CITY COUNCIL STAFF REPORT – REGULAR AGENDA

TO: HONORABLE MAYOR AND CITY COUNCIL
GEORGE RODERICKS, CITY MANAGER

FROM: MICHAEL KASHIWAGI, P.E.
INTERWEST CONSULTING GROUP

DATE: FEBRUARY 21, 2018

SUBJECT: CALTRAIN ELECTRIFICATION PROJECT - DISCUSS AND PROVIDE DIRECTION REGARDING CALTRAIN RESPONSE LETTER DATED FEBRUARY 6, 2018

RECOMMENDATION

Discuss and provide direction regarding the Caltrain Response Letter dated February 6, 2018 related to the Overhead Catenary System (OCS) pole preference and project cost impacts.

BACKGROUND

At the December 20, 2017 meeting, City Council reviewed and discussed the comparison of tree impacts of double track cantilever vs. single track cantilever pole systems. Based upon information provided by Caltrain, changing from a double track cantilever to single track cantilever pole system would impact 12 additional trees. One additional tree will have to be removed and 11 additional trees will require pruning less than 25%. The required tree removal is a Silver Dollar Eucalyptus located on private property.

Although City Council recognized the additional tree impacts, they believed the required height of the double track cantilever poles created unacceptable visual and esthetic impacts to the Town and adjacent properties. Accordingly, City Council voted to formally oppose the installation of double track cantilever poles within Atherton and made a request to Caltrain staff in attendance to only install single track cantilever poles within the Town.

In accordance with City Council direction, Mayor Wiest sent a letter (Attachment A) to Caltrain dated January 2, 2018 formally requesting the change from double track to single track cantilever poles. The letter also requested specific information regarding the cost and schedule impacts associated with the request.

On January 10, 2018, the Town received the response from Caltrain (Attachment B). Based upon information presented in the letter along with subsequent correspondence with Caltrain staff, the
cost impact (design and construction) of changing to single track cantilever poles within the Town of Atherton would result in an estimated increase of $200,000.

At the January 17, 2018 meeting, City Council discussed and confirmed the Town’s decision regarding single track cantilever poles. City Council also reviewed and discussed OCS pole color options provided by Caltrain and voted to request Marine Green for all poles within Atherton, including the Historic Atherton Station.

**DISCUSSION**

Based upon City Council direction, Mayor Wiest sent a letter dated January 29, 2018 (Attachment C) confirming the Town of Atherton’s color preference for OCS Poles, confirming the Town’s decision regarding single track cantilever poles, and expressing the Town’s commitment to work with Caltrain to identify and reach agreement regarding specific cost trade-offs to address the $200,000 project impact. The letter included specific and viable options to address the funding gap.

On February 6th, the Town received the Caltrain response (Attachment D). The letter acknowledged receipt of the Town’s OCS pole color request and confirmed the use of Marine Green for all poles in Atherton. With respect to cost impacts associated with the change to single track cantilever poles, Caltrain declined to consider cost options provided by the Town. Caltrain stated they would agree to change to single track cantilever poles if the following conditions were met by February 28, 2018:

- The Town must provide a check payable to the Peninsula Corridor Joint Powers Board for $200,000.
- Atherton must obtain and provide written consent from private property owners and Town of Atherton for tree removal permits for removal of trees on private property and the pruning of additional trees required to accommodate single track cantilever poles.
- Atherton agrees that it will not be a party to nor will the Town finance, support, encourage or facilitate the pursuit of filing any claim, lawsuit, or dispute related to the electrification project.
- Atherton will execute the Comprehensive Agreement.

**POLICY FOCUS**

Double Track vs. Single Track Cantilever poles result in different community impacts regarding visual and esthetic concerns and minimizing impacts to existing trees. Selection of a single track cantilever pole design reflects a City Council priority in terms of minimizing overall impact of OCS poles within the Town of Atherton.

**FISCAL IMPACT**

Agreement to the conditions outlined in the Caltrain letter dated February 6, 2018 will require payment of $200,000. In addition, there will be staff costs associated with obtaining written
consent from private property owners associated with private property tree impacts to accommodate single track cantilever poles.

PUBLIC NOTICE

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting in print and electronically. Information about the project is also disseminated via the Town’s electronic News Flash and Atherton Online. There are approximately 1,200 subscribers to the Town’s electronic News Flash publications. Subscribers include residents as well as stakeholders – to include, but be not limited to, media outlets, school districts, Menlo Park Fire District, service providers (water, power, and sewer), and regional elected officials.

ATTACHMENTS

Attachment A – January 2, 2018 Letter to Caltrain from Mayor Wiest
Attachment B – January 10, 2018 Caltrain Response Letter
Attachment C – January 29, 2018 Letter to Caltrain from Mayor Wiest
Attachment D – February 6, 2018 Caltrain Response Letter
January 2, 2018
Letter to Caltrain from Mayor Wiest
January 2, 2018

Michael Burns, Interim Chief Officer
Caltrain Planning and Modernization
2121 S. El Camino Real, Suite 300
San Mateo, CA 94403

Subject: PCEP Overhead Catenary System (OCS) Pole Design Preference

Dear Mr. Burns:

At the December 20, 2017 Atherton City Council meeting, the City Council discussed the proposed double-track cantilever OCS pole system for portions of the Atherton rail corridor where centerline pole alignment is not feasible. Members of Caltrain staff attended the December 20 meeting. The purpose of this letter is to provide formal follow-up from that meeting.

On December 20, the City Council advised Caltrain that the Town is formally opposed to the installation of a double-track cantilever OCS pole system anywhere along the Atherton rail corridor and requests that Caltrain only install single-track cantilever poles up to the maximum height of 35 feet. The Town understands that the single-track cantilever poles will result in the removal of 1 additional tree (a Silver Dollar Eucalyptus) and require pruning less than 25% for 11 additional trees. However, the Town strongly believes the 45’6” double cantilever pole heights will have much greater visual and aesthetic impacts for the Town and nearby residents.

Accordingly, the Town respectfully requests that the current design be changed and single-track pole cantilever OCS poles be utilized within the Town of Atherton. Caltrain design team staff has indicated that modifying the current design may have detrimental cost and schedule implications. The Town is interested in the specific project impacts as well as the process and timeline for Caltrain to consider and evaluate our request. Further, at the December 20 meeting, Caltrain staff advised they would attend the Council’s January 17 Meeting to advise of the these impacts as well as provide the Town with design materials and opportunity for feedback on pole aesthetic options within the Atherton Rail Station.

Sincerely,

Cary Wiser, Mayor
Town of Atherton

cc: Atherton City Council Members
    George Rodericks, City Manager
January 10, 2018
Caltrain Response Letter
January 9, 2018

Cary Wiest, Mayor
Town of Atherton
91 Ashfield Road
Atherton, CA 94027

Subject: Response to PCEP OCS Pole Design Preference

Honorable Mayor:

We are in receipt of your letter of January 2, 2018 requesting the Peninsula Corridor Joint Powers Board (JPB) to change the current design of the Overhead Catenary System (OCS) through the Town of Atherton to remove any double track cantilever poles and replace them with the single track double pole system. As the Town Council asked at its December 20, 2017 meeting, the Peninsula Corridor Electrification Project (PCEP) team has studied further the effect of making this design change. Prior to your next council meeting at which this subject will be revisited, we wanted to share more information.

We have mentioned before that the current pole design was guided by the goal of shielding the OCS as much as possible along the entire right of way, following the requisite measures in the Mitigation Monitoring Plan. This approach resulted in small areas of the double track cantilevers in virtually every jurisdiction along the corridor. In Atherton, there are currently five such double track cantilevers across approximately 1,000 feet.

The effect of this project on trees has been one of the Town’s major concerns since the start of the planning process for the PCEP. The reference in your letter to the removal of one additional tree and the pruning less than 25% of 11 additional trees is a quantification that may not fully capture the actual impact of this design change. As we mentioned in our prior letter, the requested design change has a ripple effect that will be felt by other Atherton property owners. These consequences include:

- The removal of a tree on private property. The JPB does not have the right to go on private property and remove a tree without the owner’s consent, which the JPB does not now have relative to this tree. In designing the PCEP, the JPB tried to avoid removing trees on private property.
• The number of poles in the subject area will be doubled and will be placed on each side of the right of way in closer proximity to the adjacent private properties.

• The landscape screen of the project relative to three other adjacent properties in the area will be reduced. These properties include: 80 Jennings Way, 92 Jennings Way, and 96 Jennings Way.

We have attached pictures of the area in question that show the utility poles and wires that currently populate the right of way and existing foliage. We have also attached a map of the area that compares the tree impacts as between the two scenarios—the planned design and the requested redesign. This chart shows more clearly the nature and scope of the additional tree impacts on the three properties designated above.

The cost estimate of the design change is $200,000. If the actual cost of this design change is higher than this estimate, it may have to be approved by the Change Management Board that has been established to oversee and monitor change orders to the PCEP. This Board is comprised of representatives of all of the project funding partners, including the Valley Transportation Authority, the City and County of San Francisco, the San Francisco County Transportation Commission, the California High Speed Rail Authority, the Metropolitan Transportation Commission, the San Mateo Transportation Authority, and the JPB. The JPB has a minority vote on this Board.

We hope this information is helpful in facilitating our continuing consideration of this issue.

Sincerely,

Michael Burns
Interim Chief Officer, Caltrain Planning and Modernization

Enclosures

cc: Atherton City Council Members
    George Rodericks, City Manager
    Zhenlin Guan
    Stacy Cocke
    Dave Couch
    Liria Larano
    Joan Cassman
Tree Impact Scenarios
Atherton, San Mateo County

**Tree Impact**
- No Impact
- < 25% Prune
- ≥ 25% Prune
- Remove

**Track Mile Post**
- JP8 Caltrain ROW
- Tracks
- Parcel

**Map Notes**
- Tree Impact based on initial science assessment.
- Tree Impact based on preliminary design (May 2015), subject to change.
- Tree Impact includes areas impacts to OCS design and overhead clear zone (OZ).
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**Notice**
1. Tree Impact based on initial science assessment.
2. Tree Impact based on preliminary design (May 2015), subject to change.
3. Tree Impact includes areas impacts to OCS design and overhead clear zone (OZ).
January 29, 2018
Letter to Caltrain from Mayor Wiest
January 29, 2018

Michael Burns, Interim Chief Officer
Caltrain Planning and Modernization
2121 S. El Camino Real, Suite 300
San Mateo, CA 94403

Subject: PCEP Overhead Catenary System (OCS) Pole Preference

Dear Mr. Burns:

The purpose of this letter is to confirm the Town of Atherton’s color preference for OCS Poles, confirm the Town’s desire for Single Track Cantilever Poles, and express the Town’s commitment to continue productive discussions with Caltrain staff related to costs associated with the change from double track to single track cantilever poles.

On January 17th, the Atherton City Council reviewed the OCS pole color choices provided by Caltrain staff. After discussion and some community input, City Council voted to request Marine Green for all poles within Atherton, including the Historic Atherton Station. This information has also been communicated to Caltrain staff via email.

On Tuesday, January 16th, City Manager George Rodericks and I met with Caltrain staff to discuss cost impacts of replacing double track cantilever OCS poles to single track cantilever poles. The Town appreciated the candor from Caltrain staff and understands your position regarding costs and financial responsibility. The Town is committed to working with Caltrain to identify and reach agreement regarding specific cost trade-offs to address the $200,000 project impact.

We have already contacted Caltrain staff to schedule a follow-up meeting to have specific discussions regarding acceptable cost trade-offs. We expect this meeting to occur the week of February 5th. We understand the time sensitive nature of this issue and are committed and look forward to productive discussions with Caltrain staff which will lead to a financial solution and agreement between Caltrain and the Town of Atherton.

In order to make our discussions as productive as possible, the Town has identified some items which we believe will have positive cost impacts. These include:

- The Town not seeking reimbursement for work associated with terms of the PCEP Comprehensive Agreement.
The Town could waive fees related to Town Permits required by the PCEP
The Town could take responsibility for required tree removals and tree trimming on Town property (Holbrook Palmer Park)
The Town could work with Caltrain staff to identify acceptable use and retention of double track cantilever poles in less sensitive areas to assess the feasibility of reducing vs eliminating double track cantilever poles.
Identify cost saving or cost sharing opportunities associated with construction of the Town Civic Center Project which is expected to begin construction Summer 2018.
Review project required transportation mitigation measures to potentially shift financial responsibility from Caltrain to the Town of Atherton.

This is not meant to be an all-inclusive list of ideas but hopefully demonstrates viable options exist to address the $200,000 cost impact in a creative way. We welcome additional thoughts and ideas Caltrain may have for discussion.

The Town of Atherton looks forward to the opportunity to work with Caltrain to identify a financial solution which works for the Project and the Town.

Sincerely,

Cary Wiest, Mayor
town of Atherton

cc: Atherton City Council Members
  George Rodericks, City Manager
  Zhenlin Guan
  Seamus Murphy
  Casey Fromson
  Stacy Cocke
  Dave Couch
  Lira Larano
  Joan Cassman
February 6, 2018
Caltrain Response Letter
February 6, 2018

Cary Wiest, Mayor
Town of Atherton
91 Ashfield Road
Atherton, CA 94027

Subject: Response to PCEP OCS Pole Design Preference

Dear Mayor Wiest:

Thank you for your letter dated January 29, 2018 in response to Caltrain’s letter of January 9, 2018 (attached) which explained (1) the current pole design for the Caltrain Electrification Project was guided by the important goal in the project’s Mitigation Monitoring Plan to protect trees and (2) the costs and environmental consequences of the Town’s request to change the pole design along approximately 1,000 feet of the right of way. We appreciate the Town’s communication on its preferences regarding the project’s pole design.

Caltrain will implement the Overhead Catenary System (OCS) pole color choice that was selected by the Town of Atherton. As requested, all poles within the jurisdiction of Atherton will be ‘marine green’ to help blend in with the surroundings.

As you know from the in-person meeting and previous correspondence, a change in the current pole design to the design suggested by the Town of Atherton would cost approximately $200,000. It would also increase the impacts to trees along the 1,000 feet of right of way and increase the number of poles adjacent to private properties.

The current pole design was guided by the strong input from cities such as Atherton to reduce the impact to trees along the corridor. If, in light of the tradeoffs described above, the Town of Atherton would like to pursue the shorter pole design in the subject area, time is of the essence. Caltrain will agree to implement those changes now to avoid a material impact to the construction schedule if the Town of Atherton meets the following conditions by February 28, 2018:

CALTRAIN MODERNIZATION PROGRAM
Peninsula Corridor Electrification Project (PCEP)
2121 S. El Camino Real, Suite 300
San Mateo, CA 94403
Atherton provides a check payable to Peninsula Corridor Joint Powers Board for $200,000. This amount includes costs associated with design rework, project management and additional materials and labor. While we appreciate the Town's creative proposals to pay for the change through in-kind payments or by foregoing the $25,000 that the Caltrain Electrification Project had set aside to reimburse Town staff for their time on the project pursuant to the Comprehensive Agreement, it is imperative that the electrification project budget is reimbursed in full. In-kind contributions or offering operating costs assistance to Caltrain for the loss of capital funding to pay for the project does not achieve this necessary result. Many outside entities provide project oversight to ensure maintenance of the budget, including the Federal Transit Administration, City and County of San Francisco, San Francisco County Transportation Authority, Santa Clara Valley Transportation Authority, San Mateo County Transportation Authority, the California High-Speed Rail Authority, and the Metropolitan Transportation Commission.

Atherton obtains and provides the written consent of the private property owners and Town of Atherton tree removal permits for the removal of trees on private property and the pruning of any additional trees that will be required to accommodate the pole design changes.

Atherton agrees that it will not be a party to nor will the Town finance, support, encourage or facilitate the pursuit or filing of any claim, lawsuit, or dispute related to the electrification project.

Atherton will execute the Comprehensive Agreement.

Again, we appreciate your interest and involvement in the Caltrain Electrification Project which will improve the performance of Caltrain, reduce air pollution and train engine noise for residents along the corridor, and help improve the mobility options in Atherton and for the greater Bay Area.

We are happy to meet further to discuss this issue, if that is of interest to the Town of Atherton.

Sincerely,

John Funghi
Chief Officer, Caltrain Modernization Program

cc: Caltrain Board of Directors

Attachment: Previous correspondence
January 29, 2018

Michael Burns, Interim Chief Officer
Caltrain Planning and Modernization
2121 S. El Camino Real, Suite 300
San Mateo, CA  94403

Subject:  PCEP Overhead Catenary System (OCS) Pole Preference

Dear Mr. Burns:

The purpose of this letter is to confirm the Town of Atherton’s color preference for OCS Poles, confirm the Town’s desire for Single Track Cantilever Poles, and express the Town’s commitment to continue productive discussions with Caltrain staff related to costs associated with the change from double track to single track cantilever poles.

On January 17th, the Atherton City Council reviewed the OCS pole color choices provided by Caltrain staff. After discussion and some community input, City Council voted to request Marine Green for all poles within Atherton, including the Historic Atherton Station. This information has also been communicated to Caltrain staff via email.

On Tuesday, January 16th, City Manager George Rodericks and I met with Caltrain staff to discuss cost impacts of replacing double track cantilever OCS poles to single track cantilever poles. The Town appreciated the candor from Caltrain staff and understands your position regarding costs and financial responsibility. The Town is committed to working with Caltrain to identify and reach agreement regarding specific cost trade-offs to address the $200,000 project impact.

We have already contacted Caltrain staff to schedule a follow-up meeting to have specific discussions regarding acceptable cost trade-offs. We expect this meeting to occur the week of February 5th. We understand the time sensitive nature of this issue and are committed and look forward to productive discussions with Caltrain staff which will lead to a financial solution and agreement between Caltrain and the Town of Atherton.

In order to make our discussions as productive as possible, the Town has identified some items which we believe will have positive cost impacts. These include:

- The Town not seeking reimbursement for work associated with terms of the PCEP Comprehensive Agreement.
- The Town could waive fees related to Town Permits required by the PCEP
- The Town could take responsibility for required tree removals and tree trimming on Town property (Holbrook Palmer Park)
- The Town could work with Caltrain staff to identify acceptable use and retention of double track cantilever poles in less sensitive areas to assess the feasibility of reducing vs eliminating double track cantilever poles.
- Identify cost saving or cost sharing opportunities associated with construction of the Town Civic Center Project which is expected to begin construction Summer 2018.
- Review project required transportation mitigation measures to potentially shift financial responsibility from Caltrain to the Town of Atherton.

This is not meant to be an all-inclusive list of ideas but hopefully demonstrates viable options exist to address the $200,000 cost impact in a creative way. We welcome additional thoughts and ideas Caltrain may have for discussion.

The Town of Atherton looks forward to the opportunity to work with Caltrain to identify a financial solution which works for the Project and the Town.

Sincerely,

Cary Wiest, Mayor
Town of Atherton

cc: Atherton City Council Members
    George Rodericks, City Manager
    Zhenlin Guan
    Seamus Murphy
    Casey Fromson
    Stacy Cocke
    Dave Couch
    Liria Larano
    Joan Cassman
January 9, 2018

Cary Wiest, Mayor
Town of Atherton
91 Ashfield Road
Atherton, CA 94027

Subject: Response to PCEP OCS Pole Design Preference

Honorable Mayor:

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We have mentioned before that the current pole design was guided by the goal of shielding the OCS as much as possible along the entire right of way, following the requisite measures in the Mitigation Monitoring Plan. This approach resulted in small areas of the double track cantilevers in virtually every jurisdiction along the corridor. In Atherton, there are currently five such double track cantilevers across approximately 1,000 feet.

The effect of this project on trees has been one of the Town’s major concerns since the start of the planning process for the PCEP. The reference in your letter to the removal of one additional tree and the pruning less than 25% of 11 additional trees is a quantification that may not fully capture the actual impact of this design change. As we mentioned in our prior letter, the requested design change has a ripple effect that will be felt by other Atherton property owners. These consequences include:

- The removal of a tree on private property. The JPB does not have the right to go on private property and remove a tree without the owner’s consent, which the JPB does not now have relative to this tree. In designing the PCEP, the JPB tried to avoid removing trees on private property.

CALTRAIN MODERNIZATION PROGRAM
Peninsula Corridor Electrification Project (PCEP)
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- The number of poles in the subject area will be doubled and will be placed on each side of the right of way in closer proximity to the adjacent private properties.
- The landscape screen of the project relative to three other adjacent properties in the area will be reduced. These properties include: 80 Jennings Way, 92 Jennings Way, and 96 Jennings Way.

We have attached pictures of the area in question that show the utility poles and wires that currently populate the right of way and existing foliage. We have also attached a map of the area that compares the tree impacts as between the two scenarios—the planned design and the requested redesign. This chart shows more clearly the nature and scope of the additional tree impacts on the three properties designated above.

The cost estimate of the design change is $200,000. If the actual cost of this design change is higher than this estimate, it may have to be approved by the Change Management Board that has been established to oversee and monitor change orders to the PCEP. This Board is comprised of representatives of all of the project funding partners, including the Valley Transportation Authority, the City and County of San Francisco, the San Francisco County Transportation Commission, the California High Speed Rail Authority, the Metropolitan Transportation Commission, the San Mateo Transportation Authority, and the JPB. The JPB has a minority vote on this Board.

We hope this information is helpful in facilitating our continuing consideration of this issue.

Sincerely,

Michael Burns
Interim Chief Officer, Caltrain Planning and Modernization

Enclosures

cc: Atherton City Council Members
    George Rodericks, City Manager
    Zhenlin Guan
    Stacy Cocke
    Dave Couch
    Liria Larano
    Joan Cassman
Tree Impact Scenarios
Atherton, San Mateo County

Tree Impact
- No Impact
- < 25% Prune
- ≥ 25% Prune
- Remove

Track Mile Post
JPB Caltrain ROW
Tracks
Parcel

Notes:
1. Trees identified based on Hort Science assessment.
2. Tree impacts based on preliminary design (April 2019), subject to change.
3. Maps indicate impacts to trees based on the April 2019 overhead contact system (OCS) design and associated electrical safety zone (ESZ), which may vary depending on different OCS designs.
4. Tree locations are approximate due to GPS error (typically less than 5 feet discrepancy).
January 2, 2018

Michael Burns, Interim Chief Officer
Caltrain Planning and Modernization
2121 S. El Camino Real, Suite 300
San Mateo, CA 94403

Subject: PCEP Overhead Catenary System (OCS) Pole Design Preference

Dear Mr. Burns:

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Sincerely,

Cary Wiest
Mayor
Town of Atherton

cc: Atherton City Council Members
    George Rodericks, City Manager