



## **BICYCLE & PEDESTRIAN ADVISORY COMMITTEE**

Wednesday, May 9, 2007

### **MINUTES**

#### **1. CALL TO ORDER**

The Regular Meeting of the Valley Transportation Authority (VTA) Bicycle and Pedestrian Advisory Committee (BPAC) was called to order at 6:01 p.m. by Chairperson Wadler, Auditorium, Building A, VTA, 3331 North First Street, San Jose, California.

#### **ROLL CALL**

##### **Members Present**

Anna Brunzell  
John Carpenter  
Carl Hagenmaier  
William Manry  
Norma Rome  
David Simons  
John Sullivan  
Bart Thielges  
Herman Wadler, Chairperson  
Joe Walton

##### **Representative Cities**

City of Los Altos Hills  
City of Mountain View  
City of Los Altos  
City of Monte Sereno  
City of Morgan Hill  
City of Sunnyvale  
City of Santa Clara  
City of San Jose  
City of Campbell  
City of Cupertino

##### **Members Absent**

Bruce Entin  
Thomas Muniz  
Jim Stallman  
Richard Swent, Vice Chairperson  
Vacant  
Vacant

##### **Representative Cities**

Town of Los Gatos  
City of Gilroy  
City of Saratoga  
City of Palo Alto  
City of Milpitas  
County of Santa Clara

**A quorum was not present and a Committee of the Whole was declared.**

## 2. **ORDERS OF THE DAY**

Chairperson Wadler announced the deferral of **Agenda Item #16.**, Receive presentation on Pedestrians Along Expressways: Facilities and Policies, until the August 8, 2007 committee meeting.

## 3. **PUBLIC PRESENTATIONS**

Akos Szoboszlay, Interested Citizen, noted that Santa Clara County Deputy County Executive Jane Decker responded to a letter by Chairperson Wadler on behalf of the Committee. He stated that Ms. Decker rejected the request of the Committee to reverse the changes to the California Vehicle Code enacted by SB 1233 that permits local agencies to prohibit bicycles from County expressways. Mr. Szoboszlay stated that the likely rationale behind SB 1233 was to eliminate pedestrian facilities, including shoulders, and eliminate non-motorists from the expressways so that the entire right-of-way would be given over to motor vehicles.

Member Hagenmaier requested that the June 13, 2007 Committee agenda include a discussion of this item.

## 4. **Committee Staff Report**

Michael T. Burns, General Manager, provided a quarterly report highlighting the following: 1) The Board of Directors discussed the Fiscal Years 2007-2008 and 2008-2009 Biennial Budget at its April 27, 2007 Board Workshop meeting, the Advisory and Standing committees will discuss the budget in May and the Board will approve the budget at its June 7, 2007 regular meeting. He noted that the budget is stable, includes restoration of some areas that were cut due to the downturn in the economy and will restart some internal deferred capital programs; 2) The budget will include a reduction in monthly pass fares for seniors, disabled and youth and day passes for all categories; 3) No service cuts are assumed in the budget; 4) Board approval of the Comprehensive Operations Analysis will take place on August 30, 2007 and implemented in January 2008; 5) Implementation of Community Bus Service in Morgan Hill and Gilroy in July 2007. Implementation will include new fares of \$1 for adults and \$0.50 for youth/seniors/disabled; 6) The June 7, 2007 Board of Directors meeting agenda will include an implementation work plan for the Organization and Financial Assessment; 7) Bike-to-Work Day will take place on May 17, 2007, and VTA will host three energizer stations at various stations.

Member Walton arrived at 6:09 p.m. and a quorum was declared.

Member Sullivan arrived at 6:12 p.m.

Chairperson Wadler requested clarification on Community Bus and whether it will assist residents in Morgan Hill and Gilroy commute to San Jose in the evenings. Mr. Burns responded that Community Bus is a smaller 25-passenger bus; the service plan is developed through coordination with the community; and is more flexible than a regular 40-foot bus. He added that Community Bus will offer more local service to the areas.

Member Simons stated that VTA should consider placing policy recommendations in conditions of approval for projects in the various local cities. He highlighted the periodic practice of the City of Sunnyvale to implement Transportation Demand Management programs which include such requirements as all employees in redevelopment areas receive transit passes. Mr. Burns responded that VTA comments on development projects that come through VTA and does what it can to influence certain land use decisions. He added that the ultimate authority for these decisions exists at the local level.

Member Walton asked if there has been an increase in ridership as gas prices continue to escalate. Mr. Burns responded that VTA is experiencing an approximate 2% increase in bus ridership and 30% in light rail ridership from the year prior. In total, these numbers represent an overall increase of 8-9%.

Member Hagenmaier noted that many of the discussions at the Committee relate to the Santa Clara County Roads Department or Santa Clara County Board of Supervisors. He asked for a comment on the relationship between the VTA and the County. Mr. Burns responded that VTA has a very good relationship with the County and noted that four of the five members of the Board of Supervisors are also members of the VTA Board of Directors.

Michelle DeRobertis, Senior Transportation Planner and Staff Liaison, announced that the Highway 152/156 project will have a grand opening on May 10, 2007 at 10:00 a.m. in Hollister. She added that the Metropolitan Transportation Commission (MTC) will provide training on bicycle issues for engineers and noted that VTA will participate in the training and will use the Bicycle Technical Guidelines as the basis for its training.

Dan Collen, Deputy Director Infrastructure Development, Santa Clara County Roads and Airports Department, provided an update on the establishment of a Santa Clara County Bicycle and Pedestrian Advisory Committee (BPAC). He noted that the Roads Department has modified its original proposal to allow for the continued use of the VTA BPAC as the County's local agency BPAC. He referenced a hand out entitled, "Diagram 2," and noted that the Chairperson of the Santa Clara County Roads Commission would nominate a member of the Commission to serve on the VTA BPAC subject to the approval by the Board of Supervisors. Any matters that the VTA BPAC would like addressed by Santa Clara County Board of Supervisors would go through the Santa Clara County Roads Commission to the Housing, Land Use, Environment and Transportation (HLUET) Committee of the Board of Supervisors and eventually to the entire Board of Supervisors. Mr. Collen added that the proposal would go before the HLUET Committee of the Board of Supervisors on June 21, 2007, and to the Board of Supervisors on August 7, 2007.

Ms. DeRobertis noted that the VTA would follow a parallel process whereby staff would recommend changes to the BPAC Bylaws at the August 2, 2007 Board of Directors meeting pending approval of the changes of the Santa Clara County Roads Commission Bylaws by the Board of Supervisors on August 7, 2007.

Member Simons suggested a modification to the Roads Commission selection process that would request that at least one member of the Commission have knowledge of bicycle and pedestrian issues. Mr. Collen responded that the Roads Commission was resistant to qualifications.

**5. Chairperson's Report**

Chairperson Wadler stated that Santa Clara County has responded to the letter sent to the Board of Supervisors requesting changes to the California Vehicle Code affecting County Expressways. He requested that the next meeting include an action item on this issue.

**CONSENT AGENDA**

**6. Minutes of April 11, 2007**

M/S/C (Hagenmaier/Walton) on a vote of 9 yeas, 1 no and 0 abstentions to approve the Minutes of April 11, 2007. Member Simons opposed.

Member Simons highlighted page 5 of 11 and the following statement: "Member Simons noted that maintenance of roundabouts poses a major problem." He clarified that the main issue is whenever a new road is laid down the grinding next to the gutters is a maintenance problem.

**7. Proactive CMP Reviewed and Approved Projects Quarterly Status Report- January through March 2007**

M/S/C (Hagenmaier/Walton) on a vote of 9 yeas, 1 no and 0 abstentions to review the Proactive CMP Reviewed and Approved Projects Quarterly Status Report- January through March 2007. Member Simons opposed.

**REGULAR AGENDA**

**8. FY 2008 Countywide Transportation Development Act Article 3 Program**

Bill Hough, Transportation Planner III, noted that the Transportation Development Act (TDA) Article 3 funds are derived from a ¼-cent of the State's general sales tax.

**NOTE:** M/S/C MEANS MOTION SECONDED AND CARRIED AND, UNLESS OTHERWISE INDICATED, THE MOTION PASSED UNANIMOUSLY.

He added that the Metropolitan Transportation Commission (MTC) requests that the Congestion Management Agencies of the nine bay area counties program funding priorities for their respective counties. Mr. Hough noted that 70% of the funds go into the Guarantee Funds. These funds are allocated to member agencies based on most recent California Department of Finance population estimates. The other 30% of the funds is dedicated to projects in the Countywide Bicycle Expenditure Program. Mr. Hough noted that the total available funding is \$1,628,695. A total of \$1,088,668 is available for Guarantee Funds, and \$547,989 is available for the Bicycle and Expenditure Program.

Chairperson Wadler requested clarification on the definition of “Rescinded Funds” as noted in Attachment A. Mr. Hough responded that allocations expire after two years and if a member agency cannot complete a project within the two years, it must rescind the project and the funds are reallocated the following year back to the member agency.

Member Hagenmaier requested clarification on “Funds Banked” as noted in Attachment A. Mr. Hough responded that a jurisdiction can bank funds to pay for a bigger project. Member Hagenmaier requested that future discussion of this item should separate out the total amount banked versus what is banked each year.

**M/S/C (Walton/Thielges)** to review and recommend that the VTA Board of Directors approve priorities for the 2008 Transportation Development Act (TDA) Article 3 program.

**9. North San José Deficiency Plan**

Chris Augenstein, Transportation Planning Manager and Staff Liaison, stated that the San José City Council approved the Plan on April 24, 2007. Mr. Augenstein stated that the core area of the study is between Highway 101 and Montague Expressway. He noted that plan calls for the creation of 26.7 million square feet of Industrial Space; 1.7 million square feet of Commercial Space; 32,000 residential units; and will add approximately 122,000 jobs.

Mr. Augenstein stated that the plan calls for the creation of a Traffic Impact Fee that will generate approximately \$460 million and another \$59 million will come from other sources including the Valley Transportation Plan (VTP) 2030. Approximately \$456 million will go toward roadway projects and another \$62.3 million to various transit improvements and pedestrian and bicycle facility enhancements.

Mr. Augenstein noted that the CMP Guidelines require a monitoring program and the Plan will require updating every three years. The Plan will go to the Board of Directors as a public hearing item on June 7, 2007.

Chairperson Wadler requested clarification on the definition of a “deficiency”.

Mr. Augenstein responded that a “deficiency” means that the Level of Service (LOS) Standard is below LOS E. He added that the Plan will correct deficiencies or employ offsetting and mitigating alternative improvements. Mr. Augenstein noted that a unique feature of the Plan is an emphasis on bicycle, pedestrian and transit improvements.

Member Hagenmaier stated that his understanding of the Plan is that this is a requirement of the City of San Jose because the current situation does not meet the standard.

Mr. Augenstein clarified that a deficiency plan is required for existing or future conditions. He added that this is an amendment to the current deficiency plan already in place and the City of San José has already been collecting a fee to complete improvements to mitigate a number of conditions in the area.

Member Hagenmaier asked if the City of San José can complete additional development without this Plan. Mr. Augenstein responded, “no.”

Member Thielges noted that this did not go through the San José BPAC. He stated his concern that some of the improvements will degrade the conditions for bicyclist at a number of intersections. Mr. Augenstein responded that the City of San José has tried to make sure that these improvements will not degrade existing facilities. He added that many of these issues will be addressed during the design phase for these improvements.

Member Simons asked if the Committee can provide suggestions that will benefit the Plan. Mr. Augenstein responded that the Committee can add suggestions. He added that the Committee, however, cannot change the document.

Member Simons referenced page 24 of the Plan and highlighted the section entitled, “Transportation Demand Management (TDM) Programs, CMP Action Item E-2, Public Information Programs,” and noted his concern with San José referring to TDM as a public information program. Member Simons cited examples, such as signal prioritization for light rail vehicles and the use of the Eco Pass program at area companies, that are no cost measures the city can require that will make the Plan more effective. Mr. Augenstein noted that the Eco Pass program is noted in CMP Action G-8 on page 27 of the Plan. He added that the action plan includes items that the City intends to complete.

Member Simons asked about the status of light rail intersection prioritization in San José. Mr. Augenstein responded that he would ask Operations Division about the status of this effort.

Member Hagenmaier noted that the Plan references Guadalupe and Coyote Creek trails as improvements that will improve transportation when in fact these trails are recreation trails. He added that there is no guarantee that the City of San José will implement the proposed bicycle improvements.

Member Sullivan referenced page 3 of 5, Table 2, that highlighted \$62.3 million for transit, bicycle, pedestrian and TDM actions. Member Hagenmaier responded that there are no guarantees about the uses of these funds and involves a degree of trust.

Mr. Augenstein noted that the Plan allocates a significant amount of money to pedestrian, bicycle and transit projects. Mr. Augenstein added that this will provide San José BPAC members an opportunity to review projects and insure that bicycle and pedestrian facilities are incorporated into the design.

Member Thielges noted that the City of San José BPAC does not review every project in San José and repeated requests to do so have not been granted.

Chairperson Wadler asked what would happen if the BPAC rejects the Plan. Mr. Augenstein responded that the plan would move forward to the Board of Directors with the note that the BPAC did not approve the plan.

Chairperson Wadler stated that he could support the Plan if the Committee could include a letter to the City of San José stating that any future items that come before the VTA BPAC without also going through the San José BPAC, or could possibly get rejected.

Member Carpenter stated that he recommends a firm rejection because it did not go through the San José BPAC.

**M/S/F (Walton/Brunzell)** on a vote of 7 yeas, 2 noes and 1 abstention to review and recommend that the VTA Board of Directors approve the City of San José North San Jose Deficiency Plan with the provision that the San José Bicycle and Pedestrian Committee becomes a full partner in the planning of projects related to bicycle and pedestrian opportunities. Members Thielges and Simons opposed; and Member Hagenmaier abstained.

Chairperson Wadler requested that the record reflect that the reason for disapproval was because the San José BPAC did not have an opportunity to review the document and the VTA BPAC does not believe the Plan is a valid document.

#### **10. Draft 2006 Monitoring and Conformance Report and Conformance Findings**

Adam Burger, Transportation Planner II, stated that State statute requires that Congestion Management Agencies (CMA) monitor the level of service (LOS) on three sets of roadways within the Congestion Management Program (CMP) roadway network. He noted that the sets of roadways are the CMP intersections, the freeways and rural highways. He added that the report also looks at land use approvals made by cities, expressways and collects bicycle and pedestrian volume data at ten select locations in the county.

Chairperson Wadler asked about whether LOS means how much car traffic goes through the county or is it broken down between car, pedestrian and bicyclist. Mr. Burger responded that this report covers LOS for vehicle traffic.

Mr. Burger highlighted the various chapters of the report that highlighted the following: 1) Of the 244 measured CMP intersections in Santa Clara County only 4 were operating at a LOS F. Mr. Burger added that these same intersections were operating at a LOS F at the initiation of the report in 1991 and are exempt from meeting the conformance standards; 2) There was a slight increase in the number of freeway segments operating at a LOS F; and 3) There were significant increases in bicycle and pedestrian volumes from 2005.

Member Hagenmaier requested clarification on the numbers listed in Table 8.1, Bicycle Volumes 2002 to 2006 as found on page 8-2 of the report. Mr. Burger responded that the numbers represent the number of bicycles that cross an intersection at different intervals in the day.

Member Hagenmaier inquired about how the selected intersections used in the bicycle volume count were chosen. Mr. Burger noted that the intersections have been used since the start of the collection of data in 2002. He added that the selection criteria included intersections where there was a possible sizable increase in the number of bicycles and pedestrians coming through the area.

Member Hagenmaier asked if there was data on getting from point A to B on transit versus the use of a vehicle. Chris Augenstein, Transportation Planning Manager and Staff Liaison, responded the data is included in the Origin Destination Pairs analysis as found in Chapter 7 of the report.

Member Simons highlighted the future funding of the Mary Avenue/Highway 101/Highway 237 extension. He asked how future projects can get incorporated into the document so that VTA and the public can understand the future obligations for future mitigation expenditures. Mr. Burger responded that VTA and the City of Sunnyvale have their own LOS standards and added that any new projects that generate 100 or more peak trips must undergo a Transportation Impact Analysis (TIA). Mr. Augenstein added that the TIA for the project was included in the Sunnyvale Deficiency Plan.

Akos Szoboszlay, Interested Citizen, stated that VTA should consider a LOS standard for pedestrians.

Member Sullivan commented about the big increases in pedestrian and bicycle volumes. Mr. Burger responded that the rationale for the spikes is unknown.

**M/S/C (Walton/Hagenmaier)** to review and recommend that the Board of Directors approve the Draft 2006 Monitoring and Conformance Report and Conformance Finding.

**11. (Deferred to a future Meeting)**

Discuss Bicycle Related Legislation.

Chairperson Wadler commented that the current law requires that a bicyclist have a reflector on their pedal. He stated that AB 478 (Wolk) would also allow a reflector on a bicyclist shoe or a strap around their ankle.

Chairperson Wadler requested a future report on “Complete Street Spill” and the “3-foot bill.” He clarified the 3-foot bill and stated that it requires motorists to pass no less than 3 feet from a bicyclist.

Member Hagenmaier suggested that VTA consider measuring total transit congestion to include vehicles, mass transit, pedestrians and bicycles. He added that this may require legislative action.

Member Walton left his seat at 7:47 p.m.

Member Walton took his seat at 7:48 p.m.

## **12. Capitol Expressway Light Rail Project**

Mohamed Basma, Deputy Project Manager Transit, stated that the project is a 3 1/2-mile light rail extension along Capitol Expressway with the Phase I portion of the project ending at the Eastridge Transit Center. He noted that the project will convert the eight-lane expressway to a six-lane multi-modal urban boulevard that will integrate light rail, bus, automobile and pedestrian uses.

Mr. Basma highlighted that the main project elements will include: 1) three stations; 2) grade separations at Tully and Story Roads; 3) continuous sidewalks and landscaping along the entire length of the project. He stated that the project is in the final engineering phase and construction is expected to commence in the middle of 2008.

Mr. Basma noted that the project will include a 10-foot wide multi-use path along the entire northbound side of Capitol Expressway and a portion of the southbound side of the expressway. He added that the outside lane in both the northbound and southbound directions will accommodate both auto and bicycle traffic.

Chairperson Wadler noted his concern with the term “multi-use trail” and bicycles and pedestrians having to share the same lane.

Member Hagenmaier asked if where there is a multi-use path, bicyclist can still use the roadway. Mr. Basma responded, “yes.”

Member Simons expressed concern with the proposed landscaping along the project and suggested the use of native plants.

Member Brunzell suggesting avoiding the use of trees that produce sharp droppings that impact bicycles.

**On order of Chairperson Wadler**, there being no objection, the Capitol Expressway Light Rail Project was discussed.

**13. Expressway Pedestrian Access Study Funding Opportunities**

Dan Collen, Deputy Director Infrastructure Development, Santa Clara County Roads and Airports Department, stated the action is a follow-up on a past Committee agenda item that requested a report on the progress of the pedestrian section of the County Expressway Planning Study. He noted that current estimates for stand-alone sidewalks equal approximately \$10 million. Mr. Collen requested that the Committee support collaboration between the County and VTA to identify additional funds for expressway sidewalk construction.

Member Simons left his seat at 8:03 p.m.

Member Simons took his seat at 8:06 p.m.

Chairperson Wadler asked if pedestrian access requires a paved path or does it include dirt paths. Mr. Collen responded that there is much debate on this issue and noted the disadvantages of dirt paths.

Member Sullivan stated that the County should not spend money on sidewalks in areas that have reasonably safe facilities.

Member Brunzell stated that Los Altos Hills prefers the construction of sidewalks on all expressways for pedestrian access.

Akos Szoboszlay, Interested Citizen, noted that the Santa Clara County Roads Department is not in compliance with a Board of Supervisors order to create pedestrian paths along the entire expressway system and rebutted items in the staff report.

**M/S/C (Walton/Simons)** to recommend that VTA staff and County Roads staff meet and discuss ways to expedite the delivery of pedestrian improvements on the expressways.

**14. Recommended Biennial Budget for Fiscal Years 2008 and 2009**

Carol Lawson, Fiscal Resources Manager, Treasury and Financial Planning, provided a report highlighting the following: 1) The budget book includes a General Manager's Budget Message that includes the total appropriations for all of VTA's programs that the Board of Directors will consider on June 7, 2007; 2) The budget includes five sections; 3) Members can email comments to [budgetcomments@vta.org](mailto:budgetcomments@vta.org) or contact the Board Secretary's Office.

**M/S/C (Simons/Carpenter) on a vote of 9 yeas, 0 noes and 1 abstention** to review and recommend that the VTA Board of Directors approve the Recommended Biennial Budget for Fiscal Years 2008 and 2009. Member Hagenmaier abstained.

**15. Proposed Fare Modification**

Ali Hudda, Fiscal Resources Manager, Disbursements and Revenue Services, provided a report highlighting the following fare changes scheduled for implementation in July 2007 and September 2007: 1) Reduction in fares for day and monthly passes for seniors, disabled and youth; 2) Introduction of new fares for Community Bus service; 3) Recommendation that the Youth Summer Blast Pass and 8-hour Light Rail Excursion Pass be made permanent.

Member Walton left his seat at 8:26 p.m.

In response to a comment by Chairperson Wadler, Mr. Hudda noted that the reduction in fares is the result of lost ridership.

Member Brunzell noted that the difference between youth and adult fares should be greater and include lower rates for youth. Mr. Hudda responded that the Fare Policy calls for the establishment of youth fares that are between 80%-90% of adult fares.

**M/S/C (Carpenter/Brunzell)** to review and recommend that the VTA Board of Directors approve the fare changes proposed for implementation in July 2007 and September 2007. Member Walton was absent.

**16. (Deferred to August 8, 2007 Meeting)**

Receive presentation on Pedestrians Along Expressway: Facilities and Policies.

Member Walton took his seat at 8:29 p.m.

**17. Committee Work Plan**

Stephen Flynn, Senior Management Analyst, noted that the work plan includes items that staff believes will come to the Committee for the current month and the next three months. He added that the work plan is broken up into two parts: Current Items and Items for Future Consideration. Mr. Flynn stated that the work plan is a recurring item on each committee agenda.

Member Thielges recommended the removal of the Lifeline Transportation Project- 2007 Projects from the work plan.

Member Simons asked if this work plan will become a yearly work plan. Mr. Flynn responded that no other advisory committee as an annual work plan. Member Simons suggested the creation of a yearly work plan that prioritizes various goals.

**On order of Chairperson Wadler**, there being no objection, the Committee Work Plan was reviewed.

**18. Announcements**

Member Walton, City of Cupertino, reported that bids for Mary Avenue Bridge were opened on May 3, 2007. Both estimates were over the Engineer's Estimate and the City of Cupertino will reject all bids and re-bid the contract.

Member Hagenmaier, City of Los Altos, reported that the first public meeting for the Stevens Creek Trail Study will take place on May 30, 2007.

Member Sullivan, City of Santa Clara, reported that the City of Santa Clara will host a Bike to Work energizer station in front of City Hall.

Chairperson Wadler, City of Campbell, reported that a member of the Silicon Valley Bicycle Coalition will attend the June 2007 committee meeting.

Dan Collen, Deputy Director Infrastructure Development, Santa Clara County Roads and Airports Department, reported that the County will hold a ceremony in June 2007 to celebrate the opening of the Lawrence Expressway/Mitty Way crossing.

Michelle DeRobertis, Senior Transportation Planner and Staff Liaison, requested that committee members bring forth any conditions of approvals for projects in individual cities.

**14. ADJOURNMENT**

**On order of Chairperson Wadler**, there being no objection, the meeting was adjourned at 8:43 p.m.

Respectfully submitted,

Daniel Murillo, Assistant Board Secretary  
VTA Board of Directors