

ITEM 3A.

SAN JOAQUIN REGIONAL RAIL COMMISSION

MINUTES

For the meeting of October 5, 2006

The regular meeting for October 5, 2006 of the San Joaquin Regional Rail Commission was held at the Robert J. Cabral Station, South Hall Meeting Room, 949 E. Channel St., Stockton, CA. 95202.

1. Call to Order/Pledge of Allegiance/Roll Call:

Chairman Ives called the meeting to order at 8:01 a.m. and asked Commissioner Rhodes to lead the audience in the Pledge of Allegiance.

Commission Members Present: Harris, Rhodes, Giovanetti, Haggerty, Blalock,
Vice-Chair Restuccia, Chairman Ives

Absent: Sieglock,

Ex-Officio Members Present: Dial (for Chesley),

2. Public Presentations and Recognitions

None
Ex-Officio Knodt (for Kelsay) arrived

3. Consent Calendar:

All items listed immediately below will be acted upon under one vote unless specifically requested to be removed from the Consent Calendar by a member of the Commission, a member of staff, or a member of the public.

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| A. Minutes of September 7, 2006 | ACTION |
| B. Rail Commission/ACE Monthly Expenditure Report | INFORMATION |
| C. Monthly ACE Fare Revenue | INFORMATION |
| D. State and Federal Legislative Updates | INFORMATION |
| E. ACE Ridership and On-Time Performance Report | INFORMATION |
| F. Report on Stockton's Family Day at the Park | INFORMATION |

Ms. Mortensen requested item 3D and 3E to be pulled. Under Item 3D, Lynn Jacquez, a principal with CJ Strategies updated the Board on the Federal Legislative outlook for next year. She noted that as the Board developed their federal projects for the upcoming cycle, to remember that this was not a reauthorization year, and that the amounts of money available were very constrained. Ms. Jacquez reported that she and her staff had been meeting with Commission staff to discuss potential projects for the next request.

Under Item 3E, Hubert Hanrahan, Manger of Operations updated the Board on the latest on-time performance and ridership statistics. On-time performance in September was 78% using a 5-minute threshold and was 89%. He noted that the midday train performance was much lower at 50% due to track gangs performing track maintenance during the day. Ridership has been slowly increasing, and the midday has been averaging just over 70 passengers.

Commissioners Haggerty and Blalock inquired about the performance situation for other rail systems and whether these delays were affecting the majority or a minority of the ACE passengers. The Board directed staff evaluate the on-time performance thresholds for other systems and determine if a 5 minute threshold was appropriate for the ACE Corridor characteristics, and bring the results back to the next Commission meeting.

Commissioner Giovanetti asked a brief question about carryover funds in the capital budget.

M/S/C (Restuccia/Haggerty) to approve the Consent Calendar. Passed and Adopted by the San Joaquin Regional Rail Commission on the 5th day of October, 2006, by the following vote to wit:

Ayes: 7 Harris, Rhodes, Blalock, Giovanetti, Blalock, Vice-Chair Restuccia, Chairman Ives
Noes: 0

4. Approve Memorandum of Understanding and Funding Agreement with CCJPA for SJRRC to Option the Purchase and Installation of Train Security Cameras under its' Agreement with A4S Securities on Behalf of CCJPA, Not-to-Exceed \$665,000 and Authorize and Direct the Executive Director to Execute All Necessary Documents.

Brian Schmidt, Director of Planning and Programming, reported that through the ongoing collaboration with the CCJPA, an option was built into the Rail Commission's Train Security Camera contract with A4S, to allow the CCJPA to piggy-back on that contract once they secured the necessary funding. CCJPA will be providing the Commission with the funding in advance so that the Commission does not have to front the monies and wait for reimbursement. A Budget Amendment will be forthcoming to reflect this additional revenue and expense.

M/S/C (Blalock/Haggerty) to approve Memorandum of Understanding and Funding Agreement with CCJPA for SJRRC to Option the Purchase and Installation of Train Security Cameras under its' Agreement with A4S Securities on Behalf of CCJPA, Not-to-Exceed \$665,000 and Authorize Executive Director to Execute all necessary documents. Passed and Adopted by the San Joaquin Regional Rail Commission on the 5th day of October, 2006, by the following vote to wit:

Ayes: 7 Harris, Rhodes, Blalock, Giovanetti, Blalock, Vice-Chair Restuccia, Chairman Ives
Noes: 0

5. ACE Corridor Rail Service Update

Mr. Schmidt introduced study consultants Gregg Chiodo and David McCrossan who outlined the latest work effort on the study to improve the current ACE Service in the 5-10 year horizon. They described the potential savings in run time and reliability and outlined alternatives to a more streamlined connection to the BART system. Two significant corridor proposals include a dedicated track maintenance gang and signal maintainer. All alternatives will next be going through a cost-effectiveness evaluation.

Commissioner Haggerty asked for clarification on how much maintenance is provided by UPRR through the per train mile fee. Ms. Mortensen noted that only a minimal amount is actually provided through the fee structure. Mr. Chiodo confirmed this and outlined the difference between typical freight standards for track maintenance and the much higher passenger standards.

6. Approve Professional Services Agreement with Odyssey for the Final Planning and Engineering of the Robert J. Cabral Station Neighborhood Project, Not-to-Exceed \$430,885 and Authorize and Direct the Executive Director to Execute All Necessary Documents.

Mr. Schmidt described the previous phases of this project and the federal funding secured by the region's legislators to engineer and construct the next phases. This next phase utilizes Odyssey as a facilitator and manager of the effort for consistency with the prior phase, but the bulk of the work is in the engineering effort with the subcontractors.

M/S.C (Restuccia/Giovanetti) to approve Professional Services Agreement with Odyssey for the Final Planning and Engineering of the Robert J. Cabral Station Neighborhood Project, Not-to-Exceed \$430,885 and Authorize and Direct the Executive Director to Execute All Necessary Documents. Passed and Adopted by the San Joaquin Regional Rail Commission on the 5th day of October, 2006, by the following vote to wit:

Ayes: 7 Harris, Rhodes, Blalock, Giovanetti, Blalock, Vice-Chair Restuccia, Chairman Ives
Noes: 0

7. Report on Special ACE/Ports Train to the Oakland A's Game

Marla Smith, Marketing Coordinator, reported on the sold out train to the A's game on September 23rd. This event was coordinated through the Stockton Port's. Tickets were sold by both ACE and the Port's. The Port's provided the early morning BBQ, all onboard food and beverages, and staffing/security onboard the trains. Many passengers were returnees from last year.

Supervisor Haggerty offered his assistance in future years with arranging for seating at the Coliseum. He also inquired about the ability to run to the Baseball playoff games. Ms. Mortensen noted that because of train volumes, UPRR would only allow this one train per year to operate off the ACE trunkline up to Oakland.

Chairman Ives asked if there is any indication that these events generate new ACE ridership over time.

8. Discussion on Expanding the Geographic Representation in the Rail Commission Decision Making Process in Light of the Planning Efforts for Rail Service into New Areas.

Ms. Mortensen noted that three wonderful Rail Commissioners will be leaving the Board at the end of the year, due to their elected terms ending. She commented that in the replacement process, it is critical to consider the needs for input and decision-making as it relates to the growth of the Rail Program in the future. She expressed some concern that the north county/Lodi area may be underrepresented in the future. Resolution of this issue could be accomplished in several ways; including, the creation of Political Advisory Committees in areas

potentially affected by future service planning, or expanding the geography or voting members of the governing board.

Commissioner Rhodes expressed Lathrop's sincere interest for continuing to have a voice on the Rail Commission Board. She added that Board representation should take into account where ridership is generated and where future decisions may have significant impact for the communities. If that is best achieved by an additional seat, then she expressed support for that concept.

Commission Harris agreed with Commissioner Rhodes comments, and noted he felt the north county and Lodi area have been well represented by Supervisor Sieglock to date, and wanted to continue that advocacy.

Steve Dial, Deputy Executive Director for SJCOG reminded the Board that the appointments come through the SJCOG Executive Committee, are regional in nature and are not tied to specific cities.

Commissioner Giovanetti mentioned that either the north county area Supervisor, or the City of Lodi could represent the northern county region.

The Board directed Ms. Mortensen to work with SJCOG to resolve the issue of adequate geographic and regional representation.

9. Commissioner's Comments

Chairman Ives had received a boardmember request to consider moving the Rail Commission meetings to the 1st Friday of each month. After some discussion, this item was deferred until the new members are seated after the first of the year.

10. Ex-Officio's Comments

Nate Knodt, SJRTD commented that he enjoyed the ACE train to the A's game and complimented the outstanding marketing efforts by the ACE and Port's staff. He also expressed great interest in the Cabral neighborhood revitalization project moving forward. He worked with Odyssey in the initial phase and felt the exciting things would be coming forth in this next phase. Finally, Mr. Knodt reported that SJRTD has increased service to 90 departures through the Cabral station.

Mr. Dial, noted that SJCOG staff strongly support the Cabral neighborhood revitalization project as a great opportunity for addressing the Smart Growth Objectives in the Measure K renewal. It also provides a great anchor on the east end of Weber Avenue.

11. Executive Director Report

None

12. Closed Session

DeeAnn Watkins, Counsel for the Commission announced a closed session regarding the following:

Real Property Negotiations – Government Code 54956.8

Conference with Real Property Negotiators: Brian Schmidt, Phil Pennino

Property: Parcel # 15114006 - 919 E. Channel Street, Stockton, CA

Parcel # 15114007 - 911 E. Channel Street, Stockton, CA

Parcel # 15114015 - 920 Miner Avenue, Stockton, CA

Parcel # 15114014 - 930 Miner Avenue, Stockton, CA

Parcel # 15120103 - 1025 Main Street, Stockton, CA

Parcel # 15120106 - 1001 Main Street, Stockton, CA

Parcel # 15120109 - 1002 Main Street, Stockton, CA

Parcel # 15120102 - 25 Union Street, Stockton, CA

Negotiating Parties: San Joaquin Regional Commission,

Ms. Angie Arroyo – 15114006

Mr. Glenn Bockman, Harold Womble, Pete Gretchen – 15114007, 15114015, 15114014

Mr. Victor Rosasco – 15120103, 15120106, 15120109, 15120102

Under Negotiations: Price and Terms of Payment

The Commission adjourned into closed session at 9:10 a.m. and returned to Open Session at 9:24 a.m.

Legal Counsel, DeeAnn Watkins, reported on the Closed Session and noted that direction was given to staff and there was nothing to report in Open Session.

13. Adjournment

The next regular meeting is scheduled for November 2, 2006 8:00 a.m.

Robert J. Cabral Station, 949 E. Channel St., Stockton, CA 95202