has two projects. With the amount of money being allotted to each could their projects be completed? Ms. Chung said probably not.

Ms. Simonson said this is not taking the last piece away from finishing these projects.

Ms. Chung said no.

Mr. Fox said this is a small amount compared to the entire planning process and should not be considered detrimental to the projects.

Daniel Mensing left at 5:58 p.m.

Mr. Hurley said the Board took an action to allocate the money to the projects and has the authority to remove or move the money. This is a very oversubscribed program and staff is trying to make sure there is money to deliver the projects with the most merit.

Ms. Chung said after the six projects were identified letters were sent to the lead agency sponsors and the stakeholder cities for those projects.

A motion (Hees/Whittemore) to support the reprogramming of funds was approved.

Ms. Maez asked if there are any inactive projects in other programs. Mr. Hurley said this is the first program that has gone through this exercise driven by the upcoming Highway Program CFP and the need for funds.

#### **Update on State and Federal Legislative Program (TA Item 12b)**

Government Affairs Officer Jayme Ackemann said there have been several bills passed in the legislature that identify provisions for streamlining the CEQA process. Those specifics are still being worked out. In February there were a series of public comment meetings to see how they would go forward with the streamlining process. One of the things that has been of some concern is there has been a tendency to overstate what the CEQA streamlining process is. Fundamentally it is shortening up the judicial review period that takes place after an EIR has been submitted and the public comment period has been finalized. All the EIR actions still unfold just as they would in any other EIR process. In fact, one of the bills has a provision that increases the greenhouse gas regulations that a project must meet in order to pass the CEQA review process.

Mr. Hedges said when this process started streamlining wouldn't affect everyone.

Ms. Ackemann said there are a couple of triggers a project would have to meet in order to be eligible for the CEQA streamline process.

Ms. Ackemann said at the State level, there is a lot of energy and time being spent on the issue of cap and trade revenues. Staff is working closely with the California Transit Association to ensure the revenues that would be collected would be advantageous for transit. Cap and trade is one of the things connected to the possibility of long-term HSR funding. While this is great staff would like to see the money in a more general transit pot where everyone would have more opportunity to get at it.

Ms. Ackemann said at the Federal level, the 90-day extension for transportation reauthorization was passed last week. It holds all the existing funding levels in place as they have been since 2009 when SAFETEA-LU first expired. The Senate did pass its bill, however it is very unlikely to pass the House. Staff thinks there will be extensions through the presidential election. Both parties seem very confident that they are going to win in November so neither wants to do anything because they think they will have strength after the election to pass the bill they want.

Mr. Fox left at 6:09 p.m.

Mr. Bigelow asked where the HSR lemon law is. Ms. Ackemann said there is little likelihood that Assembly Bill 1455 will pass the Assembly and the Senate and no likelihood the governor will sign it.

#### **REPORT OF THE CHAIR – BARBARA ARIETTA**

Chair Arietta reported:

- The Bay Area Air Quality Management District is launching a bike sharing pilot program that will provide 1,000 bicycles and approximately 100 bike share stations along the Caltrain corridor. Transform, a public advocacy firm, is conducting a survey at [www.transform.ca.org](http://www.transform.ca.org) for suggestions to shape the pilot program being developed.
- There is a Transportation Choices Summit and Advocacy Day in Sacramento on May 1 and 2.
- Attended a Caltrain event on February 29 in San Jose and Santa Clara.

#### **REPORT FROM STAFF – JOE HURLEY**

Mr. Hurley said staff is working with the California State Department of Transportation (Caltrans) and the upcoming budget has to do with Caltrans charging for the oversight of project initiation documents. It continues to be a big issue and it looks like it is going to be a budget issue as well. There was an Assembly hearing and there will be a Senate hearing on April 18 to discuss this particular issue. There is the feeling from both the Assembly and Senate that Caltrans should be doing this work on their own dime and not seeking reimbursement from the local agencies. The governor vetoed this position the last budget session and said the locals need to continue to pay for it.

Mr. Hurley said one of the big issues with the CEQA streamlining process is the appropriate staffing and of regulatory agencies and their ability to review and process these documents in a timely manner.



Mr. Shaine said the auxiliary lane project at the south end of the county currently has a pedestrian overpass and looks like another one is being built. Mr. Hurley said yes it is the Ringwood Pedestrian Overcrossing. The difference between this one and the one done for the Mount Diablo Pedestrian Overcrossing is we were able to build the new one in a different location so the old one was allowed to stay in place while the new one is constructed.

Assistant District Secretary Nancy McKenna announced the upcoming CAC recruitment which begins on April 5 and closes on April 23.

### **COMMITTEE COMMENTS**

Mr. Whittemore said what bothers him on the Caltrans review of documents is all the money we pay them and they hold no liability for the service they are providing. He took Monterey/Salinas Route 55 from Carmel to the Caltrain Diridon Station and the buses had free Wi-Fi. Wi-Fi would be a big ridership boost on Caltrain. He was in Palo Alto the day the bicyclist was killed in Menlo Park. He was impressed with the way staff handled the situation and Public Information Officer Christine Dunn's editorial in the paper.

Mr. Londer said the HSR Board meeting on April 12 has been moved to San Francisco at the State Building at 455 Golden Gate Avenue. The Peninsula Cities Consortium meeting is Friday, April 6 in Burlingame at 8:15 a.m.

Mr. Hees said he was in Sydney Australia a few weeks ago and they have an electrified heavy rail commuter system.

Elizabeth Lasensky said she had visitors from London and they rented bikes in Palo Alto and their comment was that we are so far behind in the bicycle rental area.

Mr. Bigelow said on April 12 the CHSRA is set to approve the MTC MOU for the Caltrain corridor, the amended MOU for the Los Angeles area and the Business Plan that is to be sent to the legislature. The CHSRA meeting on April 19 at Sacramento City Hall has to do with the EIR/Environmental Impact Study (EIS) litigation from the Bay Area to the Central Valley where there is an item to rescind the current one they worked on and uncertify it.

Mr. Zimmerman said he is in favor of the Clipper Card, but there needs to be turnstiles that can read the Clipper Card.

### **Date and Time of Next Meeting**

Tuesday, May 1, 2012 at 4:30 p.m. at 1250 San Carlos Avenue, Bacciocco Auditorium,  
2<sup>nd</sup> Floor, San Carlos, CA 94070.

The meeting adjourned at 6:39 p.m.