



DIRIDON STATION JOINT POLICY ADVISORY BOARD

Friday, December 16, 2011

MINUTES

CALL TO ORDER

The Regular Meeting of the Diridon Station Joint Policy Advisory Board (“Committee”) was called to order at 3:08 p.m. by Chairperson Reed in Wing Rooms 119-120, San José City Hall, 200 East Santa Clara Street, San José, California.

Chairperson Reed welcomed Jim Hartnett, Board Member, California High Speed Rail Authority (“CHSRA”). Mr. Hartnett reported the CHSRA Board Chairperson has not officially designated him as the CHSRA’s appointee to the Committee.

1. ROLL CALL

Attendee Name	Title	Status
Jim Beall	Ex-Officio	Present
Tom Blalock	Member	Present
Rod Diridon, Sr.	Ex-Officio	Absent
Ash Kalra	Member	Present
Sam Liccardo	Member	Present
Pierluigi Oliverio	Member	Present
Chuck Reed	Chairperson	Present
Ken Yeager	Vice Chairperson	Absent

A quorum was present.

2. PUBLIC PRESENTATIONS

Roland Lebrun, Interested Citizen, referenced the Santa Clara Valley Transportation Authority’s (VTA) recent awarding of the Bay Area Rapid Transit (BART) Extension contract to Skanska-Shimmick-Herzog (a Joint Venture) as a good example of a correct approach to a construction project. Mr. Lebrun noted his support of a successful high speed rail (HSR), praised VTA for being on time and on budget, and expressed his hope that the CHSRA would achieve VTA’s high level of operation.

3. Minutes of March 18, 2011

M/S/C (Oliverio/Liccardo) to approve the Regular Meeting Minutes of September 16, 2011.

4. **2012 High Speed Rail (HSR) Business Plan**

Mr. Hartnett provided a PowerPoint handout entitled, *CHSRA 2012 Business Plan*, highlighting: 1) What's Changed; 2) Jobs; 3) Initial Construction Section (ICS); 4) Initial Operating Section (IOS) South; 5) Bay to Basin; 6) Phase 1 Blended; 7) Phase 1 and 2; 8) The Plan; 9) Alternatives; 10) Advantage HSR; 11) Conservative Assumptions; 12) What's Next; and 13) Information/Comments.

Member Kalra took his seat at 3:12 p.m.

Mr. Hartnett expressed his appreciation for San José Mayor and Committee Chairperson Reed's support of HSR. He defined San José as an integral part of the HSR in California.

Mr. Hartnett reported: 1) HSR congressional hearings were held in Washington DC on December 15, 2011; 2) Congresswoman Pelosi and California Governor Brown are very supportive of HSR; 3) It is important to work together, in a blended way, using existing right-of-ways, in the San Francisco to San José portion of the HSR system; and 7) The CHSRA has worked on details for a blended-approach plan for the Peninsula with Congresswoman Anna G. Eschoo, State Senator Joe Simitian, and California Assemblyman Rich Gordon. Mr. Hartnett noted this blended approach is included in the CHSRA's business plan.

Chairperson Reed requested that Mr. Hartnett ensure the Committee is kept apprised of important HSR issues.

Member Liccardo questioned projected ridership figures between the Bay Area and Bakersfield. Mr. Hartnett noted that the segment would not be built without advance funding and a commitment from a private operator.

Ex-Officio Member Beall referenced the BART and HSR projects and noted the importance of project collaboration to gain financial savings wherever possible. Member Blalock stated an example of successful project collaboration was when the City of Fremont saved considerable funds by building the BART bridge at the same time that they built their required underpass.

Public Comment

Mr. Lebrun encouraged the CHSRA to provide HSR funding, but to refrain from having their consultants participate in the current, local HSR discussions.

Ex-Officio Member Beall recommended advance property acquisition as a way for the CHSRA to save money. Mr. Hartnett noted the CHSRA Board has not made any decisions with regard to property acquisition.

On order of Chairperson Reed and there being no objection, the Committee discussed the 2012 High Speed Rail (HSR) Business Plan.

5. **State Legislative Update**

Scott Haywood, VTA Policy and Community Relations Manager, reported the California State Legislature is in recess. Mr. Haywood noted in 2011, a variety of CHSRA-related bills were introduced during the first year of the two-year legislative session:

a) How the CHSRA will purchase rolling stock; b) Rules for CHSRA members; and c) Organizational structure. One related bill was signed by the Governor: Assembly Bill (AB) 615, which appropriated \$4 million for planning Phase II HSR service between Los Angeles and San Diego.

On order of Chairperson Reed and there being no objection, the Committee received a State Legislative Update.

6. City of San José Aerial Design Guidelines and Tunnel Option

Hans Larsen, San José Director of Transportation, provided a PowerPoint presentation highlighting: 1) Aerial Design Guidelines and Tunnel Options; 2) Visual Design Guidelines; 3) Downtown Alignment Issues: a) Aerial Option; b) Tunnel Option; and 4) Outreach and Council Review.

Mr. Larsen reported on the CHSRA's concern with downtown San José's soil conditions, high water table, and development impacts in the Diridon Station area. Mr. Larsen reported San José took the following actions: 1) A community meeting was held on December 8, 2011, with another meeting scheduled for January 17, 2012; 2) On February 21, 2012, the San José City Council ("Council") will hold a HSR study session, followed by a Council meeting in March 2012 where policy action can be taken; 3) An independent soils consultant has been hired to work with the Public Works Department; 4) San José's Department of Economic Development will weigh-in on potential economic impact and development issues; and 5) San José's City Attorney's Office will address the California Environmental Quality Act of 1970 (CEQA) process.

Public Comment

Mr. Lebrun noted the condition of the soil is less relevant than whether the required construction can be built on the existing soil. He recommended engaging VTA's engineering staff, who designed the BART box, and Hatch Mott MacDonald Transportation and Tunnels Inc., the company that is currently performing a similar build in San Diego.

On order of Chairperson Reed and there being no objection, the Committee received an Update on City of San José Aerial Design Guidelines and Tunnel Option.

7. Update on BART Project

Gail Collins, VTA Senior Transportation Planner, reported: 1) On December 8, 2011, the VTA Board of Directors awarded the C700 Design-Build Contract to Skanska-Shimmick-Herzog, a Joint Venture, with a contract price of \$772 million, \$77 million less than the engineer's estimate; and 2) A Full Funding Grant Agreement (FFGA), expected in February 2012.

Chairperson Reed questioned the actions that should be taken to ensure that VTA, BART, and the CHSRA align construction schedules, whenever possible, for cost savings. Jim Lawson, VTA Executive Policy Advisor and Staff Liaison, stated a request from this Committee, populated with several VTA Board Members, directing VTA's engineering staff to work cooperatively with BART and the CHSRA, is sufficient.

Ex-Officio Member Beall requested VTA share its Diridon Station area soil-condition analysis with the CHSRA. Mr. Larsen reported the soil information has been shared with the CHSRA and he noted that it appears to be the main source of information they are using to assess the soil conditions in the area.

Member Liccardo confirmed with Mr. Lawson that VTA is at 65-percent design on the second segment. He noted if the CHSRA's consulting staff's position is that there is no consideration for underground alignment, any discussion with regard to underground alignment would be a moot point for VTA. Member Liccardo stated the importance of persuading the CHSRA's consultants to be receptive to the information from VTA's engineering staff. He noted the importance of a greater exchange of information, between BART, VTA and the CHSRA, and that all options should be considered. Ben Tripousis, San José Department of Transportation, noted the station boxes would be addressed during the community-outreach process and are central to the Council's HSR study session.

Public Comment

Mr. Lebrun suggested Caltrain be assigned as lead agency to oversee the HSR project. He noted the importance of flexibility on the CHSRA's part to ensure this item does not have to go back before the voters and face repeal.

Chairperson Reed directed staff to work together to determine how to deal with this issue. He noted there is an opportunity for costs savings once the decision is made to build both boxes.

On order of Chairperson Reed and there being no objection, the Committee received an Update on BART Project.

8. Update on HSR Lawsuit and Impacts on Alignment

Mr. Lawson reported on the lawsuit filed against the CHSRA in October 2010 by the Town of Atherton, the Cities of Menlo Park and Palo Alto, and several other organizations claiming: 1) the EIR did not sufficiently consider the environmental impacts of the project nor provide adequate mitigation for those impacts; and 2) the Pacheco alignment is not ideal. He noted they sought to have the project stopped until the CHSRA revisited the programmatic EIR. Mr. Lawson reported that on November 10, 2011, a judge upheld a portion of the cities' claims, requiring the CHSRA to re-examine the impact of the project on Monterey Highway south of San José and the impact of the freight and lane closures on the Peninsula.

Mr. Lawson then reported that on November 14, 2011, Kings County and two of its local residents filed a lawsuit against the CHSRA, among others, alleging that the use of Proposition 1A money to fund the initial portion of the alignment in the Central Valley was illegal, because it does not meet Proposition 1A requirements for speed, electrification and adequate funding. The lawsuit seeks to have the CHSRA barred from using Proposition 1A funds. The CHSRA and state officers are required to respond to the complaint by January 19, 2012.

Public Comment

Mr. Lebrun discussed an extension of the Coalition's recommended Diridon Station to Monterey Highway tunnel, which would extend the tunnel three miles to the eastern side of Highway 101 at Blossom Hill Road.

On order of Chairperson Reed and there being no objection, the Committee received an Update on HSR Lawsuit and Impacts on Alignment.

9. Issues and Roles for the JPAB in 2012

Mr. Lawson noted the recommended 2012 Committee meeting dates had been provided to the members as a handout.

Mr. Lawson reported staff would like to: 1) Coordinate advocacy efforts with the Metropolitan Transportation Commission (MTC) with regard to the Diridon Station; and 2) Pursue advocacy efforts with state and federal officials for HSR funding.

Member Kalra: 1) thanked Mr. Lebrun; 2) expressed support for San José Mayor and Committee Chairperson Reed's suggestion to take the HSR issues before the full Council in February; 3) praised the community outreach and community participation with regard to HSR; and 4) thanked staff for their efforts, noting, although there are still many questions left unanswered, the agencies are moving in the right direction.

Member Liccardo expressed appreciation to staff for their efforts. He noted the importance of having CHSRA staff members available to answer questions. Mr. Larsen confirmed that Gary Kennerley, the CHSRA's Manager for this region, and other CHSRA staff members and/or consultants are scheduled to attend the upcoming Council and community meetings.

Chairperson Reed noted future discussions should include land use, development issues, and how to ensure the multiple entities agree on the direction of the HSR.

Ex-Officio Member Beall noted he would provide a legislative update at the March 16, 2012, meeting.

On order of Chairperson Reed and there being no objection, the Committee discussed the Issues and Roles for the JPAB in 2012.

10. ANNOUNCEMENTS

There were no announcements.

11. ADJOURNMENT

On order of Chairperson Reed and there being no objection, the meeting was adjourned at 4:08 p.m.

Respectfully submitted,

Susan E. Garcia, Board Assistant
VTA Office of the Board Secretary