



# MINUTES

## *Board of Directors' Meeting*

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### **Call to Order**

The March 18, 2019 Board of Directors (Board) meeting of the Los Angeles - San Diego - San Luis Obispo (LOSSAN) Rail Corridor Agency (Agency) was called to order by Chairman Murray at 11:17 a.m., at the Orange County Transportation Authority (OCTA) Headquarters, Board Room – Conference Room 07, 550 South Main Street, Orange, California.

Chairman Murray 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:     Al Murray, Chairman  
                               Dana Reed, Vice Chairman  
                               Mary Lou Echternach, Metro  
                               Jewel Edson, NCTD  
                               Caylin Frank, SDMTS (teleconference)  
                               Gregg Hart, SBCAG (teleconference)  
                               Ellie Haviland, SANDAG (teleconference)  
                               Bryan MacDonald, VCTC (teleconference)  
                               Tim Shaw, OCTA  
                               Fred Strong, SLOCOG  
                               Michelle Boehm, CHSRA, Ex-Officio  
                               Kyle Gradinger, Caltrans, Ex-Officio (teleconference)  
                               Eric Hosey, Amtrak, Ex-Officio

Directors Absent:     John Fasana, Metro  
                               Alan D. Wapner, SCAG, Ex -Officio

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

### **Pledge of Allegiance**

The pledge of allegiance was led by Director Strong.

#### **1. Public Comments**

A public comment was heard from:

Janet Rogers (via teleconference from San Diego), Train Coalition (Coalition), Santa Fe Depot, reported that the Coalition is pleased that the study to relocate the Santa Fe Depot layover facility will be underway and that the Coalition will be participating as a stakeholder in the study. Ms. Rogers requested that staff provide the Coalition a copy of the study's scope of work, who in San Diego will oversee the study, and the name of the lead consultant.

Ms. Rogers added that the Coalition feels strongly that a suitable alternative location be found for the Santa Fe Depot layover facility. She stated that the Coalition would like to know how many SC-44 engines are now in service and requested that one of those engines always be used on train number 763 to help alleviate the noise caused by the P-42 engine in the evenings.

Ms. Rogers also stated that the Coalition met with the LOSSAN Agency staff a couple of months ago, and highlighted the proposed suggestions discussed at the meeting.

A public comment was received from Eric Reese by email, and a copy was provided at the dais to the Board of Directors (Board).

### **Special Calendar**

There were no Special Calendar Matters.

### **Consent Calendar (Items 2 through 6)**

Chairman Murray announced, as a correction, that Item 6 on today's agenda is to be listed as a Consent Calendar item.

Jennifer L. Bergener, Managing Director, added that Item 6 on today's agenda is the regular Legislative Update and as there are no specific items of concern, staff proposes to include it in the Consent Calendar.

### **2. Approval of Minutes**

A motion was made by Vice Chairman Reed, seconded by Director Strong, and following a roll call vote, declared passed 10-0, to approve the minutes of the LOSSAN Board of Directors meeting of February 20, 2019.

### **3. Fiscal Year 2018-19 Second Quarter Budget Status Report**

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

### **4. Amendment to Cooperative Agreement No. L-8-0013 for the Rail 2 Rail Program with the North County Transit District and National Railroad Passenger Corporation**

Director Strong pulled this item and noted that Item 5 on today's agenda lists the contract's dollar value; however, Item 4 only shows a \$0.02 increase and it was unclear how many trips that involves and what the total value of the cooperative agreement is expected to be.

Jennifer L. Bergener, Managing Director, responded that she would address both Items 4 and 5 together. Ms. Bergener noted that in previous years, the LOSSAN Agency has struggled moving Rail 2 Rail (R2R) program agreements forward, and this year, verbal consensus was received from both agencies to continue the R2R program.

Ms. Bergener noted that the agreement with North County Transit District (NCTD) for the \$0.02 adjustment is consistent with NCTD's most recently adopted Comprehensive Annual Financial Report, and there is no cap on this agreement as it is based on actual ridership.

Ms. Bergener noted that Metrolink's agreement (Item 5 on the agenda) is capped as Metrolink relies on its member agencies to fund the program at a specific rate.

Director Strong inquired if there is historical data of how many passengers are carried through NCTD's program. Ms. Bergener responded that the data is provided in the quarterly trends report and the next report will be provided at the May 2019 Board meeting.

Director Edson reported that NCTD supports the proposed amendment as the R2R program provides improved passenger service along the LOSSAN corridor and makes rail transit a more viable travel alternative.

**4. (Continued)**

A motion was made by Vice Chairman Reed, seconded by Director Strong, and following a roll call vote, declared passed 10-0, to authorize the Managing Director to negotiate and execute Amendment No. 1 to Cooperative Agreement No. L-8-0013 between the Los Angeles - San Diego – San Luis Obispo Rail Corridor Agency, the North County Transit District, and the National Railroad Passenger Corporation for an additional term of one year through July 31, 2020, and increase the reimbursement rate to \$4.44 per boarding.

**5. Cooperative Agreement for Continuance of the Rail 2 Rail Program with the Southern California Regional Rail Authority and the National Railroad Passenger Corporation**

A motion was made by Vice Chairman Reed, seconded by Director Strong, and following a roll call vote, declared passed 10-0, to:

- A. Authorize the Managing Director to negotiate and execute Agreement No. L-9-0005 between the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency, Southern California Regional Rail Authority, and National Railroad Passenger Corporation to continue the Rail 2 Rail program for a term of one year through June 30, 2020 for a total contract value of \$2,400,000.
- B. Direct the Managing Director to continue to work with the Southern California Regional Rail Authority and National Railroad Passenger Corporation to pursue a step-up fare program to facilitate cost-sharing of the program with Rail 2 Rail passengers.

**6. Legislative Update**

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

### Regular Calendar

#### 7. **Cooperative Agreement with National Railroad Passenger Corporation for Design Services in Support of the Expansion of the Pacific Surfliner Layover Facility in the City of Goleta**

Jennifer L. Bergener, Managing Director, reported that the National Railroad Passenger Corporation (Amtrak) has exclusive rights to the City of Goleta's layover facility property, which has reached its capacity in terms of evening layover capabilities. Ms. Bergener added that this effort seeks to re-design the facility to allow for two to three trains to layover in the evenings and would facilitate the LOSSAN Agency's service expansion goals.

A discussion ensued regarding:

- This is a very important project, particularly to the City of Goleta and County of Santa Barbara, and staff was thanked for their coordination efforts on this project.
- No issues are anticipated for the May 2019 California Transportation Commission (CTC) meeting regarding the allocation request for Transit and Intercity Rail Capital Program (TIRCP) funds, and these types of requests are a standard process for TIRCP funds.
- The \$383,000 budget for the program is a conservative estimate, which includes the appropriate contingencies, no fees for termination or cancellation as it is an actual-cost reimbursement, and is consistent with the agreement that has been reached with Amtrak.
- The footprint that Amtrak currently has lease rights over is sufficient for the work that is being proposed.
- The City of Goleta and the County of Santa Barbara were successful in securing TIRCP funds for a project to revamp the Goleta Station to draw more riders and offer better transit connections.
- Additional property or an easement may be needed to make the two projects work together, however, staff does not anticipate that there would be any right-of-way costs.
- Staff will provide updates to the Board on the project's related efforts.

A public comment was received from Eric Reese by email, and a copy was provided at the dais to the Board.

### 7. (Continued)

A motion was made by Director Hart, seconded by Chairman Murray, and following a roll call vote, declared passed 10-0, to authorize the Managing Director to negotiate and execute Agreement No. L-9-0001 between the Los Angeles – San Diego – San Luis Obispo Rail Corridor Agency and the National Railroad Passenger Corporation, in the amount of \$383,000, for Design Services for the expansion of the Pacific Surfliner Layover Facility in the City of Goleta.

### 8. **Approval of the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency Business Plan for Fiscal Years 2019-20 and 2020-21**

Roger M. Lopez, Manager of Planning and Analysis, provided background information on the business plan development efforts as follows:

- On February 20, 2019, the draft business plan was presented to the Board for review and comment.
- The LOSSAN Technical Advisory Committee (TAC) provided additional comments, and the feedback has been incorporated into the business plan resulting in no significant material changes.
- The TAC comments included requests for clarifying language, additional detail on various projects or specific work efforts, as well as requests to update the section on high-speed-rail (HSR).
- Two suggestions from the TAC were not specifically addressed in the business plan:
  - Include five- to ten-year Long-Range Strategic Plan information in the document.
  - Include a more comprehensive listing of the capital needs along the corridor, especially those that were short in funding for implementation.

The TAC suggestions will be addressed in next year's business plan.

- This year, the LOSSAN Agency will engage consultant services to update its Long-Range Strategic Plan.
- The LOSSAN Agency is working on its corridor optimization and included in that effort is a comprehensive corridor-wide capital needs assessment which will be brought forward to the Board at a future date.
- Updated budget assumptions are expected to be ready in June, and staff will return to the Board at that time.

### 8. (Continued)

A lengthy discussion ensued regarding:

- Actions needed to advance the Coast Daylight project including securing legislative authority to administer the service:
  - The 2019 LOSSAN Legislative Program supports the effort to advance the Coast Daylight project and the LOSSAN Agency would actively support this expansion.
  - The LOSSAN Agency does not currently have someone to carry the bill, and the Coast Rail Coordinating Council is leading that effort.
- Decrease in State operating subsidy between fiscal year (FY) 2015 and FY 2016:
  - The Passenger Rail Investment and Improvement Act 2009 took full effect during that period and the LOSSAN Agency went from an estimated-based contract to an actuals-based contract.
  - Cost savings were realized through that process.
  - The operating subsidy rose in FY 2018-19 due in part to the addition of morning peak-period service into Ventura and Santa Barbara counties.
- On-time performance (OTP) has not reached its goal and the key contributing factors were highlighted.
- Suggestion for future business plans for staff to either provide tracked-changes or a document to help see the changes made.
- Near-term focus of service expansions were highlighted:
  - Additional roundtrips to increase frequency of service between Los Angeles and San Diego.
  - Staff is working with Union Pacific Railroad (UPRR) to extend two more trips north of Los Angeles.
  - Long-term goal is to get to hourly service, between 18 to 20 hours a day.

A public comment was received from Eric Reese by email, and a copy was provided at the dais to the Board.

### 8. (Continued)

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

- A. Adopt the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency business plan for fiscal years 2019-20 and 2020-21.
- B. Direct staff to submit the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency business plan for fiscal years 2019-20 and 2020-21 to the Secretary of the California State Transportation Agency by April 1, 2019.
- C. Direct staff to return to the Board of Directors in June 2019 with an updated business plan that includes revised budget assumptions consistent with the revenue and expense estimates provided by Amtrak for federal fiscal year 2019-20.

### Discussion Items

#### 9. 2019 Board of Directors Initiatives

Chairman Murray provided opening remarks, and Jennifer L. Bergener, Managing Director, reported that the goals/initiatives for the Board's review are reasonably attainable, are consistent with the LOSSAN Agency business plan, and this item will be agendaized for the May 2019 Board meeting.

Ms. Bergener added that through the interagency transfer agreement, the LOSSAN Agency is required to annually submit its accomplishments and report on how the agency is performing, and the initiatives help highlight some of those key efforts.

Director Shaw asked that an initiative be added to continue marketing the LOSSAN Agency's service through promotional ideas such as advertising ads at sports events.

Director Hart echoed Director Shaw's comments that a marketing initiative would be a great addition. Director Hart also thanked Chairman Murray for taking the initiative efforts in multi-steps, as well as thanked staff for tracking the progress deliverables and for providing future updates to the Board.

Director MacDonald stated he concurred with Director Hart's comments and that marketing is extremely important.

After the discussion, no action was taken on this item.



### **10. Managing Director's Report**

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

- Ten Siemens Charger locomotives are utilized on a daily basis to operate Pacific Surfliner service, with 12 of the locomotives currently in Los Angeles. Five of the locomotives are currently out of service due to various reasons, so there is not a Charger locomotive available for every train. There is a commitment from the Amtrak mechanical team and others to try to place the Siemens Charger locomotives on every train possible, and staff will continue to provide updates to the Board.
- The layover facility study efforts in San Luis Obispo and San Diego continue to advance.
- The R2R agreement, approved today, represents a key component of the LOSSAN Agency's interregional connectivity and speaks highly of the expanded and improving partnerships with both Metrolink and NCTD.
- The recently received State Rail Assistance grant award includes a robust station signage effort to be led by the LOSSAN Agency in coordination with the host railroads and station owners.
- The Riverside County Transportation Commission was awarded funding to advance the platform design and construction to serve special Coachella event trains. Staff will meet to discuss plans for implementing the service and advancing the effort.

Chairman Murray inquired about the locomotives striking trees and if there was regularly scheduled maintenance along the corridor for these types of issues.

Ms. Bergener responded that there are differences along the corridor and it depends on who the owner happens to be. She stated that the two recent tree strikes happened on the north end of the corridor which is UPRR-owned and controlled territory. Amtrak and the LOSSAN Agency have discussed routine maintenance with UPRR.

### 11. Board Members' Report

Director Boehm provided a lengthy update on HSR as follows:

- The core of the HSR program remains the same and is unchanged.
- The HSR project is an 800-mile electric railroad for the State of California and it is fundamental to the shifts that the State would like to make with regards to its reliance on fossil fuels.
- The California HSR Authority (CHSRA) has looked at several locations where it can open initial service.
- The Governor's speech, several weeks ago, was intended to identify an operating segment that is accessible and can be completed to initiate service.
- The CHSRA will continue to finish the environmental clearance for the entire 500-mile Phase 1 system (San Francisco to Anaheim) and ensure to invest the "book-end" funds that have already been appropriated and identified.
- Over the course of the next ten years, everything the CHSRA does will be a direct benefit to LOSSAN corridor and Metrolink service in terms of improving the operations.
- In May 2019, the CHSRA will be releasing a project update report to the Legislature which will provide additional details.

Director Haviland reported that the San Diego Association of Governments and NCTD submitted a federal grant application to fund the fifth phase of the stabilization projects on the Del Mar bluffs and thanked the LOSSAN Agency for the letter of support.

Director Echternach reported that the Metro Board was made aware that Mo Hayes, a resident from Southern California, was nominated by Assemblymember Jim Frazier to become Secretary of Transportation.

Director Echternach provided background information on Ms. Hayes and stated she would be happy to provide additional information to any Board Member on an individual basis.

Director Strong added that in recent conversations with CTC staff, the CTC is very excited by the nomination of Ms. Hayes.

Chairman Murray reported that some of the elected officials in Orange County brought to his attention that there seems to be issues with the homeless along the LOSSAN corridor and, if appropriate, suggested that staff send a letter to the rail partners regarding the issue.



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## Board of Directors' Meeting

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### 11. (Continued)

Jennifer L. Bergener, Managing Director, stated that the issue is along the UPRR-owned property in Orange County and they have been made them aware. She added that UPRR moved the homeless but, unfortunately, they returned the next day, and staff will continue to work with UPRR.

Director Strong added that Paso Robles had a similar problem with residents crossing the tracks to get to a nearby shopping center. He stated in that instance UPRR installed an 8-foot chain link fence made with a special material that cannot be cut with anything other than a settling torch, and that stopped access to the tracks. Director Strong suggested that staff perhaps negotiate with UPRR on a similar solution.

### 12. Closed Session

There was no Closed Session scheduled.

### 13. Adjournment

The meeting of the LOSSAN Agency's Board adjourned at 12:09 p.m. The next regularly scheduled meeting of this Board will be held:

**Monday, May 20, 2019**

**11:15 a.m. – 12:45 p.m.**

Orange County Transportation Authority Headquarters

Board Room – Conference Room 07

550 South Main Street

Orange, California

ATTEST:

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Al Murray  
LOSSAN Chairman

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Olga Prado  
LOSSAN Clerk of the Board