



SAN FRANCISCO PENINSULA RAIL PROGRAM EXECUTIVE STEERING COMMITTEE MEETING

MINUTES

Friday, July 16, 2021

11:00 a.m. to 12:00 p.m.

WATCH LIVE:

<https://transbaycenter.webex.com/transbaycenter/onstage/g.php?MTID=e8fcda68683c6e3b56557ff9aaf2ac744>

PUBLIC COMMENT CALL-IN: 1-855-282-6330 — Access Code: 182 064 8803

Due to the COVID-19 health emergency, the Executive Steering Committee (ESC) will meet via teleconference. Members of the public are encouraged to participate remotely. Please see additional information on the next page for remote meeting access.

In compliance with the Governor's Executive Order N-08-21 (June 11, 2021), this meeting will be held *exclusively* via teleconference participation of a quorum of ESC members in locations not open to the public. The purpose of the order is to help California respond to, recover from, and mitigate the impacts of the COVID-19 pandemic, while allowing the public to observe and address the ESC.

EXECUTIVE STEERING COMMITTEE

San Francisco County Transportation Authority, Tilly Chang (Chair)
Metropolitan Transportation Commission, Andrew Fremier (Vice Chair)
California High Speed Rail Authority, Boris Lipkin
City and County of San Francisco, Alex Sweet
Peninsula Corridor Joint Powers Board/Caltrain, Michelle Bouchard
Transbay Joint Powers Authority, Nila Gonzales

REMOTE MEETING ACCESS
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Providing Public Comment

Ensure you are in a quiet location – Speak Clearly – Turn off any TVs or radios around you

1. When prompted, “raise hand” to speak by pressing *3 (star, 3) to be added to the queue.
2. Callers will hear silence when waiting for their turn to speak.
3. When prompted, callers will have two minutes to provide comment.

AGENDA

1. Call to Order

Chair Chang called the meeting to order at 11:02 a.m.

2. Roll Call

Secretary Pollitt noted that Doug Johnson was attending on behalf of Member Sweet.

Members Present: Michelle Bouchard, Nila Gonzales, Doug Johnson, Boris Lipkin, Andrew Fremier and Tilly Chang.

Members Absent: Alex Sweet.

3. Communications

Secretary Pollitt provided instructions on the Public Call-in/Comment process.

- Chair’s Report

Chair Chang stated her appreciation for the ongoing talks in the state legislature regarding California Governor Newsom’s proposed funding for transportation improvements and noted she is excited to see the potential investment in rail statewide if the final provisions are considered.

4. Action Item:

Approval of Meeting Minutes: June 18, 2021

There was no member of the public wishing to comment.

A motion to approve the Meeting Minutes was made by Vice Chair Fremier and seconded by Member Johnson. A unanimous voice vote approved the motion.

5. Action Item:

Consider Concurrence with the Integrated Program Management Team's recommended Scope of Work for the Through Running Operations Analysis

Alfonso Rodriguez, Downtown Rail Extension (DTX) Project Director, who began work on July 1, introduced the item. He provided a brief statement on his impressions over the past two weeks, stating that he had observed good coordination and acknowledged the strong agency cooperation that has enabled the program team to advance the project forward. He stated that his intentions are to keep the momentum moving in a positive direction and noted that because of the history associated with the item, Stephen Polechronis, who had been sitting in as Interim DTX Project Director, would present today's item but that he would be presenting at future meetings.

Stephen Polechronis, Program Manager for the Program Management/Program Controls consultant team, provided an overview for the scope of work for the Through Running Operations Analysis, which would look at the potential long-term capacity for the Salesforce Transit Center, the DTX, and the Fourth and Townsend Street Station if a second Transbay rail crossing (Link21) were to connect to the Transit Center and the DTX. He noted the Integrated Program Management Team (IPMT) worked collaboratively to develop this scope and explained that unlike the prior Operations Analysis done in conjunction with the Phasing Study, a significant number of assumptions needed to be made because the physical characteristics of the Link21 rail crossing are currently unknown. Mr. Polechronis emphasized that the Through-Running Operations Analysis would only be a Sketch-Level Planning Analysis and stated the IPMT is seeking the ESC's concurrence on the scope of the analysis.

Mr. Polechronis stated that the intent of the analysis is to identify the operations constraints associated with both a two and three-track alignment and highlighted that the three-track alignment is the environmentally cleared footprint for the DTX project. He explained that the operators will use the Viriato Rail Simulation software, which was used for the simulations presented to the ESC in May 2021 and noted the purpose of the software is to show how operations would work in real world conditions, including rail vehicle performance, rail alignment constraints, and delays. The study area of the alignment begins just outside of the Fourth and Townsend Street Station on the west, runs through the station, through the Transit Center, and continues approximately 5.5 miles under the bay to terminate in Oakland/Alameda. Mr. Polechronis further stated that the simulations will start with all trains passing through the study area in both directions at three-minute headways with 60 seconds of dwell time at each station and noted simulations will be done first for a three-track alignment and then for a two-track. With the ESC's concurrence, he specified the team will begin work and return in September with a technical memorandum describing the approach, methodology, assumptions, and results.

Chair Chang thanked Mr. Polechronis and acknowledged that today's meeting was in fact Project Director Rodriguez's first ESC meeting and welcomed him. Turning to the Through-Running Operations Analysis, she stated she appreciated that the analysis would help confirm capacity on the DTX project at different service levels and different configurations,

noting that she expects the current DTX configuration to remain as planned. Chair Chang asked Mr. Polechronis to confirm that the project team is in coordination with the Link21 team regarding assumptions. Mr. Polechronis stated that he reviewed the detailed staff report, which describes the scope of work and assumptions with Link21 staff member Duncan Watry, Manager for Planning, BART Planning and Development, and Camille Tsao, Link21 Program Lead, Capitol Corridor Joint Powers Authority. He further stated that the Link21 project team recognized that Link21 will need an expanded regional study once the Link21 project is further developed.

Member Lipkin stated that the assumptions were reasonable and believes that the analysis will provide good information, particularly for Link21. However, he cautioned against using the analysis for phasing or scoping decisions for the DTX and proposed a motion to ensure this specific language was captured prior to voting. Chair Chang acknowledged Member Lipkin's request and stated the ESC would accommodate the motion when the time came. Vice Chair Fremier stated that he supported the approach to the analysis and that the results should be used for a purpose, whether it influences the ESC's decisions or not. He elaborated that one of the ESC's charges is to perform due diligence on the DTX project as a major investment and cautioned against putting restrictions on how the results of the analysis can be used. Vice Chair Fremier noted how imperative it is to reflect on the current situation and make good recommendations to the TJPA Board and citizens of the Bay Area.

Chair Chang stated that she interpreted Member Lipkin's suggestion in the context of this analysis being a high-level look that may help frame the trade-offs involved, noting that there will be follow-on decisions by the TJPA as the project progresses. She also stated this would be the first of many operational analyses, particularly by the Link21 program team. Member Gonzales emphasized the importance of everyone's agreement on the approach, as the analysis will not be detailed enough to be used as a factor in changing the plan for the DTX project. Mr. Polechronis emphasized that the analysis would not be able to identify required improvements outside of the study area along the Peninsula or in the East Bay, for example. He stated that there are known limitations on the number of trains Caltrain can operate along the Peninsula corridor without significant infrastructure improvements. Additionally, he noted that Link21 would need to do a broad regional study to understand the rail infrastructure needed in the East Bay.

Member Lipkin elaborated on his previous point by stating that the major underlying assumptions being used for the analysis may or may not happen. He noted as an example that the Link21 team has not confirmed whether a new rail crossing would actually connect to the Transit Center. He also noted that no engineering has been done on Link21, and therefore, the type of trains that would run on the alignment, the grades, the final destination of eastbound trains, and whether westbound trains will continue on the Caltrain corridor all remain unknown. Member Lipkin stated that there are dozens of assumptions being made for this analysis and while the ESC understands this, the broader public may not, which is why he cautions against using the results to make recommendations to the TJPA Board. Vice Chair Fremier replied that he initially heard Member Lipkin state that the results of the analysis would be put on the shelf for information and stated that although he did not disagree with the risks and assumptions, if the results provide new information, the ESC

should use that information. Vice Chair Fremier emphasized that he is uncomfortable with restricting the ESC's use of the results by motion before the ESC receives the results. Member Lipkin concurred that if the ESC finds that the results warrant additional studies, then additional studies should be done, but stated he did not want the results to be used as the sole basis for making decisions. Vice Chair Fremier agreed and stated that the ESC should approve the approach and make the appropriate decisions on next steps based on the results. Chair Chang stated that the business plans for both transit operators describe the service vision and noted that whether that vision is the right target for capacity is a question. She explained that there may be other constraints further south along the system that could make attaining the service vision on the DTX project difficult and suggested that the ESC address this issue with the region and the state in the context of the larger San Francisco Peninsula Rail Program. Chair Chang concluded that she agreed with Member Lipkin and Vice Chair Fremier that the analysis will be a useful "ground truthing" exercise that may lead to additional studies and that the ESC should not overstate any conclusions based on the results. Vice Chair Fremier made a motion to approve the IPMT recommendation and Chair Chang seconded the motion, however, Member Johnson suggested hearing public comment before proceeding.

Public Comment:

Roland Lebrun recommended splitting the six platforms, with three eastbound and three southbound, which would decongest Second Street. He stated that the ultimate objective of the analysis was to prove that the third track is not required, which would allow the Seventh Street alignment to be studied while presenting an opportunity to relocate the Brisbane maintenance facility to Oakland. Mr. Lebrun further stated that he agreed with trains traveling on the Peninsula corridor and noted that this was the reason the Brisbane station was designed with six tracks, as it provides the capacity to turn up to 20 trains per hour.

Jim Patrick referenced the assumption that all through-running trains would stop at the Transit Center and Fourth and Townsend Street station and questioned the legitimacy of the assumption.

Laura Tolkoff encouraged the project team to move forward with the three-track DTX tunnel and advised against changing the scope, as a through-running Transit Center station would be in the distant future. She stated that SPUR has studied rail projects worldwide and has learned that it is essential to build the right rail infrastructure now because it is the only thing that will not change for over one hundred years. She acknowledged the current uncertainty but noted the importance of taking the long view and providing operational flexibility for the future.

Adina Levin stated she supported the comments of the previous caller (Laura Tolkoff) and reiterated support for the three-track plan. She said that the DTX project should not be contingent on Link21 because there is no way to predict how long Link21 and a through-running station might take to build. She further stated that this analysis will be beneficial to inform further planning so that groups and agencies statewide can work collaboratively. Ms. Levin advised to keep the current plan while investigating opportunities for the future.

Following public comment, ESC members returned to the discussion on the Vice Chair's motion. Member Lipkin proposed an amendment to Vice-Chair Fremier's motion as follows: *The ESC will accept staff's recommendation with the caveat that the analysis will not be the basis for a recommendation to the TJPA Board for the phasing of the DTX, but it can be used for scoping additional analysis if necessary.* Chair Chang indicated that she would hope that all of the prior discussion by the ESC could be documented in the minutes as to the intent of the ESC to consider the limitations of this first analysis when reviewing the results. Vice Chair Fremier stated that he understood the reason for Member's Lipkin's proposal but that he wanted to avoid complicating the action. He explained that he was not prepared to accept the amendment, emphasizing that the ESC would use the results of the analysis appropriately and make the proper decisions.

Chair Chang asked for clarification on the order of operations. Member Gonzales advised that given that the first motion was made by Vice Chair Fremier and seconded by Chair Chang, and Member Lipkin's amendments to the first motion were not accepted, a roll call vote should be taken; noting the results of that vote would determine the next course of action. Vice Chair Fremier reiterated that his proposed motion was to accept staff's recommendation. Member Johnson added that he heard Chair Chang say that she would expect the minutes to reflect the ESC's understanding of how the analysis results would be used. Vice Chair Fremier added that the minutes would reflect the conversation and that all should be comfortable with the conversation. Member Lipkin clarified that there should be a distinction between the conversation being just in the minutes and in the motion; he suggested that they take the vote and move forward. Secretary Pollitt proceeded to take a roll call vote on Vice Chair Fremier's motion. With four members opposing (Bouchard, Gonzales, Johnson, and Lipkin) and two in favor (Fremier and Chang), the motion did not pass.

Member Lipkin introduced his motion, which was seconded by Member Gonzales, and is as follows: *Approve staff recommendation with proviso that the analysis will not be the basis for a recommendation to the TJPA Board on scoping or phasing of DTX but can be used for scoping additional analysis if necessary.* Chair Chang suggested amending the motion by striking the words "will not be the basis for a recommendation to the TJPA Board on scoping or phasing of DTX but," resulting in: *Approve staff recommendation with proviso that the analysis can be used for scoping additional analysis if necessary.* Vice Chair Fremier agreed with Chair Chang's suggestion. Member Lipkin emphasized that these words were fundamental to his point and that he could not accept the amendment. Member Gonzales maintained that she seconded Member Lipkin's motion without Chair Chang's amendment. Member Johnson suggested amending the motion by adding the word "sole" to convey that the analysis would not be used as the sole basis for a recommendation. Vice Chair Fremier suggested softening the word "basis" because "basis" means the underlying reasons supporting an action and proposed incorporating the words "overly restrict." Member Lipkin suggested adding the word "primary." Chair Chang stressed that this analysis will be one of many pieces of information used for decision-making. Member Bouchard stated that with the right word—either "primary" or "initial"—she could support the motion. Member Lipkin clarified the reason for suggesting the word "primary," noting he sees two paths: (1) the ESC relies on the analysis to recommend scope changes to the DTX to the TJPA Board, a course

of action that he said he considered to be foolhardy; and (2) the ESC decides more analysis is needed and something else becomes the primary basis for the ESC's recommendation to the TJPA Board. Member Johnson agreed and added that the project team is trying to bring the DTX project to the Federal Transit Administration's (FTA) New Starts in a matter of weeks, adding that the ESC knows that more analysis is needed. Member Johnson emphasized the DTX project short-term time constraint and expressed concern regarding making a phasing change to the FTA submittal based on this analysis alone.

Member Lipkin modified his motion based on the conversation and is as follows: *Approve the staff recommendation with proviso that the analysis will not be the primary basis for a recommendation to the TJPA Board on scoping or phasing of DTX but can be used for scoping analysis if necessary.* Member Bouchard seconded the motion. A unanimous voice vote approved the motion.

6. Informational Item:

Update of Project Development Funding Plan

Jesse Koehler, Rail Program Manager for San Francisco County Transportation Authority (SFCTA), presented the item and was joined by Mary Pryor of NWC Partners, TJPA's Financial Consultant. Mr. Koehler noted that he presented on the Funding Plan at the ESC and TJPA Board meetings in May, stating that the direction from both the ESC and TJPA Board in May was to pursue a conversation with staff at the partnering agencies to advance an understanding of a funding approach for the upcoming FTA phases of work. He explained that the first of several critical milestones over the next few years is approaching this Fall as the TJPA requests entry into the FTA New Starts program. He stated that the three-year program of work will require approximately \$50 million—\$30 million for the FTA Project Development phase (approximately 18 months) and an additional \$20 million for the FTA Engineering phase. He explained that Regional Measure (RM) 3 funds were originally slated to support this work, but as those funds are currently unavailable, the project team is working with the partnering agencies to develop a multiagency funding approach, with San Francisco committing funds for the first phase and the other partnering agencies committing funds for the second.

Mr. Koehler stated that the City and County of San Francisco's contribution would be funded through the sale of Mello Roos special tax district bonds (Community Facilities District 2014-1), noting that 82 percent of the proceeds from the bond sales are dedicated to the TJPA per the terms of the special tax district agreement. Mr. Koehler reported that the project team has had a series of productive staff-level conversations with Caltrain, California High-Speed Rail Authority (CHSRA), Metropolitan Transportation Commission (MTC), and SFCTA. Caltrain indicated that the agency would seek approval to commit approximately \$3 million, which would be available in fiscal years 2023-2024. Discussions with CHSRA have focused on including approximately \$3 million for the project in the revised CHSRA budget. Discussions with MTC regarding their contribution, while RM3 is held up in litigation, is being requested for approximately \$5 million to \$7 million. SFCTA would allocate approximately \$5 million in Prop K funds in years two and three of the three-year period. Mr. Koehler stated that he would be presenting to the TJPA Board next week and that the team is

working with the San Francisco Office of Public Finance on the legislation for issuance of Mello Roos bonds, which is expected to be introduced to the San Francisco Board of Supervisors on July 27. He stated that the team would continue discussions with staff on how to demonstrate each agency's level of commitment and the actions needed over the coming months.

Public Comment:

Gwen Litvak stated she supported the funding approach, noting that it will enable the DTX project to connect the megaregion and the state to San Francisco and that the connection is key to maintaining the region's strong economic standing in the world. She also stated that the partner funding approach will enable the DTX project to move into FTA New Starts in October. She cautioned missing this opportunity to get federal funding as it would be a major setback for the region's greenhouse gas emission, mobility, and integration goals.

Roland Lebrun expressed his concern for the lack of private sector involvement in the funding plan and noted that the TJPA issued a second request for information, for Industry Sounding, to the private sector and stated that the TJPA should not put the private sector in a straightjacket, as it would inhibit their ability to raise private capital.

Laura Tolkoff commented on the partner funding approach, stating that it is a good model to show commitment to this project of regional significance. She noted that it has been an extraordinary year for transportation agencies and advised that the stakeholders commit to a federal investment now because the potential to receive federal funding has never been more favorable. Ms. Tolkoff encouraged staff to put their efforts behind seeking federal funding.

7. Election of Chair and Vice Chair

Chair Chang moved to continue the election of Chair and Vice Chair. Vice Chair Fremier seconded the motion. A majority voice vote approved the motion, with Member Bouchard absent due to a scheduling conflict.

8. Public Comment

Members of the public may provide comment on matters within the ESC's purview that are not on the agenda.

Roland Lebrun suggested that full video recordings and unedited transcripts be made available.

9. ESC Agenda items for upcoming meetings

None.

10. Adjourn

Chair Chang adjourned the meeting at 12:03 p.m.

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