

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

Wednesday, June 11, 2008

**MINUTES**

**1. CALL TO ORDER**

The Regular Meeting of the Citizens Advisory Committee (CAC) was called to order at 4:36 p.m. by Chairperson Tebo, in Conference Room B-104, VTA River Oaks Campus, 3331 North First Street, San Jose, California.

**ROLL CALL**

**Members Present**

Don Burnett  
Chris Elias  
Ellen Fletcher  
Ray Hashimoto  
Roberta Hughan  
Norman Kline  
Gaye Morando  
Margaret Okuzumi  
Connie Rogers  
Noel Tebo, Chairperson

**Representing**

West Valley Cities  
Environmentalists  
Bicyclists  
Building Industry Association  
Santa Clara County  
Pedestrians  
Santa Clara County Chamber of Commerce Coalition  
North County Cities  
South County Cities  
City of San Jose

**Members Absent**

Stephen Blaylock  
Robert Jacobvitz, Vice Chairperson  
  
Charlotte Powers  
Sally Probst  
Martin Schulter

**Representing**

Mass Transit Users  
Building Owners and Managers Association  
(BOMA) –Silicon Valley  
City of San Jose  
Senior Citizens  
Disabled Persons

**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, Senior Policy Advisor and Staff Liaison, provided a brief report highlighting: 1) Presented the Members with a commemorative plaque of recognition for diligent work as the 2000 Measure A Citizens Watchdog Committee (CWC); 2) VTA's Expenditures and Revenues Projections have decreased by \$6.3 million. Staff will address the shortfall by looking for ways to save funding within each department and not fill vacant positions; 3) VTA Transit System Ridership has increased; 4) Board of Directors at their June 5, 2008 meeting approved the construction contract of the De Anza College on Campus Bus Stop, VTA received Transit Security Grants in the amount of \$3 million from the State and \$2.5 million from the Federal Government, adopted the Measure A Revenue and Expenditure Plan Policy Guidance, adopted a resolution to establish a Transit Career Ladder Project (TCLP) joint venture between VTA, San Jose City College and Evergreen Valley College, and the Amalgamated Transit Union (ATU) Local 265, and approved a construction contract to implement ramp metering on three freeway corridors in Santa Clara County; 5) Received a report from the Civil Grand Jury regarding the Dumbarton Rail Project related to cost escalations; and 6) VTA's 2007 Progress Report.

Member Okuzumi took her seat at 4:40 p.m.

Mr. Lawson commented that the Silicon Valley Leadership Group (SVLG) sent a letter appointing Bena Chang to serve on VTA's Citizens Advisory Committee/Citizens Watchdog Committee CAC/CWC. The CAC/CWC appointment is scheduled for consideration at the August 7, 2008 Board of Directors Regular Meeting.

#### **5. Chairperson's Report**

- **Update on Governance Subcommittee**

Chairperson Tebo announced that Members Kline and Okuzumi are serving on VTA's Governance Subcommittee along with two members from the Policy Advisory Committee (PAC) and Board Members Casas and Sellers.

Members Kline and Okuzumi, provided a brief report on the Governance Subcommittee highlighting: 1) Focus on improving the structure and appointment process of Board Members and 2) Proposed PAC Appointment Alternative Process, whereas the PAC Committee will appoint five directors to the VTA Board of Directors through an election process.

Member Okuzumi commented that the Governance Subcommittee will continue to discuss the details of the Proposed PAC Appointment Alternative Process, noting that the intent is to elect candidates who are passionate and knowledgeable in transportation issues.

Member Kline commented that the Governance Subcommittee has reviewed several range of options with the intent to have a proposed recommendation submitted for consideration at the August 7, 2008 Board of Directors Regular meeting.

Member Burnett announced his resignation from the CAC/CWC Committee. Chairperson Tebo and Committee Members acknowledged and recognized Member Burnett's contributions to the Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC).

- **Mineta San Jose Airport People Mover Update**

Steve Raney, ATS Inc., provided a brief presentation highlighting: 1) Personal Rapid Transit (PRT) for SJC?; 2) PRT vendors and variations; 3) London Heathrow Ultra PRT; 4) PRT vs. Airport People Mover (APM); and 5) Disclaimers.

David Mori, Jakes Associates, Inc., provided a brief presentation highlighting: Jakes Associates, Inc., Consulting Services in Transportation Technologies including rail, automated guide-way transit, and bus systems.

Jim Lawson, Senior Policy Advisor and Staff Liaison, requested that Mr. Mori email the presentation to the Office of the Board Secretary to forward to the Committee Members.

Lilia Scott, Senior Transportation Planner, reported that due to a lack of capital and operating funds, VTA has begun to pursue alternative funding through public private partnership business plans. Coalition for New California Infrastructure (CNCI) is interested in transportation and has approached VTA and the City of San Jose with a proposal similar to the PRT. CNCI is currently working to prepare a proposal to submit for consideration within the next six months.

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

### **COMBINED CAC AND 2000 MEASURE A CITIZENS WATCHDOG COMMITTEE CONSENT AGENDAS**

6. **Minutes of May 7, 2008**

M/S/C (Rogers/Morando) to approve the Minutes of May 7, 2008.

7. **Proactive CMP Reviewed and approved Project Quarterly Status Report**

M/S/C (Rogers/Morando) to receive the Proactive CMP Reviewed and approved Project Quarterly Status Report.

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

8. **VTA Highway Program Semi-Annual Report – April 2008**

M/S/C (Rogers/Morando) to receive the VTA Highway Program Semi-Annual Report – April 2008.

## **CITIZENS ADVISORY COMMITTEE REGULAR AGENDA**

### **9. Update on RTP Issues**

John Sighamony, Congestion Management Agency Senior Planner, provided a brief timeline highlighting the Valley Transportation Plan 2035 (VTP 2035) and Regional Transportation Plan (RTP).

VTA is the Congestion Management Agency for the County of Santa Clara and is responsible to prepare and adopt the Countywide, long range transportation plan for the County. The projects and programs included in the Valley Transportation Plan 2035 (VTP 2035) serve as recommendations for submittal to the Metropolitan Transportation Commission (MTC) for inclusion in the Regional Transportation Plan (RTP), which covers all nine Bay Area Counties.

MTC's RTP is a multi-modal proposed plan to guide the region's transportation development for a 20 year period. The RTP is required by state and federal governments, is updated every two years, and is based on projections of growth and travel demand tied together with financial assumptions.

Mr. Sighamony reviewed the MTC's RTP Timeline:

- April thru August 2007 – Develop Vision and Regional Goals;
- September thru November 2007 – Analyze Vision;
- November 2007 thru March 2008 – Fund estimates are released;
- November 2007 thru March 2008 – Refine the Vision;
- January thru March 2008 – Develop constrained and unconstrained Project Lists;
- March thru May 2008 – Receives Project Lists;
- March thru December 2008 – MTC finalizes Project Lists; and
- January 2009 – MTC adopts the RTP.

**On order of Chairperson Tebo**, there being no objection, the Committee received the update on the Regional Transportation Plan (RTP) Issues.

### **10. Update on VTP 2035 Process**

Mr. Sighamony reviewed the VTP 2035 Timeline:

- September thru December 2007 – Call for projects and creation of initial Project Lists;
- January thru May 2008 – VTP conducts open house meetings for public input;
- August 2007 thru August 2008 – Conduct Outreach;
- January thru March 2008 – Develop constrained and unconstrained Project Lists;
- March thru May 2008 – Submit Project Lists to the Metropolitan Transportation Commission (MTC);
- May thru November 2008 – Draft Plan Development (VTP Program and public review);
- December 2008 – Board of Directors consider adoption of the VTP 2035; and
- January 2009 – Implementation of the VTP 2035.

Member Hashimoto left the meeting at 6:05 p.m.

**On order of Chairperson Tebo**, there being no objection, the Committee received the update on Valley Transportation Plan 2035 (VTP 2035) Process.

#### **11. Update on SVRT (BART) Project**

Carolyn M. Gonot, SVRT Program Officer, provided a PowerPoint presentation entitled, “Silicon Valley Rapid Transit Corridor Program Update.” Ms. Gonot reviewed the BART to Milpitas, San Jose, Santa Clara presentation:

- BART to Milpitas, San Jose, Santa Clara estimated cost \$6.164 billion;
- Approved Budget \$651.3 million;
- Year of Completion 2018;
- Project Description – 16.3 mile extension of BART from Warm Springs to Milpitas, San Jose, and Santa Clara.

#### **Accomplishments/Status**

- Completed State Environmental Impact Report (EIR) – December 2004;
- Completed Preliminary Engineering – December 2006;
- Completed Supplemental EIR – June 2007;
- Submit Administrative Draft Environmental Impact Study (EIS) to Federal Transit Administration (FTA) in mid 2008;
- FTA release of Draft EIS for public review – August 2008;
- Complete 65 percent Design at the end of 2008; and
- Seeking Federal Record of Decision in Summer 2009.

#### **Key Funding Process Milestones**

- Financial Plan, including operating revenue, established – November 2008;
- FTA New Starts cost effectiveness and local financial criteria met – December 2008;
- Project included in approved RTP – February 2009;
- New Starts submittal and reentry into New Starts – March 2009;
- Federal Record of Decision – Summer 2009; and
- Warm Springs Extension funding gap closed – December 2008.

#### **Key Upcoming Decisions**

- Execute consultant contract amendments to further advance project design – September 2008; and
- Initiate Right-of-Way (ROW) Acquisition and Relocation Planning effort – September 2008.

Ms. Gonot reviewed the Freight Rail Relocation Project presentation:

- Freight Rail Relocation Project estimated cost \$240 million (\$160 million from Measure A Program);
- Approved Budget \$45 million;
- Year of Completion 2011;

- Project Description – Relocate freight railroad from VTA purchased ROW to existing Union Pacific Railroad (UPRR) ROW, between Warm Springs Yard and Calaveras Boulevard. Build new railroad overpasses at Mission Boulevard and Warren Avenue. Sever shipper freight service south of Montague Expressway.

**Accomplishments/Status**

- 95 percent Design achieved for Freight Rail Relocation; and
- Executed utility design and relocation agreements.

**Key Upcoming Decisions**

- Advertise Lower Berryessa Creek freight rail relocation contract – June 2008;
- Execute Cost Sharing Agreements with City of Fremont and ACTA – August 2008;
- Acquire freight shippers’ rights to service – Summer 2008; and
- Advertise Mission/Warren freight rail relocation contract – December 2008.

**On order of Chairperson Tebo**, there being no objection, the Committee received the update on SVRT (BART) Project.

**2000 MEASURE A CITIZENS WATCHDOG COMMITTEE REGULAR AGENDA**

**A. Fiscal Year 2007 Annual Report and Publication Strategy**

Stephen Flynn, Senior Management Analyst, reported that in 2007, the CWC voted to publish a comprehensive version complete with expanded text, full graphics, and the names of all CWC members and the organizations they represent in a wide array of local newspapers.

Mr. Flynn reported that in fulfillment of the CWC’s Measure A ballot defined responsibilities for the period of Fiscal Year 2007 (July 1, 2006 - June 30, 2007) are:

- Completed a review of the 2000 Measure A Expenditures;
- Conducted an independent audit of the 2000 Measure A Financial Statements and Records and evaluated the results;
- Published the independent audit results in local newspapers and the public notice announcing the Public Hearing. The items were published as a combined notice in three general circulation newspapers (San Jose Mercury News, El Observador in Spanish, and Thoi Bao in Vietnamese) in VTA’s service area during May. They were also posted on VTA’s website; and
- Conducted a Public Hearing on May 7, 2008 to receive input from the community on 2000 Measure A Program Expenditures, the results of the annual independent audit, and on 2000 Measure A Program reports.

Mr. Flynn noted the two remaining steps for the Fiscal Year 2007 process:

- Complete development of the CWC Annual Report, and
- Publish the primary component of the Annual Report in local newspapers.

Mr. Flynn continued that the Committee indicated its intention that for successive Annual Reports, the CWC would only publish an abbreviated version in a limited number of local newspapers but would place a comprehensive version on VTA's website.

The abbreviated version would include the information required by the ballot to be published. The comprehensive version would include fully developed explanations and background with graphics and photos, which would reduce advertisement costs and ensure broad distribution and availability of the report to the public.

Member Kline stressed the importance for the CWC to educate the public on how the 2000 Measure A Program funds are being spent.

Member Kline suggested that staff expand the publication of the abbreviated version to community newspapers.

Member Hughan recommended that the Committee approve staff's recommendation and that the publication be in color.

**M/S/C (Hughan/Rogers)** to review, revise as needed, and approve: 1) the content and format of the full report for placement on VTA's website; 2) the content and format of the abbreviated report for publication in local newspapers; 3) the publication strategy for publishing the abbreviated Citizens Watchdog Committee (CWC) Annual Report in local newspapers to fulfill the Committee's ballot specified responsibility of informing Santa Clara County residents on how Measure A funds are being spent; and 4) further, authorize the General Manager to expend up to \$2,000 in 2000 Measure A Transit Improvement Program funds to publish the abbreviated Annual Report in local newspapers to implement the publication strategy approved by the Committee.

## **COMBINED CAC AND CITIZENS WATCHDOG COMMITTEE ITEMS**

### **12. CAC and the 2000 Measure A Citizens Watchdog Work Plan**

**On order of Chairperson Tebo**, there being no objection, the CAC and the 2000 Measure A Citizens Watchdog Work Plan was reviewed.

### **13. Consider Cancellation of July 9, 2008 meeting or Conversion to Workshop**

**On order of Chairperson Tebo**, there being no objection, the Committee agreed to the cancellation of the July 9, 2008 CAC meeting.

## **OTHER**

### **14. Announcements**

There were no Announcements.

### **15. ADJOURN**

**On order of Chairperson Tebo**, there being no objection, the meeting was adjourned at 6:31 p.m.

Respectfully submitted,

Michelle M. Garza, Board Assistant  
VTA Board of Directors