

## **SAN JOAQUIN REGIONAL RAIL COMMISSION**

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*All proceedings before the Commission are conducted in English. The San Joaquin Regional Rail Commission does not furnish interpreters and, if one is needed, it shall be the responsibility of the person needing one. Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at the Office of the Executive Director located at 949 East Channel Street, Stockton, California, 95202 during normal business hours or by calling (209) 944-6220. The Agenda is available on the San Joaquin Regional Rail Commission website: [www.acerail.com](http://www.acerail.com).*

### **November 3, 2017 – 8:00 am**

Robert J. Cabral Station  
South Hall Meeting Room  
949 East Channel Street  
Stockton, CA 95202

Ohlone Conference Room  
375 Beale Street  
San Francisco, CA 94105

#### **1 Call to Order, Pledge of Allegiance, Roll Call**

Chair Johnson

Roll Call: Haggerty, Marchand, Elliott, Fugazi, Moorhead, Zuber, Vice Chair Dresser, Chair Johnson

Ex- Officios: Agar, Chesley, DeMartino

#### **2 Public Comments**

Persons wishing to address the Commission on any item of interest to the public regarding rail shall state their names and addresses and make their presentation. Please limit presentations to five minutes. The Commission cannot take action on matters not on the agenda unless the action is authorized by Section 54954.2 of the Government Code. Materials related to an item on the Agenda submitted to the Board of Directors after distribution of the agenda packet are available for the public inspection in the Commission Office at 949 E. Channel Street during normal business hours. These documents are also available on the San Joaquin Regional Rail Commission website at [www.acerail.com/about-ace/sjrrc-board.html](http://www.acerail.com/about-ace/sjrrc-board.html) subject to staff's ability to post the documents prior to the meeting.

### 3 Presentations and Recognitions

### 4 Consent Calendar

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|-----|--|--------------------|
| 4.1 | Minutes of October 6, 2017   | ACTION             |
| 4.2 | Rail Commission/ACE/SJJPA Monthly Expenditure  | INFORMATION        |
| 4.3 | ACE Monthly Fare Revenue   | INFORMATION        |
| 4.4 | ACE Ridership  | INFORMATION        |
| 4.5 | ACE On-Time Performance  | INFORMATION        |
| 4.6 | Washington Update  | INFORMATION        |
| 5   | <b>Approve Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Adopting Fiscal Year 2017/2018 Budget Amendment #2, Increasing the San Joaquin Joint Powers Authority (SJJPA) Operating Budget in the Amount of \$763,597.38, from \$52,093,699 to \$52,857,297</b><br>(Dan Leavitt)   | ACTION             |
| 6   | <b>Approve Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Authorizing a Three-Year and Eight-Month Contract with Two One-year Options for Operations and Safety Related Services to Finger Lakes Rail Consulting Group for an Amount Not-To-Exceed \$360,000 total from November 03, 2017 through June 30, 2021, and Authorizing and Directing the Executive Director to Execute the Agreement</b><br>(Brian Schmidt & Manny Caluya) | ACTION             |
| 7   | <b>Approve Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving the First Amendment to the ACE Operations and Maintenance of Equipment Agreement Dated July 1, 2009, and Authorizing and Directing the Chair to Execute the First Amendment</b><br>(Brian Schmidt)   | ACTION             |
| 8   | <b>ACEforward EIR Staff Recommendations Preferred Alternative Part 1: Improvements for Additional Daily Round Trips &amp; Service Extension</b><br>(Dan Leavitt)   | INFORMATION/ACTION |
| 9   | <b>Update on Potential Sharpe Army Depot Land Acquisition</b><br>(Kevin Sheridan)  | INFORMATION/ACTION |
| 10  | <b>Update on Unmet Transit Needs Open Houses</b><br>(Chris Kay)  | INFORMATION/ACTION |
| 11  | <b>SJRRRC Staff Participation in the Fifth Annual Stockton Cares Coat, Blanket, and Sock Drive</b><br>(Chris Kay)  | INFORMATION/ACTION |
| 12  | <b>CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION</b><br>(Paragraph (1) of subdivision (d) of Section 54956.9)  | DISCUSSION/ACTION  |

Name of case: Meghan Berry v. San Joaquin Regional Rail Commission, et al  
Alameda County Superior Court Case No. HG16833329

**Name of case: Carmen Aguirre v. San Joaquin Regional Rail Commission, et al  
Alameda County Superior Court Case No. HG16837483**

**Name of case: Russell Blackmon v. San Joaquin Regional Rail Commission, et al  
Alameda County Superior Court Case No. RG17850293**

**Name of case: Spencer Ybarra v. San Joaquin Regional Rail Commission, et al  
Alameda County Superior Court Case No. RG17853664**

**Name of case: Parmjot Bains v. San Joaquin Regional Rail Commission, et al  
Alameda County Superior Court Case No. RG17853668**

**Name of case: Fumie Kurai v. San Joaquin Regional Rail Commission, et al  
Alameda County Superior Court Case No. RG17857814**

**Name of case: Kumaresh Balasubramaniam and Vidyah Natarajan Balasubramaniam v. San Joaquin Regional Rail Commission, et al  
Alameda County Superior Court Case No. RG17869352**

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| <p><b>13 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION</b><br/>Significant exposure to litigation pursuant to paragraphs (2) or (3) of subdivision (d) of Section 54956.9: One Case</p> <p><b>14 Commissioner’s Comments</b></p> <p><b>15 Ex-Officio Comments</b></p> <p><b>16 Executive Director’s Report</b></p> <p><b>17 Adjournment</b><br/>The next regular meeting is scheduled for:<br/>December 1, 2017 – 8:00 am<br/>Robert J. Cabral Station<br/>949 East Channel Street, Stockton</p> | <p><b>DISCUSSION/ACTION</b></p> |
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