

CITIZENS ADVISORY COMMITTEE
and
2000 MEASURE A CITIZENS WATCHDOG COMMITTEE

Wednesday, October 8, 2008

REVISED 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
Noel Tebo	CAC Chair	Present	
Charlotte Powers	CAC Member	Absent	
Margaret Okuzumi	CAC Member	Present	4:50 PM
Connie Rogers	CAC Member	Present	
Roberta Hughan	CAC Member	Present	
Ray Hashimoto	CAC Member	Present	
Gaye Morando	CAC Member	Present	
Robert Jacobvitz	CAC Vice Chair	Absent	
Sally Probst	CAC Member	Absent	
Martin Schulter	CAC Member	Present	
Stephen Blaylock	CAC Member	Present	
Chris Elias	CAC Member	Absent	
Norman Kline	CAC Member	Present	
Bena Chang	CAC Member	Absent	

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

2. ORDERS OF THE DAY

There were no Orders of the Day.

3. PUBLIC PRESENTATIONS

There were no Public Presentations.

4. Committee Staff Report

Greta Helm, Chief External Affairs Officer, introduced herself as the new Staff Liaison for the Committee. She explained the External Affairs division was created to merge the Government Affairs, Board Office, and the Communications and Media Relations departments to improve VTA's relation to the public, media, and its Board of Directors.

Ms. Helm provided a report that highlighted the following: 1) Ribbon cutting of the San Martin Parking and Roadway Expansion Project; 2) Addition of the Citizens Advisory Committee Chairperson's Report to the Board of Directors Agenda; 3) VTA's financial position; 4) Overview of the legislative cycle; and 5) Continuous increase on Bus and Light Rail ridership; and 6) Implementation of the Quarterly Bus Service Changes.

5. Chairperson's Report

Chairperson Tebo expressed his concern to the Board of Directors regarding the advisory measure process where the CWC was not given the opportunity to provide input. He commented the Board's action contradicts the findings of the State Audit to engage advisory committees.

Member Okuzumi took her seat at 4:50 p.m. and the quorum was declared.

**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

M/S/C (Kline/Hashimoto) to approve the minutes of August 13, 2008.

7. Minutes of September 10, 2008

M/S/C (Kline/Hashimoto) to approve the minutes of September 10, 2008.

8. CAC Quarterly Attendance Report

M/S/C (Kline/Hashimoto) to receive the CAC Quarterly Attendance Report.

CITIZENS ADVISORY COMMITTEE REGULAR AGENDA

9. Election Process for 2009 Chairperson and Vice Chairperson

Stephen Flynn, Management Analyst, reported the Board of Directors moved the election process to December and the term of office to start in January. He added that this would enable staff to provide more training and information to the new chairperson.

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

Mr. Flynn described the following distinct steps of the election process: 1) Appointing of the nominating subcommittee; 2) Presentation of the nominating subcommittee's report; and 3) Conducting elections to select the chairperson and vice chairperson.

M/S/C (Kline/Rogers) to appoint Members Hashimoto, Schulter and Morando on the nominating subcommittee to identify Committee members interested in serving as the chairperson or vice chairperson for 2009.

10. Advisory Committee Enhancement Process Update

Jennie Loft, Public Information Officer, provided a brief update regarding the Advisory Committee Enhancement Process. She noted that subcommittees, comprised of advisory committee representatives, are revisiting the bylaws and mission statement of each committee. She stated that there is great enthusiasm from the subcommittees to meet on a regular basis and complete the assigned task.

Ms. Loft reported that the progress of the subcommittees would be presented at the December 18, 2008 Administration & Finance Committee meeting. Next step is to invite volunteers from the subcommittees to create a task force that would enhance the advisory committee's involvement in developing policy solutions.

Member Schulter inquired on the role of the task force. Stephen Flynn, Senior Management Analyst, responded the task force would enhance the function of the advisory committees by improving communication, eliminating duplication, and to focus on each committee's specialized role.

Member Kline expressed concern regarding the Advisory Committee Enhancement Process. Mr. Flynn explained the advantages of having a two-step process. First step, subcommittees would have the opportunity to identify issues and improve their committee's effectiveness. Step two, creation of the task force where the findings of the subcommittees would be integrated. He noted the Advisory Committee Enhancement Process would be an outstanding item on the advisory committees' agenda to provide update on its progress.

Member Blaylock inquired if all subcommittees have the same number of members. Mr. Flynn responded the number of members serving on each subcommittee varies depending on the total membership of the committee. He recommended adding another member of the CAC to serve for the subcommittee.

Member Kline volunteered to serve for the Advisory Committee Enhancement Subcommittee.

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

11. Report from the Advisory Committee Enhancement Subcommittee

There was no report from the Advisory Committee Enhancement Subcommittee.

12. High Occupancy Toll (HOT) Lanes - Public Outreach

Murali Ramanujam, Senior Transportation Engineer, provided a brief background on the Express Lanes public outreach. He also presented a video used for the outreach effort.

Frank Wilson, President of Frank Wilson & Associates, Inc., provided a PowerPoint presentation that highlighted the following: 1) Purpose of the research; 2) Scope of research; 3) Potential user support is in place; 4) Overall findings; 5) What they liked best; 6) Key preconceptions/concerns; 7) Double taxation; 8) Fairness; 9) Public concerns; 10) Where does the money go?; 11) Need to educate and inform; 12) Findings are similar across counties; 13) Key points; and 14) Conclusions.

Member Rogers expressed concern on the affordability of the proposed Express Lanes Program to low income individuals. Mr. Wilson responded that program would not have a costly fee structure.

Member Schulter commented on fairness and social justice issues regarding the program. Mr. Wilson responded that the fairness and social justice issues would be addressed on how the program would be created. He stressed the importance of designing a multi-modal program that is geared to all income levels and gives back to the corridor.

Member Blaylock expressed concern on the impact the program would bring to the flow of traffic along carpool lanes. Mr. Wilson responded that a Dynamic Pricing System would be used, where toll price would increase as traffic increases.

Member Blaylock inquired on studies made regarding the public's feedback on carpool lanes a few months after its implementation. Mr. Wilson responded that he was involved when the studies were made on I-15, SR-91 and I-394 in Southern California. He noted that results of those studies could be presented to the Committee upon request.

Member Blaylock inquired on the timeline to approve the Silicon Valley Express Lanes Program. Mr. Ramanujam responded the program would be forwarded to the Board for approval on December 12, 2009. He noted at the October 2, 2008 Board of Directors meeting, Board direction was sought on the following: 1) Support for the program; 2) Funding mechanism; and 3) Funding for demonstration project.

Member Kline expressed support for the program. He described the benefits of the program and noted that it is going to be successful.

Member Okuzumi inquired where the revenues from the Express Lanes would be used. Mr. Ramanujam responded that legislation was passed which states that revenues should go back to the corridor. He added that one of the principles in the Regional Transportation Plan states the revenue produced should be reinvested to the corridor.

On order of Chairperson Tebo, there being no objection, the Committee received an update on the recent activities and the findings related to the public outreach that has been conducted for the High Occupancy Toll (HOT) Lanes Project.

13. VTP 2035 Plan Update

John Sighamony, Senior Transportation Planner, provided a brief update on VTP 2035 that highlighted the following:

- May 2007 Committees & June Board - Information item on VTP and RTP updates
- October 2007 - Board Workshop
- November 2007 Committees & December Board - Draft project lists/project list development
- February 2008 Committees & March Board - Board approval of draft project lists for submittal to the MTC; responding to MTC's call-for-projects for the RTP
- April 2008 Committees & May Board - Approve the MTC RTP Vision Policy Strategies
- May to August 2008 Committees and Board - Program Area Review for Highways, Expressways, Local Streets, County Roads, Bicycle, Transportation and Systems Operation Management, Livable Communities, Pedestrian Program, Pavement Management, Sound Mitigation, Landscape Restoration & Graffiti Removal, and MTC/RTP Plan Development Update
- October & November 2008 - VTP 2035 public meetings scheduled
- November 2008 - Draft Plan scheduled
- December 2008 - Final draft plan scheduled

Member Okuzumi requested information regarding public meetings be sent to the Committee via email. Mr. Sighamony responded that information regarding the public meetings would be emailed to the Committees and interested groups once the meeting schedule and location are finalized.

Member Tebo inquired on the process to approve the VTP 2035 Plan. Mr. Sighamony responded the Plan would undergo Board process. It would go to the Advisory and Standing Committees on November 2008, and to the Board on December 2008.

On order of Chairperson Tebo, there being no objection, the Committee received the VTP 2035 Plan update.

14. FY 2008 Preliminary Annual Transit Operations Performance Report (July 1, 2007 – June 30, 2008)

Joonie Tolosa, Operations Analysis, Reporting & Systems Manager, provided a report on ridership that highlighted the following: 1) 4.6 percent increase on bus ridership; 2) 1.7 percent increase on light rail ridership; and 3) Overall system ridership increased by 3.9 percent.

Mr. Tolosa reported on the following Key Performance Indicators: 1) Bus Percent of Service Provided (99.61 percent); 2) Light Rail Percent of Service Provided (99.96 percent); and 3) Bus Miles Between Major Mechanical Failures with Loss of Service (7,520).

Mr. Tolosa noted the following key performance indicators did not meet the goal: 1) Miles between chargeable accidents; 2) On-time performance; and 3) Passenger concerns per 100,000 boardings.

Member Okuzumi expressed concern on bus lines that had a major drop on ridership. Mr. Tolosa explained that certain drop on ridership was the result of converting routes into

segmented routes. He added further analysis of these routes would be reflected on the Annual Transportation Plan.

On order of Chairperson Tebo, there being no objection, the Committee received the FY 2008 Preliminary Annual Transit Operations Performance Report (July 1, 2007 - June 30, 2008).

2000 MEASURE A CITIZENS WATCHDOG COMMITTEE REGULAR AGENDA

15. Citizens Watchdog Committee (CWC) Audit Subcommittee Report and Recommendation

Member Schuler reported on the evaluation process that was conducted to select an auditing firm that would perform compliance auditing services for the 2000 Measure A Transit Sales Tax Program.

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

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

M/S/C (Rogers/Kline) to authorize the General Manager to execute on behalf of the 2000 Measure A Citizens Watchdog Committee (CWC) a contract for compliance auditing services for the 2000 Measure A Transit Sales Tax Program with the independent auditing firm of Macias, Gini & O'Connell LLP, the firm recommended by the CWC Audit Subcommittee. The contract is for a two-year period, with options for four additional one-year periods, in a not to exceed amount for the six-year period of \$148,000.

17. Modified Advisory Measure Process

Stephen Flynn, Senior Management Analyst, explained it was a missed opportunity that the Citizens Watchdog Committee (CWC) was not involved in the process to bring Measure D on the November 4, 2008 ballot.

Greta Helm, Chief External Affairs Officer, stated that an integrated work plan for the Board, Standing and Advisory Committees is underway to improve the process. She noted the integrated work plan would enhance the communication between the Advisory Committees and the Board, and would engage the Advisory Committees on policy related matters.

Mr. Flynn described the process of placing the Measure D on the November 2008 ballot as follows: 1) A&F considered the advisory measure at its April 20, 2008 meeting; 2) Estimated cost was received from the Santa Clara County Registrar of Voters; 3) A&F recommended submitting two options for the Board at its May 15, 2008 meeting; 4) At its July 17, 2008, Committee of the Whole recommended to the Board that Option 2 be placed on the ballot; and 5) Board of Directors approved placing the advisory vote measure on the November 4, 2008 ballot.

Member Schuler expressed his disappointment to staff on failing to include the CWC on the advisory measure process considering that the responsibility to review the comprehensive transit program was assigned to the CWC. He emphasized on the State Audit's recommendation to engage the advisory committees.

Member Blaylock expressed concern the CWC was not given the opportunity to provide input on the advisory vote measure.

Chairperson Tebo stressed he and Vice Chairperson Jacobvitz met with the General Manager to discuss the issue. He stated the General Manager expressed desire to correct the oversight.

Member Okuzumi inquired on the recommendation to designate the responsibility of the periodic review of the comprehensive transit program to the CWC.

Member Kline expressed concern on the following: Timing employed to place advisory measures on the November 4, 2008 ballot; and the need to undertake matters under the governance process.

On order of Chairperson Tebo, there being no objection, the Committee received a report on the Modified Advisory Measure Process.

COMBINED CAC AND CITIZENS WATCHDOG COMMITTEE ITEMS

18. CAC and the 2000 Measure A Citizens Watchdog Committee Work Plan

Stephen Flynn, Senior Management Analyst, noted the compliance auditor expressed interest to meet with the Committee and he would try to agendize it for the November meeting.

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

OTHER

19. Announcements

Member Blaylock requested to include the last three months of the previous year on the attendance sheet to illustrate a full twelve month attendance.

20. ADJOURN

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

Respectfully submitted,

Michael Diaresco, Board Assistant
VTA Board of Directors