



MINUTES

Board of Directors' Meeting

Call to Order

The November 28, 2018 Board of Directors (Board) meeting of the Los Angeles - San Diego - San Luis Obispo (LOSSAN) Rail Corridor Agency (Agency) was called to order by Vice Chairman Murray at 12:40 p.m., at the Los Angeles County Metropolitan Transportation Authority (LA Metro), Board Room – Third Floor, Orange, California

Chairman MacDonald announced that several of the Directors would participate in today's meeting via teleconferencing, and all votes would be taken by roll call.

Directors Present: Bryan MacDonald, Chairman
 Al Murray, Vice Chairman
 Michael T. Bennett, SBCAG
 Lorie Bragg, SDMTS (teleconference)
 John Fasana, Metro
 Ed Gallo (teleconference)
 Ellie Haviland, SANDAG (teleconference)
 David Perry, Metro
 Dana Reed, RCTC
 Tim Shaw, OCTA (teleconference)
 Fred Strong, SLOCOG
 Art Brown, SCAG, Ex -Officio
 Eric Hosey, Amtrak, Ex-Officio
 Michelle Boehm, CHSRA, Ex-Officio

Directors Absent: Tony Kranz, NCTD
 Greg Pettis, RCTC
 Kyle Gradinger, Caltrans, Ex-Officio

Staff Present: Jennifer L. Bergener, Managing Director
 Olga Prado, LOSSAN Agency Clerk of the Board
 James Donich, General Counsel

Pledge of Allegiance

The pledge of allegiance was led by Chairman MacDonald.

1. Public Comments

Public comments was heard from:

Janet Rogers (via teleconference from San Diego), Train Coalition, Santa Fe Depot, referenced the minutes of the September 17, 2019 Board meeting and clarified that the trains be rearranged instead of shutting the trains down by 11:00 p.m. Ms. Rogers stated that there are a list of requests given to several of the Board Members and thinks Jennifer L. Bergener, Managing Director, is aware of requests.

Ms. Rogers went over the requests as follows:

- The locomotives are being moved/rearranged between 1:00 a.m. – 2:00 a.m.
- The trains be arranged in an orderly fashion so that people can sleep with rearrangement by 11:00 p.m. and not start up again until 7:00 a.m.
- A process to shut down the trains and switch to ground power within 30 minutes.
- Unless there is a maintenance issue, the trains be shut down immediately after the maintenance issue has been corrected.
- To not park engines along residential buildings at night because it is extremely disruptive, noisy, and pollution goes into residential housing.
- Significantly reduce the run time of the locomotive prior to departure as there is no one hour requirement and asked to accelerate the request.
- Short-term to schedule the SC44 locomotives for overnight layovers at the Santa Fe Depot which will reduce the noise significantly.
- Sound absorption for the vacuum cleaning unit used at night to clean the trains.

Fred Hottinger (via teleconference from San Diego), Train Coalition, Santa Fe Depot, stated that the Train Coalition commented at the June 18, 2018 Board meeting about the excessive number and lengthy public announcements made by the conductors using the external car speakers. Mr. Hottinger clarified his comments to state that the announcements are not related to safety or security and solely for guiding passengers. He played an audio of the announcement made on August 24, 2018 and asked that those type of announcements on the external speakers be stopped.

1. (Continued)

Bob Manning, Co-Chair of California Passenger Rail Summit, invited everyone to the seventh annual summit to be held April 24 – 25, 2019 in Oakland, California and detailed announcements will be forth coming.

Paul Dyson, President of RailPAC, asked for consideration of railroad electrification. He stated that the Tier IV locomotive emissions reduction benefits are yet to be seen in daily practice, and the air quality agency has expressed concerns about Tier IV trucks emissions. Mr. Dyson asked the Board to support RailPAC legislative efforts this coming year for pilot programs and cleaner prototype locomotives for the Pacific Surfliner services.

Peter Warner stated the bus schedules servicing the Pacific Surfliner need to show actual run times that are not based on 1995 traffic study timings and referenced as an example 5811 bus schedule. Mr. Warner also stated there needs to be better communication between the three joint powers boards, as well as restore rail connections to San Jose before a public time table is released.

Special Calendar

There were no Special Calendar matters.

Consent Calendar (Items 2 through 10)

2. Approval of Minutes

A motion was made by Director Fasana, seconded by Director Bennett, and following a roll call vote, declared passed 10-0, to approve the minutes of the LOSSAN Agency's Board of Directors meeting of September 17, 2018.

Director Gallo was not present to vote on this item.

3. Agreement with Siemens for Charger Locomotive Branding

A motion was made by Director Fasana, seconded by Director Bennett, and following a roll call vote, declared passed 10-0, to:

- A. Authorize the Managing Director to enter into a sole source agreement with Siemens to fund updates to the paint scheme and exterior decals on 12 Charger locomotives that will be used on the Pacific Surfliner service, in an amount not to exceed \$436,840.70.
- B. Approve an amendment to the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency Fiscal Year 2018-19 operating budget of \$437,000 to reflect expected project expenditures and associated revenues from the California Department of Transportation.

Director Gallo was not present to vote on this item.

4. Conflict of Interest Code and 2018 Annual Statement of Economic Interests Filing

A motion was made by Director Fasana, seconded by Director Bennett, and following a roll call vote, declared passed 10-0, to direct the Clerk of the Board to distribute and monitor the 2018 annual Statement of Economic Interests - Form 700 to Members of the Board of Directors and designated positions, to be filed by April 1, 2019.

Director Gallo was not present to vote on this item.

5. Draft 2019 Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency Legislative Program

This item was pulled for a public comment, and Paul Dyson, President of RailPAC, asked for consideration to modify or repeal Senate Bill (SB) 804. Mr. Dyson provided background on SB 804 and reported the number of Greyhound buses service to many California rural towns and communities have diminished and the objective of SB 804 is no longer relevant, as well as provided additional comments.

A motion was made by Director Strong, seconded by Director Murray, and following a roll call vote, declared passed 11-0, to direct staff to incorporate requested changes to the initial draft of the 2019 Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency Legislative Program and return to the Board of Directors for final approval.

5. (Continued)

A discussion ensued regarding:

- Director Strong reported that a passenger was left with no options due to a Greyhound bus service being cancelled in a rural community with no accommodations.
- Director Strong referenced Attachment A of the Staff Report and requested an amendment to “II. Connectivity and Integration, letter e” based on a change in legislative policy by the National League of Cities and the National Association of Regional Councils.

The amended language would include the following: “Support planning efforts . . . including a financially sustainable access rate.”

- The motion made by Director Strong would incorporate Mr. Dyson’s request to modify or repeal SB 804, add language to the legislative program in “II. Connectivity and Integration, letter e”, and adopt this item’s recommendation.

A motion was made by Director Strong, seconded by Vice Chairman Murray, and following a roll call vote, declared passed 11-0, to direct staff to incorporate requested changes to the initial draft of the 2019 Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency Legislative Program and return to the Board of Directors for final approval.

6. Agreements for Pacific Surfliner Marketing Services

This item was pulled for a public comment, and Peter Warner asked with the train schedule change and updated layover facilities that two storage tracks in Paso Robles could be used for additional train layovers not being used by the Union Pacific Railroad, as well as review a small rail yard in San Miguel.

Director Strong commented that the issue using those facilities is that trip from San Luis Obispo to Paso Robles is one hour and currently unreasonable until the Pacific Surfliner service is extended.

Director Gallo asked if both marketing contracts could be combined to one vendor instead of splitting the work. He expressed concern that the two firms scopes of work overlap and both vendors efforts need to be coordinated.

6. (Continued)

Jennifer L. Bergener, Managing Director, responded the contracts were split to ensure competitiveness within the bids and to ensure the best possible vendors perform the unique scopes of work, etcetera.

Michael Litschi, LOSSAN Agency, stated there will be close coordination between both vendors and LOSSAN Agency's marketing staff.

A motion was made by Vice Chairman Murray, seconded by Director Strong, and following a roll call vote, declared passed 11-0, to:

- A. Approve the selection of Civilian, Inc. and Monarch Sports, LLC as the firms to provide consultant services for the Pacific Surfliner marketing program.
- B. Authorize the Managing Director to negotiate and execute Agreement No. L-8-0011 between the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency and Civilian, Inc. in the amount of \$1,000,000, to provide strategic creative and advertising services for the Pacific Surfliner marketing program for a one-year initial term through December 31, 2019, with two, two-year option terms.
- C. Authorize the Managing Director to negotiate and execute Agreement No. L-8-0012 between the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency and Monarch Sport, LLC in the amount of \$600,000, to provide outreach and field marketing services for the Pacific Surfliner marketing program for a one-year initial term through December 31, 2019, with two, two-year option terms.

7. Status Report of State Legislation Enacted in 2018

Director Strong pulled this item and commented that SB 477 failed passage and asked if the LOSSAN Agency's legislative advocate could look for another sponsor and similiar legislation this coming term.

No action was taken on this receive and file information item.

8. Fiscal Year 2017-18 Fourth Quarter Budget Status Report

A motion was made by Director Fasana, seconded by Director Bennett, and following a roll call vote, declared passed 10-0, to receive and file as an information item.

Director Gallo was not present to vote on this item.

9. Agreement for Corridor Optimization Consultant Services

This item was pulled for public comments as follows:

Paul Dyson, President of RailPAC, commented that he respects the recommended firm and offered his concerns about not paying much attention to the theoretical review of capacity available without taking into account the daily realities of the Pacific Surfliner service on the LOSSAN corridor, as well as provided other comments.

Eric Reese asked consideration to the optimization support service to create a centralized and consolidated dispatch and rail operations center because the LOSSAN corridor is the second busiest in the United States, as well as provided additional reasons for the suggestion.

Director Strong asked Mr. Reese to also convey his remarks to the Federal Railroad Administration in Washington, D.C.

Director Bennet emphasized that its critically important for the various member agencies staff work with the consultant and if possible within the scope of work to review the dispatching issues on the northern part of the corridor.

A motion was made by Director Strong, seconded by Director Bennett, and following a roll call vote, declared passed 11-0, to:

- A. Approve the selection of Deutsche Bahn Engineering & Consulting USA, Inc. to provide corridor optimization support services for the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency.
- B. Authorize the Managing Director to negotiate and execute Agreement No. L-8-0017 between the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency and Deutsche Bahn Engineering & Consulting USA, Inc., in the amount of \$990,238, for corridor optimization support services for a three-year term.

10. Los Angeles - San Diego - San Luis Obispo Rail Corridor Trends for the Third Quarter of Federal Fiscal Year 2017-18

Director Bennett pulled this item and asked Ms. Bergener's opinion on the Pacific Surfliner decline of the five percent ridership.

Ms. Bergener responded that in April 2018 there was a significant schedule change to allow for peak period service into Santa Barbara and Ventura counties including bifurcation to an existing 700 series train and believes the changes have attributed to the decline in ridership.

No action was taken on this receive and file information item.

Regular Calendar

11. Pacific Surfliner April 2018 Schedule Change Performance Update

Roger Lopez, LOSSAN Manager of Planning and Analysis, provided an update on the April 2018 schedule change and anticipated decrease in ridership as noted in the Staff Report.

Director Strong inquired if there has been consideration of reestablishment of the most popular train, could the schedule be accommodated, and would additional equipment be needed.

Ms. Bergener responded that reinstatement of 761 is important for moving forward and staff continues negotiations with Union Pacific Railroad for additional operating slots north of Moore Park. Additionally, Union Pacific's modeling results are expected at the end of the calendar year and trains available would need to be determined.

Director Strong also inquired if there are additional costs involved and would the costs be covered. Mr. Bergener responded that there would be additional costs with running any additional service as it relates to crew, mechanical costs, fuel, and other consumables and the cost would be subsidized by the state.

Public comments were heard from:

Paul Dyson, President of RailPAC, commented that the success of the LOSSAN corridor began in 1991 with running trains from San Diego to Santa Barbara and later to Goleta and San Luis Obispo. Mr. Dyson provided additional comments and let us restore trains that cross Los Angeles because they are the ones that pay the bills.

11. (Continued)

Eric Reese provided his concerns about the bifurcation of service and agrees with Mr. Dyson's comments that the passenger miles are extended as much as possible. Additionally, he commented on concerns with the earlier train to Santa Barbara and connections with Metrolink and COASTER are very important.

Director Perry asked if this item will return to the Board. Ms. Bergener responded that this item and overall schedules will return to the Board in the first quarter of 2019.

Director Bennett reported that this was a two year pilot project, Santa Barbara County of Association of Governments (SBCAG) subsidized the train for the two year period, there is potential for increased ridership, the early train leaving Union Station needs to be adjusted, train out of Moore Park considerations, and work with the stakeholders for the optimization support service study, as well as provided other comments.

Ms. Bergener provided clarification that staff commented to report to the Board after a six-month period and still not enough time to fully assess the service. Staff is working with SBCAG and Ventura County Transportation Commission to promote the service

No action was taken on this receive and file information item.

12. Proposed 2019 Board of Directors and Committee Meeting Schedule

Jennifer L. Bergener, Managing Director, reported on the proposed 2019 Board of Directors and Committee meeting schedule that includes input from the member agencies and Technical Advisory Committee.

A discussion ensued regarding:

- Board meeting locations and travel time to attend Board meetings.
- Light Board agenda push items to the next meeting.
- Rotate Board meetings between Orange County Transportation Authority (OCTA) Headquarters and LA Metro to the extent possible.
- Conflicts and difficult to reserve rooms at LA Metro.
- No cost to reserve rooms at LA Metro.
- Once a year have Board meetings out of LA Metro and OCTA on north and south locations of the corridor if possible and reasonable.

12. (Continued)

Vice Chairman Murray offered that the motion would include consideration of a Board meeting held at the north/south part of the corridor.

A motion was made by Director Murray, seconded by Chairman MacDonald, and following a roll call vote, declared passed 11-0, to approve the 2019 Board of Directors and Committee meeting schedule for the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency.

Discussion Items

13. Managing Director's Report

Jennifer L. Bergener, Managing Director, reported on the following:

- Referenced Item 12 on today's agenda that the north and south part of the corridor hosting the Board meetings are North County Transit District and Ventura County Transportation Commission. She asked the Board Members to email her suggested Board dates for those Board meeting locations.
- The next regular Board meeting is scheduled January 30, 2019 and some of the agenda items are as follows:
 - Elect the new Chair and Vice Chair at the meeting
 - Board Members will be recognized at the next Board meeting
 - Rewarded of the San Diego layover study and the Goleta and San Luis Obispo layover expansion
- Traveling next week to Washington, D.C. to attend the several passenger rail committee meetings and key meetings with Amtrak executive staff.
- A video of the charger locomotive event was shown to the Board and also highlighted in the Steel Wheel magazine provided to the Board at the dais.

14. Board Members' Report

Director Haviland announced that on December 3, 2018 Hasan Ikhata will be starting as the new Executive Director for the San Diego Association of Governments, and with additional track work, there will be a work window of January 12-13 to support construction of the projects.

14. (Continued)

Ms. Bergener, Managing Director, announced that there are two new LOSSAN Agency staff, and introduced Nereida Villasenor who will work on finance and analysis and Karen Tran, who will work marketing and passenger communications. Additionally, Kris Garbowski, Senior Marketing Specialist, welcome her baby girl on Thanksgiving Day.

Director Bragg reported the Janet Rogers and Fred Hottinger from the Train Coalition at the Santa Fe Depot mentioned that there seems to be trouble with the Positive Train Control (PTC) and could there be a future agenda regarding PTC.

Director Bragg asked that the concerns mentioned today by the Train Coalition be addressed and possible placed on the January 30, 2019 Board meeting agenda. In addition, the outcome and plan of action with the meeting taking place in December 2018 with the Train Coalition and the LOSSAN Agency staff be placed on the January 30, 2019 Board meeting agenda. She stated that this is her last Board meeting and enjoyed serving on the Board.

Ms. Bergener, Managing Director, responded that there are no issues with PTC and is fully implement, and Amtrak staff could provide an update at a future Board meeting.

Eric Hosey, Ex-Officio Board Member and Amtrak representative, responded that the PTC works well. Vice Chairman Murray asked Director Hosey to report out on PTC at the next Board meeting.

Director Gallo announced that this is his last Board meeting and enjoyed the opportunity to serve on the Board and complimented the professional LOSSAN Agency staff. He asked that the video link be sent to him again.

Director Bennett announced that this is his last Board meeting and concurred with all the positive compliments about staff. He plans on participating on the RailPAC and be involved with the LOSSAN corridor.

Chairman MacDonald reported on a commented made by newscaster Chris Burrous that Amtrak is always late and his message to Mr. Burrous that there is more to be known about the service and will invite him to experience how the service works.

Director Strong introduced new San Luis Obispo Council of Governments (SLCOG) staff Anna Devers replacing Pete Rogers who was promoted to Chief Executive Officer of SLCOG, and Ms. Devers has national and local rail experience. Director Strong commented that the state provided an approximate \$11 million grant to fund the PTC north of San Luis Obispo to connect to northern California.

14. (Continued)

Director Reed announced that he was re-elected for another four years and will stay on this Board as a primary or alternate and complimented the LOSSAN Agency staff and looks forward to serving on the Board. He wished everyone a happy holiday, be safe, and take the train.

Director Brown commented on his train trip to today's Board meeting and that he was talking to the conductor who to fix the schedule and especially train schedule 767, as well as explained to a passenger the dispatching system. The passenger wanted the Board to know that he enjoys the service and keep up the good work.

Vice Chairman Murray thanked everyone for their service on the Board and wished everyone happy holidays.

15. Closed Session

There was no Closed Session scheduled.

16. Adjournment

The meeting of the LOSSAN Agency's Board adjourned at 2:03 p.m. The next regularly scheduled meeting of this Board will be held:

Wednesday, January 30, 2019

12:30 p.m. – 2:30 p.m.

Orange County Transportation Authority Headquarters

Board Room – Conference Room 07

550 South Main Street

Orange, California

ATTEST:

Bryan MacDonald
LOSSAN Chairman

Olga Prado
Clerk of the Board