

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

September 10, 2008

MINUTES

CALL TO ORDER

The Regular Meeting of the Citizens Advisory Committee (CAC) was called to order at 4:39 p.m. by Chairperson Tebo, in Conference Room B-104, VTA River Oaks Campus, 3331 North First Street, San Jose, California.

1. ROLL CALL

Attendee Name	Title	Status	Arrived
Stephen Blaylock	CAC Member	Present	
Bena Chang	CAC Member	Absent	
Chris Elias	CAC Member	Present	
Ellen Fletcher	CAC Member	Present	
Ray Hashimoto	CAC Member	Present	
Roberta Hughan	CAC Member	Absent	
Robert Jacobvitz	CAC Vice Chair	Present	
Norman Kline	CAC Member	Present	
Gaye Morando	CAC Member	Present	
Margaret Okuzumi	CAC Member	Present	
Charlotte Powers	CAC Member	Present	
Sally Probst	CAC Member	Absent	
Connie Rogers	CAC Member	Absent	
Martin Schulter	CAC Member	Absent	
Noel Tebo	CAC Chair	Present	

A quorum was present.

2. ORDERS OF THE DAY

Chairperson Tebo deferred Agenda Item # 6., Minutes of the August 13, 2008 to the October 8, 2008 CAC Meeting.

Chairperson Tebo deferred Agenda Item # 13., Award Contract for Citizens Watchdog Committee (CWC) Independent Auditor to the October 8, 2008 CAC Meeting.

3. PUBLIC PRESENTATIONS

There were no Public Presentations.

4. Committee Staff Report

Jim Lawson, Senior Policy Advisor and Staff Liaison, reported that at the September 4, 2008 Board of Directors meeting, the Board of Directors:

- Received a report on the Mary Avenue Bicycle Pedestrian Bridge;
- Received a report that negotiations between VTA and the Amalgamated Transit Union (ATU) are on-going;
- Approved amending Section 4.1 of the Citizens Advisory Committee (CAC) Bylaws;
- Approved the Scope of Work for the VTA Auditor General Request for Proposal (RFP);
- Received an update on the Governance Structure;
- Received an update on VTA's System Ridership increases;
- Received a report on Caltrain Public Hearing on fare increases;
- Received a presentation on the Caltrain Electrification Project; and
- Received an update on VTA Bond Savings.

Mr. Lawson reported that President Bush declared September 11, 2008 as Patriots Day and VTA will observe a moment of silence at 5:46 a.m. and cease all operations at that time in honor of the individuals who lost their lives.

Mr. Lawson commented that Captain Luther Pugh, VTA Protective Services, will be leaving VTA. Mr. Lawson introduced Captain Robert Schiller, who will assume the duties and responsibilities for VTA Protective Services, to the Committee. The Committee welcomed Captain Schiller to VTA.

5. Chairperson's Report

Chairperson Tebo announced that he and Members Hughan and Rogers attended VTA's Ribbon Cutting Ceremony for the State Route (SR) 152/156 Improvement Project held on Wednesday, August 27, 2008.

Chairperson Tebo reported that Member Probst who is currently on medical leave will attend the November 12, 2008 CAC meeting.

Chairperson Tebo referenced the September 4, 2008 Board of Directors Regular Meeting and expressed his appreciation that the CAC Committee Chairperson was extended the opportunity to provide a verbal report at the Board Meetings.

Chairperson Tebo stressed the importance for the CAC Committee to have the opportunity to provide input on the Valley Transportation Plan (VTP) 2035. Jim Lawson, Senior Policy Advisor and Staff Liaison, responded that the item will be placed on the Committee Work Plan.

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 August 13, 2008

On order of Chairperson Tebo, there being no objection, the Committee deferred the Minutes of August 13, 2008 to the October 8, 2008 CAC meeting.

7. Proactive CMP Reviewed and Approved Project Quarterly Status Report

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

CITIZENS ADVISORY COMMITTEE REGULAR AGENDA

8. State Route 85 and U.S. 101 High Occupancy Toll (HOT) Lanes Preliminary Engineering Update

Murali Ramanujam, Senior Transportation Engineer, distributed to the Committee the following Fact Sheet and Frequently Asked Questions (FAQ): 1) Express Lanes – State Route 85 and 2) U.S. 101 Express Lanes Project and FAQ about VTA’s Express Lanes Project.

Mr. Ramanujam directed attention to the presentation entitled, “State Route (SR) 85 and U.S. 101 High Occupancy Toll (HOT) Lanes”, highlighting: 1) Background; 2) Stakeholder coordination; 3) Public Outreach Coordination; 4) VTA Board Schedule; 5) Regional Update; 6) What is an Express Lane?; 7) Why Express Lanes?; 8) New Solution for Congested Highways; 9) Who can use Express Lanes?; 10) How do Express Lanes Work?; 11) Do Express Lanes Work?; 12) Example of Express Lane in Minneapolis; 13) Two Lane HOV (Southern California); 14) How are Toll Revenues Used?; 15) What are Public Opinions?; 16) What About Enforcement?; 17) Challenges – Technical and Policy; 18) Southbound I-680 Express Lane; 19) SR 85 Express Lanes - Phase I; 20) U.S. 101 Express Lanes – Phase II; 21) SR 237 Express Connectors; 22) Funding Option for Express Lanes Program; 23) Future Board Recommendations – December 2008; and What is the Schedule?

Mr. Ramanujam reported that HOT Lanes will provide solo drivers the option of paying a toll to use the new VTA Express Lanes. Carpools with two or more occupants, motorcycles, transit buses, and eligible hybrids will continue to use the express lanes free of charge.

VTA’s Express Lanes will have no tollbooths and fees will be collected electronically using the proven FasTrak electronic toll collection technology. Tolls for solo drivers will vary based on the level of congestion.

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

Mr. Ramanujam stated that enforcement will be provided by the California Highway Patrol (CHP) using visual means and electronic devices.

Mr. Ramanujam highlighted the following benefits of VTA's Express Lanes:

- Increase efficiency of existing roadways by allowing solo drivers to pay a fee to access express lanes;
- Through the use of dynamic pricing, VTA can manage the amount of traffic in the express lanes and maintain free flowing speeds even when lanes are congested;
- By managing congestion, we are able to conserve fuel, reduce air pollution, and improve the environment; and
- Tolls collected will be used to operate the express lanes and for other transportation improvements in the corridors including transit.

Mr. Ramanujam stated that in 2005, the Board of Directors authorized staff to proceed to the preliminary engineering phase of the development of HOT Lanes Projects based on the findings from the Santa Clara County HOT Lane Feasibility Study. SR 85 and U.S. 101 are the freeway corridors recommended for continued investigation for HOT Lanes in Santa Clara County.

Mr. Ramanujam reported that the estimated current cost of one express lane project is \$125 million with an initial gross revenue estimate range from \$7 million to \$9 million. HOT Lanes are planned to be implemented on over 800 miles of Interstates 680, 580, 80, 880, and 280 and Highways 85, 101, 237, 87, and 84. Pending Board approval, the final design will begin in 2009 with anticipated operation to begin first on SR 85 in 2012 and on U.S. 101 between 2013 to 2015.

On order of Chairperson Tebo, there being no objection, the Committee received the report on the State Route 85 and U.S. 101 High Occupancy Toll (HOT) Lanes Preliminary Engineering Update.

9. High Occupancy Toll (HOT) Lanes – Preliminary Recommendation

On order of Chairperson Tebo, there being no objection, the Committee received the report on the High Occupancy Toll (HOT) Lanes – Preliminary Recommendation.

10. Advisory Committee Enhancement Strategy

Jennie Loft, Public Information Officer, reported that a process is being initiated to improve the operation and enhance the effectiveness of VTA's Advisory Committees. VTA's Enabling Legislation requires it to have a minimum of one advisory committee; however, VTA has established five advisory committees with distinct areas of expertise.

Ms. Loft stated that enhancement strategy will engage committee members in a dialog to develop recommendations for improving the advisory committee process for providing input to the Board of Directors. The goal is to refine and focus each advisory committee's purpose and duties, minimize overlap, and maximize the contribution each committee can make to the decision-making process.

One key factor for this process is that the five advisories committees are encouraged to participate in the development of the initiative, including determining the necessary steps,

and timeline to successfully complete the initiative. The goal is to solicit input from two to four members from each advisory committee to redefine each committee's role, responsibilities, and limitations to ensure they are consistent with the revised VTA Vision and Mission statements. The Advisory Committees will also work on aligning their work plans to the Board of Directors Consolidated Work Plan.

Ms. Loft suggested that after the initial work is completed then two members from each advisory committee subcommittee would form a task force to report back to each of the advisory committees.

Ms. Loft commented on the suggested framework of the Advisory Committee Enhancement process:

- A Draft Action Plan specifying the proposed steps and timelines will be presented at the October Advisory Committee Meetings;
- Each Advisory Committee will develop and customize its proposed Action Plan;
- Each Advisory Committee will consider adopting its initial Action Plan at a future meeting;
- Each Advisory Committee will have the opportunity to reasonably modify the steps and timelines to accommodate its specific needs and requirements;
- Staff will modify current advisory committee work plans to provide an annual overview of major issues projected to come before the advisory committees; and
- The final step of the process will be to submit recommended changes to the Board of Directors for consideration.

It is envisioned that the efforts, conclusions, and recommended modifications from all advisory committees will be consolidated into one comprehensive report and Board action.

Chairperson Tebo requested Committee Members to serve as volunteers on the Advisory Committee Subcommittee.

Members Powers and Jacobvitz were appointed to serve on the Advisory Committee Subcommittee.

Member Elias referenced Attachment E – VTA Board of Directors Consolidated Workplan and stressed the importance to clarify the advisory committee boundaries as well as their role and responsibility in the decision-making process.

Member Okuzumi stressed the importance for the CAC to revisit the committee bylaws. Member Okuzumi stated that the CAC Committee serves an important role in the community and stressed the importance to strengthen the partnership between CAC and VTA.

On order of Chairperson Tebo, there being no objection, the Committee received the Advisory Committee Enhancement Strategy.

11. Amendments to the Citizens Advisory Committee Bylaws

Stephen Flynn, Senior Management Analyst, reported that the recommended amendment to the Citizens Advisory Committee (CAC) Bylaws is to modify the schedule for committee chairperson and vice chairperson annual elections, instead of the current

process of elections being held the first meeting of the calendar year in January the elections would be conducted the last meeting of the calendar year in December. The proposed modification would make the term of the newly elected chairperson and vice chairperson effective January 1st of the calendar year following the vote.

Mr. Flynn highlighted the primary reasons for the amendment to the CAC Bylaws:

- Provides orientation and training to the new chairperson and vice chairperson; and
- Provides consistency in the election process among all VTA advisory committees.

If the Committee approves the proposed modification the recommendation will be forwarded to the October 2, 2008 Board of Directors Regular meeting for consideration. If approved by the Board of Directors then the modification would take effect for the term of office that commences on January 1, 2009.

Chairperson Tebo referenced the Policy Advisory Committee (PAC) Bylaws, Article II – Duties and Authority, §2.1 Duties and stated that the CAC Committee requests that the necessary steps are initiated when appropriate to ensure that the following section be included in the CAC Bylaws: “The committee may also advise the Board of Directors with respect to any policy matter the members determine to be relevant to their member Agency or to VTA.”

M/S/C (Fletcher/Kline) to amend Section 4.1 of the Citizens Advisory Committee bylaws, as indicated, to include as an additional responsibility of the CAC Chairperson that they are required to provide to the Board of Directors at each of its meetings a verbal report on the previous CAC meeting and any concerns of the Committee.

2000 MEASURE A CITIZENS WATCHDOG COMMITTEE REGULAR AGENDA

12. Audit Subcommittee Report and Recommendation

Member Blaylock provided a brief report highlighting that the Audit Subcommittee has completed approximately 80 percent of the report and recommendation. Member Blaylock stated that the third candidate interview is scheduled in the next few weeks.

Member Blaylock reported that the next step will be to forward the report and recommendation to the October 8, 2008 CAC meeting for consideration.

Stephen Flynn, Senior Management Analyst, noted that the delay will not impact the work schedule of the independent auditing firm.

On order of Chairperson Tebo, there being no objection, the Committee received the Audit Subcommittee Report and Recommendation.

13. Award Contract for Citizens Watchdog Committee (CWC) Independent Auditor

On order of Chairperson Tebo, there being no objection, the Committee deferred the Award Contract for Citizens Watchdog Committee (CWC) Independent Auditor to the October 8, 2008 meeting.

14. 2000 Measure A Program Semi-Annual Report

John Ristow, Chief CMA Officer, stated that the 2000 Measure A Program Semi-Annual Report is a periodic update of the 2000 Measure A Transit Improvement Program prepared by VTA staff and provided to the 2000 Measure A Watchdog Committee (CWC) and the VTA Board of Directors.

Mr. Ristow stated that the report is based on the Program's budgeted, forecast, and incurred costs as of June 30, 2008.

Jim Lawson, Senior Policy Advisor and Staff Liaison, stated that if the Committee has questions to forward them to the Office of the Board Secretary to be distributed to staff for a response.

On order of Chairperson Tebo, there being no objection, the Committee received the 2000 Measure A Program Semi-Annual Report.

15. Citizens Watchdog Committee (CWC) Information on VTA's Website

Patrick Griffin, Customer Service Manager, reported on the redesign of VTA's website. The intent of the redesign was to ensure that VTA's website was more effective and efficient for VTA's customers.

Mr. Griffin stated that VTA working with Google has implemented a Trip Planner located on the front page of VTA's website to assist customers. The intent of the website redesign is to ensure that information is easily accessible to all of VTA's customers.

Mr. Griffin highlighted the four main categories located on VTA's website front page:

- Business and Employment;
- Board of Directors and Committees;
- Projects, Studies, and Programs; and
- Newsroom.

Mr. Griffin reported that the 2000 Measure A Transit Improvement Program has been added as the fifth main category on VTA's website front page.

Stephen Flynn, Senior Management Analyst, commented on the 2000 Measure A Transit Improvement Program, which is a 30-year half cent sales tax devoted to specified public transit capital improvement projects and operations. The 2000 Measure A ballot lists the 14 specific projects and/or project areas and the mandatory requirements.

Mr. Flynn reported that the following links provide detail information regarding the 2000 Measure A Transit Improvement Program:

- 2000 Measure A Program;
- 2000 Measure A Ballot language;
- 2000 Measure A Ballot Specified Projects;
- Citizens Watchdog Committee (CW); and
- Revenue and Expenditure Plan.

Mr. Flynn noted that the following link provides additional Citizens Watchdog Committee (CWC) information:

- CWC's Annual Report;
- CWC's Supplemental Reports;
- Independent Auditor Reports (coming soon); and
- 2000 Measure A Program Financial Report.

Mr. Flynn stated that VTA's Government Affairs is responsible for developing and coordinating VTA's legislative and inter-governmental programs at the federal, state, regional, and local levels. VTA's Government Affairs issues a weekly legislative update report describing and analyzing pending federal, state, and regional legislative initiatives.

Mr. Flynn commented that the following links provide detail information on VTA's Government Affairs Program:

- Legislative Programs;
- Policy Updates; and
- Transportation Funding.

Member Elias queried if VTA has considered advertising on its website as an alternate revenue source. Mr. Griffin responded that the idea is currently on a list for staff to examine.

On order of Chairperson Tebo, there being no objection, the Committee received the Citizens Watchdog Committee (CWC) Information on VTA's Website.

COMBINED CAC AND CITIZENS WATCHDOG COMMITTEE ITEMS

Member Kline left the meeting at 6:25 p.m.

16. CAC and the 2000 Measure A Citizens Watchdog Work Plan

Member Blaylock requested that the following items be agendized on the next agenda:

- Informal meeting for the Committee to have an opportunity to regroup and prepare for the upcoming year; and
- Why several CAC Members want to vote against the November 4, 2008 ballot Measure D.

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

OTHER

17. Announcements

There were no Announcements.

18. ADJOURN

On order of Chairperson Tebo, there being no objection, the meeting was adjourned at 6:32 p.m.

Respectfully submitted,

Michelle M. Garza, Board Assistant
VTA Board of Directors