



MINUTES

Board of Directors' Meeting

Call to Order

The November 16, 2020, 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 11:20 a.m. at the Orange County Transportation Authority Headquarters, Board Room – Conference Room 07-08, 550 South Main Street, Orange, California.

Roll Call

The Clerk of the Board (COB) conducted an attendance Roll Call and announced there was quorum of the Board of Directors (Board) as follows:

Directors Present: Al Murray, Chairman
Tim Shaw, OCTA

Via teleconference:

Dana Reed, Vice Chairman
Jewel Edson, NCTD
John Fasana, Metro
Caylin Frank, SDMTS
Gregg Hart, SBCAG
Ellie Haviland, SANDAG
Bryan MacDonald, Immediate Past Chairman, VCTC
Fred Strong, SLOCOG
Jess Talamantes, Metro
Kyle Gradinger, Caltrans, Ex-Officio
Tamika Smith, Amtrak, Ex-Officio

Directors Absent: None

Staff Present: Jennifer L. Bergener, Immediate Past Managing Director
Donna DeMartino, Managing Director
Martha M. Ochoa, LOSSAN Clerk of the Board
Gina Ramirez, LOSSAN Deputy Clerk of the Board
James M. Donich, General Counsel (Teleconference)

Pledge of Allegiance

The Pledge of Allegiance was led by Chairman Murray.

1. Public Comments

There were no public comments.

Special Calendar

There were no Special Calendar matters.

Consent Calendar (Items 2 through 8)

2. Approval of Minutes

A motion was made by Director Edson, seconded by Immediate Past Chairman MacDonald, and following a roll call vote, declared passed 10-0, to approve the minutes of the LOSSAN Agency Board of Directors meeting of September 21, 2020.

Director Strong abstained on voting on this item due to not being present at the meeting.

3. Proposed 2021 Board of Directors and Committee Meetings Schedule

A motion was made by Director Edson, seconded by Immediate Past Chairman MacDonald, and following a roll call vote, declared passed 11-0, to approve the 2021 Board of Directors and Committee meetings schedule for the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency.

4. Conflict of Interest Code and 2020 Annual Statement of Economic Interests Filing

A motion was made by Director Edson, seconded by Immediate Past Chairman MacDonald, and following a roll call vote, declared passed 11-0, to direct the Clerk of the Board to distribute and monitor the 2020 annual Statement of Economic Interests - Form 700 to Members of the Board of Directors and designated positions, to be filed by April 1, 2021.

5. Status Report of State Legislation Enacted in 2020

A motion was made by Director Edson, seconded by Immediate Past Chairman MacDonald, and following a roll call vote, declared passed 11-0, to receive and file as an information item.

6. The Los Angeles - San Diego - San Luis Obispo Rail Corridor Trends for the Third Quarter of Federal Fiscal Year 2019-20

A motion was made by Director Edson, seconded by Immediate Past Chairman MacDonald, and following a roll call vote, declared passed 11-0, to receive and file as an information item.

7. Fiscal Year 2019-20 Fourth Quarter Budget Status Report

A motion was made by Director Edson, seconded by Immediate Past Chairman MacDonald, and following a roll call vote, declared passed 11-0, to receive and file as an information item.

8. Annual Business Plan and Budget Assumptions for Fiscal Years 2021-22 and 2022-23

A motion was made by Director Edson, seconded by Immediate Past Chairman MacDonald, and following a roll call vote, declared passed 11-0, to direct staff to incorporate the key assumptions into the development of the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency business plan for fiscal years 2021-22 and 2022-23.

Regular Calendar

9. Draft 2021 Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency Legislative Program

Dustin Sifford, Senior Government Relations Representative, discussed the Legislative Program (Program) which outlines the LOSSAN Agencies advocacy activities in Sacramento and Washington, D.C. Mr. Sifford gave an overview of the changes and recommended the following:

- Allow staff to make changes to the language that will allow the LOSSAN Agency to pursue funding in regards to the coronavirus (COVID-19) and continuing to provide intercity rail service.
- Add language in Section II, subsection B to allow the LOSSAN Agency to support equitable policies in the delivery of intercity passenger rail equity.

Mr. Sifford added that the Technical Advisory Committee suggested to include language to support a more resilient LOSSAN corridor infrastructure.

Director Haviland stated she supports the idea of adding the resiliency language to the Program considering the problems at the Del Mar Bluff and the long-term impact on the entire rail corridor.

9. (Continued)

Director Haviland made a motion to amend the item to include the word “resiliency” under Section II Implementation of Transportation Policies and to add a new goal to Section I. Secure Sustainable Funding to support efforts and secure dedicated funding for resiliency planning and infrastructure needs along the LOSSAN corridor.

Director Strong echoed Director Haviland’s remarks and supports it because of the need of proper funding for essential needs.

Immediate Past Chairman MacDonald confirmed with James Donich, General Counsel, that it is acceptable to make a motion and amend the receive and file information item.

A motion was made by Director Haviland, seconded by Strong, and following a roll call vote, declared passed 11-0, to receive and file as an information item.

10. Fiscal Year 2020-21 Budget Amendment

Jason Jewell, Finance and Administration Manager, provided opening comments and reported on the following:

- The budget amendment is necessary in four primary areas: net Amtrak Operating Budget, administrative and marketing, minor capital programs, and grant programs.
- Explanation of the budget amendment, how the COVID-19 pandemic has impacted ridership, and as a result, the California State Transportation Agency (CalSTA) has directed all state supported corridors to operate no more than 60 percent of the train miles previously approved in the prior business plan.
- Summary of the net Amtrak Operating Budget, the State of California (State) providing funding, and how the budget amendment assumes that Amtrak will continue to apply remaining Coronavirus Aid, Relief, and Economic Security Act funding to reduce the monthly net invoice amounts through December 2020 (the remaining \$80 million is shared among all states supported routes).
- The LOSSAN Agency has an additional \$6.2 million credit with Amtrak and it can be applied to ongoing net operating expenses during the fiscal year along with the board and state approved reprogramming of \$12 million in State Rail Assistance funding.
- Summary of the Administrative and Marketing Budget, reductions in funding due to the reduction of service levels, and how it reflects the short-term operating funding levels approved by the State, as well as, it incorporates the revised grant program budgets.
- Staff will continue to monitor the operating revenues and expenses.

10. (Continued)

Chairman Murray thanked Mr. Jewell and his staff for a very comprehensive report and for discovering the error which led to a \$6.2 million credit. Chairman Murray inquired about additional COVID-19 funding moving forward from a federal level.

Mr. Jewell responded that it is still too early to tell; however, staff will continue to monitor any revised federal funding that does provide Amtrak additional state supported funding.

Director Strong commented that he has had experience at the federal level and the new administration coming is believed to be much more favorable to Amtrak and public transportation than the current administration.

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

- A. Amend the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency's Fiscal Year 2020-21 revenue and expense budget to reflect the revised Amtrak operating revenue and expense forecast and State-approved operating funding levels through January 2021, as well as the revised administrative, marketing, and grant budgets.
- B. Authorize the Managing Director to make amendments to the Master Fund Transfer Agreement annual supplements for operating funds, minor capital improvement projects funds, administrative, and marketing funds.

11. **Approval to Release Request for Proposals for Program Management Consultant Services for the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency**

James D. Campbell, Program Manager, reported on the following:

- Description of the request for proposals (RFP) for a qualified program management consultant (PMC) services and how it will support LOSSAN.
- The funding is included in the fiscal year 2020-21 budget and does leverage the use of available grant funds.
- The agreement is for an initial term of three years with a two-year option.

A discussion ensued regarding:

- The estimated cost is based on the available budget for the PMC. In the professional services for the Administration budget, it is \$600,000, plus additional grant funding.

11. (Continued)

- The RFP will be advertised in a number of newspapers and online resources and will also go out in the Orange County Transportation Authority's standard contracts and materials management distribution list.

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

- A. Approve the proposed evaluation criteria and weightings for Request for Proposals 0-2620 for the selection of a consultant to provide program management services for the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency.
- B. Approve the release of Request for Proposals 0-2620 for program management consultant services for the Los Angeles - San Diego - San Luis Obispo Rail Corridor Agency.

12. Fiscal Year 2020-21 Through Fiscal Year 2024-25 State Rail Assistance

Russell Henry, Programming and Grants Manager, reported on the following:

- Background on the State Rail Assistance (SRA) program, the formula funds received, and the funding being used towards four projects.
- Referenced Attachment A that details program guidelines.
- Overview of the recommendations and upon Board approval, staff will file the appropriate documentation to receive automatic quarterly disbursements from CalSTA.

A discussion ensued regarding:

- Director Fasana expressed his support of the item and the importance of LOSSAN continuing to work with the state and Amtrak to commit \$5 million to the Los Angeles County Metropolitan Transportation Authority and to help pay for Amtrak and most financial shared improvements within the next five years.
- The transition of using SRA for capital equipment purchases when historically it has been the state's responsibility. The State has reduced the amount of equipment that is available to LOSSAN and staff is looking for ways to reduce their dependency on older Amtrak equipment.

12. (Continued)

- Director Strong referenced the Staff Report and commented on the equivalent amount each year on the emerging corridors and how no Joint Powers Authority now exists in the central coast which will help implement a long range plan. Director Strong also stated that Amtrak is interested in selling its right-of-way from Moorpark to Gilroy and the State is now investigating the ability to purchase that and make it available for the passenger. LOSSAN should keep that in mind and have money available in an effort to enhance the ability to improve service.

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

- A. Approve the recommended program of projects for Fiscal Year 2020-21 through Fiscal Year 2024-25 State Rail Assistance formula funds.
- B. Approve Resolutions No. 2020-L001 and No. 2020-L002 authorizing the Managing Director to act on behalf of the Los Angeles - San Diego – San Luis Obispo Rail Corridor Agency in obtaining funding under the State Rail Assistance Program.
- C. Authorize the Managing Director to negotiate and execute necessary agreements and program supplements to facilitate the utilization of State Rail Assistance funding.

Discussion Items

13. Pacific Surfliner On-Time Performance Analysis Third Quarter – Federal Fiscal Year 2019-20

Roger M. Lopez, Manager of Planning and Analysis, provided a PowerPoint presentation as follows:

- Monthly Average Endpoint On-Time Performance (OTP) – Systemwide;
- Federal Fiscal Year (FFY) 2020 Third Quarter (Q3) Average Endpoint OTP by Train;
- Delays by Responsible Party FFY19 Q3 verses FFY20 Q3;
- Delays by Category & Responsible Party FFY19 Q3 verses FFY20 Q3;
- Host Responsible Delays:
- Total Delay Distribution – By Location; and
- Conclusions – FFY20 Q3.

13. (Continued)

Chairman Murray commended the on-time performance and stated that clarifying the breakdowns will be very helpful as the statistics are revised in the future.

14. Los Angeles - San Diego - San Luis Obispo Optimization Study Update and Next Steps

James D. Campbell, Program Manager, provided a PowerPoint presentation as follows:

- Optimization Study Focus; and
- LOSSAN Rail Corridor Optimization Study
 - Operating Strategies
 - Optimized Service Concepts
 - Corridor services
 - Planning horizons
 - Next Steps.

A discussed ensued regarding:

- Chairman Murray complimented the presentation and reminded everyone that the Olympics will be here soon and that transportation will be extremely important.
- Staff provided an explanation on mid-term and long-term timeframes being based on the infrastructure assumptions and the infrastructure being in the ground.
- Director Edson stated on behalf of the North County Transit District (NCTD), they have worked closely with LOSSAN on this study and look forward to the next steps. The LOSSAN Optimization Study also supports NCTD's efforts for increased Coaster service and ongoing capital improvement projects in the region.
- Staff confirmed a day-to-day operating plan will be established before implementing any of the next steps (Slide 8 of the PowerPoint presentation).

15. Managing Director's Report

Donna DeMartino, Managing Director, reported on the following:

- Thanked Directors Fasana and Haviland for their years of service on the LOSSAN Board and wished them well in future endeavors.
- Congratulated former Vice Chairman MacDonald and Directors Edson, Shaw, and Strong for their re-elections.
- Starting this month, LOSSAN will launch a monthly newsletter that will include information on ridership, LOSSAN rail corridor projects, and media highlights.
- Expressed thanks to everyone for their support and understanding during the year, especially when having to make unexpected and unprecedented decisions.

16. Board Members' Report

Vice Chairman Reed looks forward to the new year and expressed his thanks to Ms. DeMartino, Managing Director, for her hard work.

Director Edson expressed her thanks to everyone for serving on the LOSSAN Board and looks forward to continuing to serve on the Board.

Director Fasana stated it has been an honor to serve with everyone and after 33 years in city council, he will be leading public service as an elected. Director Fasana encouraged everyone to continue to strengthen the LOSSAN corridor.

Director Hart thanked Directors Fasana and Haviland for their service and stated they will be missed.

Director Haviland stated it has been a honor to serve on the LOSSAN Board and it has been a pleasure to see how the LOSSAN corridor is being managed and protected.

Director Strong wished his colleagues well for those who will no longer be serving on the Board and reminded everyone to wear a mask and practice social distancing.

Director Smith shared with Director Fasana that regarding the Link Union Station Project, Amtrak recognizes the importance of the project and are working with Ms. DeMartino at advancing the request for \$5 million.

Director Shaw stated he knows Directors Fasana and Haviland will do great things in the future and they will be missed.

Chairman Murray thanked staff and the Board Members for a successful pilot on Zoom and he looks forward to working with everyone in the future.

17. Closed Session

There were no Closed Session scheduled.



MINUTES

Board of Directors' Meeting

18. Adjournment

The meeting adjourned at 12:34 p.m.

The next regularly scheduled meeting of this Board will be held:

TUESDAY, February 16, 2021

11:15 a.m. - 12:45 p.m.

Orange County Transportation Authority Headquarters

Board Room - Conference Room 07-08

550 South Main Street

Orange, California

ATTEST:

Gina Ramirez
LOSSAN Agency
Deputy Clerk of the Board

Al Murray
LOSSAN Agency Chairman