



**CITIZENS ADVISORY COMMITTEE
and
2000 MEASURE A WATCHDOG COMMITTEE**

Wednesday, March 7, 2007

MINUTES

1. CALL TO ORDER

The Regular Meeting of the Citizens Advisory Committee (CAC) was called to order at 4:40 p.m. by Chairperson Schulter, in Conference Room B-104, Valley Transportation Authority (VTA), 3331 North First Street, San Jose, California.

ROLL CALL

Members Present

Chris Elias
Ellen Fletcher
Ray Hashimoto
Roberta Hughan
Robert Jacobvitz, Vice Chairperson

Charlotte Powers
Sally Probst
Connie Rogers
Martin Schulter, Chairperson
Laura Stuchinsky
Noel Tebo

Members Absent

Stephen Blaylock
Don Burnett
Irene Hsu
Luis Mendez
Gaye Morando

Margaret Okuzumi

Representing

Environmentalists
Bicyclists
Building Industry Association
Santa Clara County
Building Owners and Managers Association
(BOMA) –Silicon Valley
City of San Jose
Senior Citizens
South County Cities
Disabled Persons
Silicon Valley Leadership Group
City of San Jose

Representing

Mass Transit Users
West Valley Cities
South Bay AFL-CIO Labor Council
Pedestrians
Santa Clara County Chamber of Commerce
Coalition
North County Cities

A quorum was present.

2. **ORDERS OF THE DAY**

There were no Orders of the Day.

3. **PUBLIC PRESENTATIONS**

There were no Public Presentations.

4. **Committee Staff Report**

Jim Lawson, Government Affairs Manager and Staff Liaison, informed the Committee that staff will seek direction on the Measure A Audit at its April 11, 2007 meeting.

Mr. Lawson noted actions that took place at the March 1, 2007 Board of Directors meeting. These actions included: 1) Changes to the CAC Bylaws; 2) Report from VTA State lobbyist Mark Watts of Smith, Watts and Co.; 3) Award of the contract for the 152/156 interchange project to RGW construction.

Member Powers took her seat at 4:42 p.m.

Mr. Lawson reported that the California Transportation Commission (CTC) met on February 28, 2007 and approved \$187 million for VTA projects from the Congestion Mitigation Improvement Account (CMIA). He thanked Member Stuchinsky for traveling to Southern California and Sacramento to advocate for VTA. He noted that the projects approved for funding are as follows: 1) Interstate 880 HOV lanes from route 237 to US 101 - \$72 million; 2) US 101 widening from I-280 and I-680 interchange down to Capitol Expressway and Yerba Buena - \$30 million; and 3) Auxiliary lane on US 101 from Route 85 to Embarcadero - \$85 million.

Mr. Lawson reported that the damaged Vasona light rail signal bungalow was repaired in less than sixty days. Member Rogers expressed concern regarding the impact to the Vasona line. Mr. Lawson responded that staff used manual signals while repairs were underway and there was no effect on service.

Mr. Lawson reported that over 120 community members attended the BART public meetings to discuss the Supplemental Environmental Impact Report (SEIR).

Mr. Lawson reported on the progress of the Community Bus Program for Gilroy and Morgan Hill. He noted that Community Bus will commence in July 2007.

Mr. Lawson announced that Jeff Funk, Deputy Director of Construction, who was instrumental in the delivery of highway projects under the 1996 Measure B is leaving VTA and moving to San Diego to work for a private construction management firm.

On order of Chairperson Schulter, there being no objection, the Committee Staff Report was received.

5. Chairperson's Report

Chairperson Schulter reported that he is working with staff to address the frequent absences of the Labor Council representatives. He also queried about the proper name of the Committee and referenced three reports that each contain different Committee names.

Jim Lawson, Government Affairs Manager and Staff Liaison, responded that the Committee has two duties. The first duty is to serve as a Citizens Advisory Committee, and the other is to serve as the 2000 Measure A Watchdog Committee.

BUSINESS REFERRED TO COMMITTEE BY THE BOARD OF DIRECTORS/ GENERAL MANAGER

COMBINED CAC AND 2000 MEASURE A WATCHDOG COMMITTEE CONSENT AGENDAS

6. Minutes of February 7, 2007

M/S/C (Jacobvitz/Fletcher) to approve the Minutes of February 7, 2007.

Member Elias took his seat at 4:48 p.m.

CITIZENS ADVISORY COMMITTEE REGULAR AGENDA

7. Lifeline Transportation Program

Bill Hough, Transportation Planner III, provided an overview and history of the Lifeline Program. He noted that grants from the Federal Congestion Management and Air Quality (CMAQ), Job Access Reverse Commute (JARC) and State Transit Assistance (STA) fund the program. He commented that after projects had been approved, the Federal Transit Administration (FTA) and Metropolitan Transportation Commission (MTC) proposed new guidelines that prohibited the use of Lifeline funds to subsidize transit passes. He referenced three projects that were impacted by these findings and noted that \$1,105,487 in Lifeline program funds are now available for reprogramming.

Member Hughan requested more information about the San Jose Auto Repair Assistance Program (ARAP). Mr. Hough responded that the ARAP provides auto repair assistance to low income individuals.

Member Stuchinsky inquired about the possibility of VTA swapping non-Lifeline funds with Lifeline funds to support the VTA Community Partnership Transportation project. Mr. Hough responded that a swap is not possible.

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

Member Probst queried about the Outreach projects that currently receive Lifeline funding. Mr. Hough responded that the two projects are moving forward. He added that Outreach was able to modify one of the programs to eliminate the transit pass component of the project and fund it with non-Lifeline funds.

Member Tebo inquired about whether the criteria to receive ARAP funding include the proximity of an individual to a transit station. Mr. Hough responded that there is no such criteria.

Member Fletcher requested a description of the proposed projects. Jim Lawson, Government Affairs Manager and Staff Liaison, responded that staff would prepare a report containing a brief overview of the proposed projects for the Committee to review. Member Elias commented that staff should add the contact information of the project sponsors in the report. Mr. Hough responded that he would include that in the report.

Member Stuchinsky queried about the availability of Federal funds for transit subsidized projects. Mr. Hough responded that he is not aware of Federal funds available for transit subsidized projects.

Member Stuchinsky commented that the Committee should receive information on available Federal funds and recommends advocating for additional funds. Mr. Lawson affirmed Member Stuchinsky's comment and stated that the Committee will discuss the issue at a future meeting.

M/S/C (Rogers/Jacobvitz) to review and recommend that the VTA Board of Directors approve a revised scope and grant amount for the City of San Jose's Auto Repair Assistance Program (ARAP) in the amount of \$75,000 and issue a new Call-For-Projects (CFP) for the Lifeline Transportation Program.

2000 MEASURE A WATCHDOG COMMITTEE REGULAR AGENDA

8. Measure A Fiscal Year 2006 Audit Results

Susan Stark, Controller, reported on the advertisement of the Measure A Fiscal Year 2006 Audit Results. She noted that the Committee reviewed the advertisement at a prior meeting and requested that the Committee review the changes prior to publication.

Chairperson Schulter stated that the corrections previously proposed by the Committee were all integrated into the advertisement. He stated that the Committee's title should be consistent in the advertisement.

Member Probst suggested to lower case Citizens Watchdog Committee so it will become a descriptive phrase instead of a title. She added that she was pleased to see a description for the Zero Emission Bus (ZEB).

Chairperson Schulter recommended using the Committee's official title. Ms. Stark noted that in the ballot language, the Committee is referred to as the Citizens Watchdog

Committee (CWC). Chairperson Schuller responded that the Committee should use CWC for consistency and changes made accordingly.

Member Stuchinsky referenced the second paragraph of the advertisement and queried about the “commuter rail connection to BART.” Ms. Stark responded that the wording was pulled from the ballot. Jack Collins, Chief Construction Officer, clarified that the “commuter rail connection to BART” refers to a pedestrian overpass or pedestrian tunnel that would connect Caltrain to BART at the Santa Clara station.

Member Tebo noted that the advertisement should include the connection to the San Jose Airport.

Member Rogers recommended adding “pedestrian connection” to the second paragraph. Mr. Collins suggested wording it as a “Caltrain connection to BART.” Member Rogers suggested using “Caltrain/ACE/BART pedestrian connection” to highlight the commuter rails. Member Probst suggested to keep it simple and note “Caltrain pedestrian connection to BART” instead of listing each commuter rail.

Member Hughan suggested to remove the GAAS abbreviation for Generally Accepted Auditing Standards. Ms. Stark responded that she would remove it from the advertisement.

M/S/C (Stuchinsky/Tebo) approve the advertisement of the Measure A Fiscal Year 2006 Audit Results to be published in local new papers, as amended.

9. 2000 Measure A Transit Improvement Program Quarterly Progress Report

Jack Collins, Chief Construction Officer, responded to the written comments sent by Member Okuzumi who was unable to attend the meeting. He stated that the first comment was to use a dotted line to illustrate the remaining projected cumulative revenue. He referenced Figure 1.1 on page 1-3 of the Quarterly Progress Report. The Committee agreed to follow Member Okuzumi’s suggestion.

Mr. Collins responded to the second comment regarding confusion with the presentation of Cumulative Revenue in Year of Expenditure (YOE) dollars. He referenced Figure 1.1 on page 1-3 of the Quarterly Progress Report and noted that the issue was whether a quarter cent sales tax was included to the cumulative revenue. Mr. Collins stated that staff confirmed that a half cent sales tax was included in the cumulative revenue and not the quarter cent proposed by staff. Mr. Collins recommended continuing to show the cumulative revenue in YOE.

Mr. Collins responded to the third comment regarding the comparison of the year 2000 sales projection to the present sales projection. Mr. Collins stated that the Quarterly report always reflects the last approved Revenue Expenditure Plan. He suggested that the

Committee monitor the approved actions by the Board on an annual basis and reconcile it with the projected revenue.

Mr. Collins responded to the last comment to include a chart on page 1-7 of the Quarterly Progress Report that would track the expenditures presently incurred. Mr. Collins stated his support for the recommendation and noted that staff will integrate the chart in the report.

Mr. Collins reported that the Board of Directors provided positive feedback on the Quarterly Progress Report and added that the next Quarterly Progress Report would include new Measure A projects.

On order of Chairperson Schulter, there being no objection, the 2000 Measure A Transit Improvement Program Quarterly Progress Report was received.

10. 2000 Measure A Transit Improvement Program Cost Report – January 2007

Jack Collins, Chief Construction Officer, stated that the Cost Report for January 2007 was presented to the Committee and he has not received any comments or suggestions.

Member Tebo expressed concern regarding the City of San Jose removing the designation of expressway and the removal of HOV lanes on Capitol Expressway. Mr. Collins explained that the County of Santa Clara is working with the City of San Jose to take over Capitol Expressway. He added that the approved environmental document includes the removal of High Occupancy Vehicle (HOV) lanes to provide right of way for the Capitol Light Rail Line. He added that the Downtown East Valley Policy Advisory Board meeting requested staff to study the traffic situation on Capitol Expressway and the effects of leaving one northbound HOV lane operational.

On order of Chairperson Schulter, there being no objection, the 2000 Measure A Transit Improvement Program Cost Report – January 2007 was received.

Member Elias left the meeting at 5:40 p.m.

11. Information on and requirements for Public Hearing Process

Stephen Flynn, Senior Management Analyst, gave a brief report on the Public Hearing Process. The report highlighted the following: 1) The Purpose of the public hearing; 2) Notice of the hearing must be posted 72 hours prior to the hearing to comply with the Brown Act; 3) Conducting the hearing will be the responsibility of the Chairperson; 4) Location of the meeting; and 5) Steps following the hearing.

Member Probst commented that members of the public who wish to address the Committee should have three to four minutes to speak. She added that if the issue presented is important, members of the Committee should have the ability to ask questions.

Mr. Flynn referenced page 3 of 4 of agenda item #11 and corrected the last sentence. He noted that it should state “This may be accomplished, in part, at the conclusion of the public hearing, if time allows, and may continue through subsequent regular meetings.” He added the Committee has the discretion to discuss information received right after the hearing or at future meetings.

Chairperson Schulter suggested scheduling the public hearing for April. Member Rogers stated that the April work plan contains numerous action items. Mr. Flynn commented that staff took a possible April hearing date into consideration and removed three of the six action items on the April work plan.

Member Rogers expressed concern regarding the venue for the public hearing. She suggested the auditoriums at the Sheriff’s Office or at the Housing Authority Office as possible locations. Jim Lawson, Government Affairs Manager and Staff Liaison, suggested holding the first public hearing at the VTA auditorium and the Committee may consider holding future public hearings at different locations in the County.

Member Stuchinsky queried about the cost of having offsite meetings. Mr. Lawson stated that VTA does not get charged to hold meetings at the County. He added that VTA must pay to hold meetings at other locations.

Member Powers queried about the budget for the Committee to hold public hearings. Mr. Lawson responded that functions by the Committee will come from the 2000 Measure A.

Mr. Flynn queried about the time for the public hearing. Member Jacobvitz recommended having the public hearing start at 6:00 p.m. to give members of the public an opportunity to attend. He added that the public hearing should include a sign language interpreter and listening devices to accommodate people with disabilities. Chairperson Schulter expressed his support for Member Jacobvitz’s comments and added that the Committee should have their meeting at 5:30 p.m. to discuss items on the agenda and have the public meeting start at 6:00 p.m.

Member Rogers expressed concern that 30 minutes may not be enough time for the Committee to conduct other business. Mr. Lawson responded that he anticipates a brief Committee discussion for the April meeting and 30 minutes is adequate.

M/S/C (Jacobvitz/Probst) to have the Committee meeting at 5:30 p.m. and the public hearing at 6:00 p.m. in the VTA auditorium where arrangements to accommodate people with disabilities will be provided.

12. Status report on the Caltrain Capital Priorities Study

Steve Fisher, Senior Transportation Planner, conducted a PowerPoint presentation titled “Policy Advisory Committee Subcommittee Caltrain Capital Needs February 1, 2007 Study Recommendations.” The presentation highlighted the following topics: 1) Study

Objectives; 2) Policy Advisory Subcommittee; 3) Caltrain Capital Needs Study; 4) Caltrain Policy Decision Timeline; 5) Ridership Estimates; 6) Study Framework; 7) Project Scoring Criteria; 8) Project Organization; 9) 96 Train Service Level (1-5 yrs); 10) 148 Train Service Level (6-10 yrs); 11) 172 Train Service Level (11-30 yrs); 12) Non-service Level (1-30 yrs); 13) Project Implementation; and 14) Study Next Steps.

Member Powers queried about the timeline for the electrification of the trains and the areas it will service. Mr. Fisher stated that electrification is projected to start in 2015 from the Tamien station in San Jose to San Francisco. Mr. Lawson responded that the General Manager of Caltrain recommended against electrification south of the Tamien station.

Member Rogers commented that subsequent to a meeting in Gilroy, the community gives higher importance to double tracking versus electrification. Mr. Fisher responded that engineering for the double tracking project is underway.

Member Hughan commented on the role of the City of San Francisco in operating Caltrain. Mr. Fisher responded that the City of San Francisco pays an annual operating fee. Susan Stark, Controller and former Caltrain Controller, commented that the partnership agreement with the City of San Francisco is based on a boarding formula and as a result, they provide less funding than VTA and SamTrans. She added that the Capital Program requires equal contributions from each of the transit agencies.

Member Tebo queried about the equal division of the Capital Program. Mr. Fisher explained that the Capital Program funds support system wide improvements. He added that each City with a station must fund other projects such as station parking lot improvements.

Member Tebo referenced page 13 of the PowerPoint presentation and queried about item number six, Mountain View Grade Separation – Rengstorff Avenue. Mr. Fisher responded that this project is part of Measure A because it will improve traffic congestion.

Member Tebo queried about VTA efforts to increase safety and pursue grade separations. Mr. Fisher stated that VTA and Caltrain have programs to improve safety utilizing various devices and improving fencing.

On order of Chairperson Schulter, there being no objection, the status report on the Caltrain Capital Priorities Study was received.

COMBINED CAC AND 2000 MEASURE A WATCHDOG COMMITTEE ITEMS

13. CAC and 2000 Measure A Citizens Watchdog Committee Work Plans

Jim Lawson, Government Affairs Manager and Staff Liaison, stated that the Committee may defer items to accommodate the public hearing. He added that the Committee's direction to staff regarding the audit will remain on the agenda.

Member Tebo clarified that the role of the 2000 Measure A Watchdog Committee is to ensure that funds are used for the designated projects and not to determine which projects should receive funding.

On order of Chairperson Schulter, there being no objection, the CAC and 2000 Measure A Watchdog Committee Work Plans were reviewed.

14. Announcements

There were no Announcements.

18. ADJOURNMENT

On order of Chairperson Schulter, there being no objection, the Meeting was adjourned at 6:27 p.m.

Respectfully submitted,

Michael Diaresco, Board Assistant
VTA Board of Directors