

## **SAN JOAQUIN REGIONAL RAIL COMMISSION**

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*All proceedings before the Commission are conducted in English. Anyone wishing to address the SJRRRC Board is advised to have an interpreter or to contact SJRRRC during regular business hours at least 48 hours prior to the time of the meeting so that SJRRRC can provide an interpreter. Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available upon request in both English and Spanish 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).*

**May 3, 2019 – 8:00 am**

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

Conference Call Locations 

1311 Midvale Avenue  
Lodi, CA 95240

6920 NW 155th Terrace  
Edmond, Oklahoma 73013

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

Chair Fugazi

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

Ex- Officios: Chesley, DeMartino, Zoslocki, McElhinney

### **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. Consent Calendar

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|------|--|--------------------|
| 3.1  | Minutes of March 1, 2019   | <b>ACTION</b>      |
| 3.2  | Rail Commission/ACE Monthly Expenditure  | <b>INFORMATION</b> |
| 3.3  | ACE Monthly Fare Revenue   | <b>INFORMATION</b> |
| 3.4  | ACE Ridership  | <b>INFORMATION</b> |
| 3.5  | ACE On-Time Performance  | <b>INFORMATION</b> |
| 3.6  | Update on Positive Train Control   | <b>INFORMATION</b> |
| 3.7  | Washington Update  | <b>INFORMATION</b> |
| 3.8  | Agreement with Union Pacific Railroad Company, Inc. (UPRR) for Preliminary Engineering of the Sunol Main Street Quad Gate  | <b>INFORMATION</b> |
| 3.9  | Agreement for a Three-Year and Two-Month Contract with Two One-year Options for Cloud Hosted Voice Over Internet Protocol (VoIP) Phone System to Jive Communications, Inc. for an Amount Not-To-Exceed \$60,000 total from May 1, 2019 through June 30, 2022   | <b>INFORMATION</b> |
| 3.10 | Accept Independent Auditors' Report for Fiscal Year 2017/2018  | <b>ACTION</b>      |
| 3.11 | Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving the Fiscal Year 2018-19 Transportation Development Act (TDA) Claim and Authorizing Submission by the Executive Director to the San Joaquin Council of Governments for Local Transportation Funds (LTF) and State Transit Assistance Funds (STA) for a Total of \$6,343,285  | <b>ACTION</b>      |
| 3.12 | Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Authorizing the Filing of Applications with the Federal Transit Administration, an Operating Administration of the United States Department of Transportation, for Federal Transportation Assistance Authorized by Chapter 53 of Title 49 of the United States Code and Any Other Federal States Administered by the Federal Transit Administration | <b>ACTION</b>      |
| 3.13 | Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Authorizing the Executive Director to Accept and Sign Waiver of Potential and Actual Conflicts of Interest Letters with SJRRC Counsel, Lewis Brisbois Bisgaard & Smith LLP, Arising from Concurrent Representation of Union Pacific Railroad and San Joaquin Regional Rail Commission   | <b>ACTION</b>      |

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|-----------|---|---------------|
| <b>4.</b> | <b>Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Authorizing the Opening of the Public Comment Period Until June 7, 2019, for the Proposed Saturday Service Effective Summer 2019, and Setting a Public Hearing for Adoption of the ACE Saturday Service at the June 7, 2019 Rail Commission Meeting</b><br>(Brian Schmidt/Chris Kay) (Special and Regular Voting Members) | <b>ACTION</b> |
|-----------|---|---------------|

5. **Approve Three (3) Resolutions of the Board of Commissioners of the San Joaquin Regional Rail Commission Authorizing the Executive Director to Negotiate and Enter into Multiple Consultant Contracts and Establish Pre-Qualified On-Call Consultant Lists for a Period of Five (5) Years for the Capital Projects Program** **ACTION**  
(Kevin Sheridan/Autumn Gowan)

**Action 1. Approve Consultant Contracts for Specific Projects for Services and Not-To-Exceed Amounts provided in Table 1 in the Staff Report**  
(Regular Voting Members)

**Action 2. Approve Consultant Contracts for Specific Projects for Services Not-To-Exceed Amounts provided in Table 2 in the Staff Report**  
(Regular and Special Voting Members)

**Action 3. Adopt and Establish a Pre-Qualified On-Call Consultant List for a Period of Five (5) Years, May 3, 2019 through May 3, 2024 provided in the Staff Report**  
(Regular and Special Voting Members)

6. **Presentation on Altamont Corridor Vision** **INFORMATION**  
(Dan Leavitt)

7. **CLOSED SESSION:** **DISCUSSION/ACTION**  
**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9 (Seven (7) cases).”

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
(Paragraph (1) of Subdivision (D) of Government Code Section 54956.9)

**Name of Case: Ann Lester V. San Joaquin Regional Rail Commission, et al. San Joaquin County Superior Court Case No. STK-CV-UMC-2017-3606**

8. **Commissioner’s Comments**  
9. **Ex-Officio Comments**  
10. **Executive Director’s Report**

11. **Adjournment**  
The next regular meeting is scheduled for:  
June 7, 2019 – 8:00 am  
Robert J. Cabral Station  
949 East Channel Street, Stockton