**Peninsula Corridor Joint Powers Board (JPB)**
**Board of Directors Meeting**
**1250 San Carlos Avenue, San Carlos CA 94070**

**MINUTES OF MARCH 1, 2018**

**MEMBERS PRESENT:** J. Bruins (Chair), G. Gillett, C. Brinkman, C. Chavez, D. Davis, J. Gee, D. Pine, C. Stone, M. Zmuda


**CALL TO ORDER/PLEDGE OF ALLEGIANCE**
Chair Jeannie Bruins called the meeting to order at 10:08 a.m. and led the Pledge of Allegiance.

**ROLL CALL**
Assistant District Secretary Gumpal called the roll. A quorum was present.

**REPORT FROM CLOSED SESSION**

Legal Counsel Cassman reported out on the Closed Session held at 9:30 a.m., as follows:

Closed Session: Conference with Legal Counsel - Existing Litigation Pursuant to Government Code Section 54956.9(d)(1): Peninsula Corridor Joint Powers Board v. Parsons Transportation Group et al; San Mateo County Superior Court Case No. Case No. 17CIV00888

No action was taken.

Closed Session: Conference with Legal Counsel - Existing Litigation Pursuant to Government Code Section 54956.9(d)(1): Parsons Transportation Group v. Peninsula Corridor Joint Powers Board et al; San Mateo County Superior Court Case No. Case No. 17CIV00786

No action was taken.

Closed Session: Real Estate Negotiations – Pursuant to Government Code 54956.8: Agency Negotiators (Joan Cassman, General Counsel, and Brian Fitzpatrick, Real Estate Staff)

Under Negotiation: Price and Terms of Lease Property and Negotiating Parties: Owner Address/Location APN: 015-021-998 Union Pacific Railroad Company Property adjacent to Caltrain Right-of-Way near Dubuque Ave, So. San Francisco, CA
The Board authorized a 15-month lease with Union Pacific.


The Board authorized a settlement with Verizon, to be finalized in the coming months.

PUBLIC COMMENT
Shirley Johnson, San Francisco, disagreed with cutting public comment to one minute at the last meeting and provided suggestions to expedite the meeting process.

Maria Beretta, Burlingame, expressed concern regarding the cost of housing and requested consideration for low income residents in the Caltrain business plan.

Rolan LeBrun, San Jose, discussed the Transit Intercity Rail Capital Program, EMU’s, and assigning times to agenda items.

Paul Jones, Atherton, commented on the defective CBOSS system.

John Spangler, Redwood City, expressed support for longer public comment times, clearer communication and bicycle commuters in general.

Drew Taylor, San Mateo, stated he appreciated the presentation on the new grade separations in San Mateo.

CONSENT CALENDAR
Motion/Second: Gillette/Stone
Ayes: Brinkman, Bruins, Chavez, Davis, Gee, Gillette, Pine, Stone, Zmuda

a. Approval of Minutes of Special Meeting of February 1, 2018

Public Comment: Jeff Carter, Millbrae, commented on the brevity of the board minutes.

b. Approval of Minutes of February 1, 2018

Public Comment: Shirley Johnson, San Francisco, reiterated Mr. Carter’s comments regarding the minutes and commented that the Transit Intercity Rail Capital Program does not appear in the minutes.

c. Acceptance of Statement of Revenues and Expenditures for January 2018

d. Receive Key Caltrain Performance Statistics – January 2018
Public Comment: Roland Lebrun, San Jose, discussed the CBOSS contract and inquired why item 9 was not on the Consent Calendar.

e. Receive State and Federal Legislative Update
f. Receive Capital Projects Quarterly Report – 2nd Quarter Fiscal Year 2018
g. Authorize the Application For and Receipt of Annual Cap and Trade Funding for the Peninsula Corridor Electrification Project - Approved by Resolution No. 2018-9

CHAIRPERSON’S REPORT
Chair Bruins acknowledged a student from Notre Dame High School’s positive remarks about the new mobile ticketing app, encouraged board members to “go green” and receive board packets electronically and invited board members’ comments/changes on any Rules of Procedure, through Legal Counsel Cassman.

Public Comment
Roland Lebrun, San Jose, cited a violation of Government Code 54943.3.

CITIZENS ADVISORY COMMITTEE (CAC) REPORT
Brian Shaw, Chair, Citizen’s Advisory Committee, reported on a recent meeting where new officers were appointed and stated the Committee discussed fare evasion, radar scanning technology, Electric Multiple Units design, BART proof of payment, bicycles and number of turned-away bikes.

Chair Bruins requested to schedule a safety item on a future agenda and add the CAC minutes to the agenda packet in the future.

Public Comment
Roland LeBrun, San Jose, discussed radar scanning technology.

Shirley Johnson, San Francisco, commented on negative comments received regarding bikes on trains.

Jeff Carter, Millbrae, reiterated the comments of Ms. Johnson, above.

John Spangler, Redwood City, discussed bicycles and bike capacity on trains.

REPORT OF THE EXECUTIVE DIRECTOR
Peninsula Corridor Electrification Project Monthly Report
Executive Director Hartnett introduced John Funghi, Chief Officer for the Peninsula Corridor Electrification Project/CalMod project, who provided a monthly progress report on the electrification project. An extensive written progress report was contained in the agenda packet.
Mr. Hartnett noted that his written report was contained in the agenda packet.

Responding to Board member Davis’ inquiry regarding design, electrification and top train speeds, Chief Operating Officer, Rail, Bouchard and Chief Officer CalMod project, John Funghi, responded. Executive Director Hartnett discussed the environmental document and High Speed Rail ongoing meetings that are being held. Director Davis requested regular updates on the High Speed Rail project.

**Public Comment**
Roland LeBrun, San Jose, discussed project costs, train assembly, Buy America requirements and a proper design to sustain train speeds.

John Spangler, Redwood City, discussed the electrification project effecting Atherton, a grant for rolling stock and video surveillance.

Shirley Johnson, San Francisco, requested to receive future bicycle advisory committee minutes.

**AWARD OF CONTRACT TO WABTEC RAILWAY ELECTRONICS FOR COMPLETION OF THE POSITIVE TRAIN CONTROL PROJECT**
Chair Bruins recused herself from the discussion on the agenda item due to a conflict of interest and turned the gavel over to Vice Chair Gillette.

Chief Operating Officer-Rail Bouchard, provided extensive background information on the history of the requirement of implementing a Positive Train Control system - an advanced technology train collision/train derailment avoidance system - required in response to the Rail Safety Improvement Act. She stated the deadline to implement the control project is December 2018.

Ms. Bouchard stated a contract was awarded by the PCJPB, after a lengthy competitive process in October 2011, to Parsons Transportation Group to implement the new system. However, the contract was terminated in February 2018 for nonperformance.

Ms. Bouchard discussed lessons learned and reviewed the status of the train control industry and the advancement of technology over the past five years, including Wabtec, the second lowest bidder in the 2011 procurement process. She stated many commuter rail operators have implemented the Wabtec-based solution, including the California properties of Metrolink, Coaster, ACE and Capitol Corridor, among others.

Ms. Bouchard discussed the path forward to meet the federal safety mandate of December 2018, including issuing a contract to Wabtec. She reviewed the contract budget of $49.5 million, including $4.5 million in contingency and $2 million in potential bonus payments.
The contract contains a cost sharing provision for both overruns and savings on high risk items, valued at $1.9 million. Ms. Bouchard reviewed the funding for the project, the next steps and how to proceed. Regarding funding, she stated funding for this $49.5 million contract budget is available in the remaining committed funding for the project in the amount of $59.8 million. Total program budget to complete the project will require additional funding for JPB support costs in future fiscal years. She stated staff is carefully evaluating current and projected capital needs, as well as investigating opportunities for future grant funding and other financial vehicles to cover the balance of these future program costs. A long-term funding plan will be developed and brought to the Board for approval in the beginning of FY 2019.

Public Comment
Roland LeBrun, San Jose, discussed Wabtec and implementation issues.

Jeff Carter, Millbrae, discussed concerns from 2011 about CBOSS, discussed the Parsons lawsuit and accountability, funding issues,

Adina Levin, Friends of Caltrain, commended staff and the board for making the decision to change direction and procure a positive train control services.

John Spangler, Redwood City, appreciated the extensive staff presentation. He would like to lobby Congress for funding.

Vaughn Wolfe, Sunnyvale, remarked that the board should have a better education process to understand train issues.

Director Pine stated the Board’s ad hoc Positive Train Control subcommittee has been meeting regularly and has had extensive updates on both train control and CBOSS contract issues.

Director Davis asked about the terms of the contract and cost sharing, while Director Zmuda inquired about the other Wabtec installation for passenger rail, change orders and overall budget issues. Director Brinkman discussed freight issues. Ms. Bouchard responded to all inquiries.

Responding to Director Pine, Ms. Bouchard stated the core team is prepared to implement the provisions of the Wabtec contract.

Director Davis thanked staff for the extensive work done on the project.

After extensive discussion, a motion was made to adopt Resolution No. 2018-11:

Approve a contract with Wabtec Railway Electronics, Inc. in an amount not to exceed $45,012,123 to complete the Peninsula Corridor Joint Powers Board’s Positive Train Control (PTC) System, establish a contract contingency of 10 percent and authorize the Executive Director to approve change orders up to the contingency amount and authorize the Executive Director or his designee to execute the contract in a form
approved by legal counsel, with full implementation of the agreed upon Funding Partners’ Oversight Protocol including monthly reports to the Board.

Adopted by Resolution 2018-11, Approving and Authorizing the Executive Director to Execute an Agreement with Wabtec Railway Electronics, Inc. in an Amount Not to Exceed $45,012,123 to Complete the Positive Train Control System. 
Motion/Second: Davis/Stone
Ayes: Brinkman, Chavez, Davis, Gee, Gillett, Pine, Stone, Zmuda
Absent: Bruins

Chair Bruins returned to chair the meeting.

AUTHORIZE THE APPLICATION FOR THE RECEIPT OF SAN MATEO COUNTY SHUTTLE PROGRAM FUNDS
The Board authorized the following Resolution:

Adopted Resolution 2018-10, Resolution Authorizing Application For and Receipt of San Mateo County Shuttle Program Funds. The Resolution authorizes the filing of an application for up to $3,095,100 from the San Mateo County Transportation Authority (TA) and/or the San Mateo City/County Association of Governments (C/CAG) for San Mateo County Shuttle Program funds, committing up to $2,242,000 in matching funds, if required, for the Caltrain shuttle program, with the funding sources to be identified through the annual JPB operating budget process, and executing a two-year funding agreement and take any other actions necessary for the purpose of obtaining grant funding through the Transportation Authority and/or City/County Association of Governments for the operation of Caltrain shuttles in San Mateo County.

Motion/Second: Davis/Stone.
Ayes: Brinkman, Bruins, Chavez, Davis, Gee, Gillett, Pine, Stone, Zmuda

DIRIDON STATION PLANNING UPDATE
Planning Director, Liz Scanlon, provided a comprehensive and detailed presentation regarding the planning activities and efforts underway for the San Jose Diridon Station.

She stated the Diridon Station is a historic train depot with not only Caltrain services but service provided by Amtrak long distance, Capitol Corridor Joint Powers Authority, Altamont Commuter Express, and Valley Transit Association light rail and bus service. Ms. Scanlon acknowledged the City of San Jose staff in the audience.

Ms. Scanlon reviewed the San Jose Diridon as it exists today, including amenities, City of San Jose’s 2014 Station Area Plan and the districts that surround it. She stated a 38-member Station Area Advisory Group had been created to shape the planning efforts for the station. She acknowledged the partnerships of Calif. High Speed Rail, Valley Transportation Agency and City of San Jose in a collaborative effort and have created a mission statement for the project. Ms. Scanlon referred to the 2018 State Rail Plan and discussed aspects of it that converge at the Diridon Station.
Ms. Scanlon reviewed slides from a learning tour in Netherlands and France and the lesson learned from the trip and also what was gleaned from that trip to help in planning the new Diridon station.

Public Comment
John Spangler, Redwood City, discussed the integration potential of the project and long range vision.

Jeff Carter, Millbrae, commented on other stations’ projects and parking.

Roland Lebrun, San Jose, discussed the scope of the project.

Adina Levine, Friends of Caltrain, commented on the need to integrate and coordinate the services at the station, including fares and schedules.

CORRESPONDENCE
Correspondence received was contained in the reading file.

BOARD MEMBER REQUESTS
Director Brinkman requested to work on solutions for the bicycle security and access.

Chair Bruins stated the closed sessions were not needed since they were handled earlier in the day.

DATE/TIME/PLACE OF NEXT REGULAR MEETING: The next meeting will be held Thursday April 5, at 10 a.m., 1250 San Carlos Avenue, 2nd Floor, San Carlos.

ADJOURN
Adjourned at 12:49 p.m.