

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

Wednesday, November 12, 2008

MINUTES

CALL TO ORDER

The Regular Meeting of the Citizens Advisory Committee (CAC) was called to order at 4:35 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	Absent	
Bena Chang	CAC Member	Absent	
Chris Elias	CAC Member	Present	
Ray Hashimoto	CAC Member	Present	
Roberta Hughan	CAC Member	Present	
Robert Jacobvitz	CAC Vice Chairperson	Absent	
Norman Kline	CAC Member	Present	
Gaye Morando	CAC Member	Present	
Margaret Okuzumi	CAC Member	Present	
Charlotte Powers	CAC Member	Present	
Sally Probst	CAC Member	Present	
Connie Rogers	CAC Member	Present	
Martin Schulter	CAC Member	Absent	
Noel Tebo	CAC Chairperson	Present	

A quorum was present.

2. ORDERS OF THE DAY

There were no Orders of the Day.

3. PUBLIC PRESENTATIONS

Susan Sandstrom, Member Blaylock's Administrative Assistant, stated Member Blaylock was unable to attend the CAC meeting and she was present to take notes.

Member Okuzumi took her seat at 4:36 p.m.

4. Committee Staff Report

Greta Helm, Chief External Affairs Officer and Staff Liaison, introduced Deborah Harrington, VTA Board Secretary, to the Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC).

Ms. Helm reported Ms. Harrington was selected for her outstanding professional experience, including 26 years managing the activities and staff in several City Clerk offices. Ms. Harrington demonstrates leadership and an interest in identifying best practices that can be adopted to improve VTA's Board Office operations. Ms. Harrington is a former President of the California City Clerks Association and formerly involved in the League of Cities Policy Committee. Ms. Helm added that VTA is fortunate to have Ms. Harrington.

Ms. Harrington expressed appreciation and added that she looks forward to the opportunities to work with everyone at VTA.

The Committee congratulated and welcomed Ms. Harrington to the Committee meeting and VTA.

Ms. Helm provided a report that highlighted the following: 1) Light Rail Platform Retrofit Project; 2) VTA Ridership System-wide increases; 3) VTA in partnership with City of San Jose in the Homeless Connect Shuttle Service; 4) Valley Transportation Plan 2035 (VTP 2035) Public Meetings; 5) November 14, 2008 Board of Directors Workshop Meeting postponed to December 11, 2008 at 9:30 a.m. held at the County Government Center in the Isaac Newton Senter; 6) November 2008 ballot Measures C and D approved by the voters; however, the results of Measure B is still unknown; and 7) VTA Historic Trolley Service operating during the Holiday Season.

5. Chairperson's Report

Chairperson Tebo provided a report that highlighted the following: 1) Provided the 2nd CAC Chairperson's Report at the November 6, 2008 Board of Directors Regular Meeting; 2) November 2008 ballot Measures C and D approved by the voters; and 3) Attended the Rail-Volution 2008 in San Francisco, California in October 2008 related to Transit Oriented Development (TOD).

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 October 8, 2008

Member Elias noted a correction to the October 8, 2008 CAC Meeting Minutes and referenced Page 4 of 8, Paragraph 7, should state the Silicon Valley Express Lanes Program would be forwarded to the Board for approval on December 11, 2008.

M/S/C (Kline/Morando) to approve the minutes of October 8, 2008, as amended.

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

7. **Programmed Projects Quarterly Monitoring Report for July – September 2008**

M/S/C (Kline/Morando) to receive the Programmed Projects Quarterly Monitoring Report for July – September 2008.

The Agenda was taken out of order.

5. **Chairperson’s Report** (continued)

Chairperson Tebo announced the resignation of Member Ellen Fletcher from the Committee. Chairperson Tebo and Committee Members acknowledged and recognized Member Fletcher’s contributions to the Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC).

CITIZENS ADVISORY COMMITTEE REGULAR AGENDA

8. **Nominating Subcommittee Report for the 2009 Chairperson and Vice Chairperson Election Process**

Member Morando reported Chairperson Noel Tebo has expressed his interest in continuing to serve in the position as CAC Chairperson for 2009 and Vice Chairperson Robert Jacobvitz expressed his interest in continuing to serve in the position as CAC Vice Chairperson for 2009.

Chairperson Tebo expressed his appreciation and thanked Members Hashimoto, Morando, and Schulter for their diligent work on the Nominating Subcommittee to identify Committee members interested in serving as Chairperson and Vice Chairperson for 2009.

On order of Chairperson Tebo and there being no objection, the Committee received the Nominating Subcommittee Report for the 2009 Chairperson and Vice Chairperson Election Process.

9. **Status and Progress of the Advisory Committee Enhancement Process to Date**

Stephen Flynn, Management Analyst, reported on the Advisory Committee Enhancement (ACE) process, noting the goals of the process are the following:

- Examining and redefining VTA’s Advisory Committee role, responsibilities, and limitations to ensure they are consistent with the recently revised VTA Vision and Mission statements;
- Developing a committee mission statement;
- Reviewing committee bylaws to ensure they accurately reflect the committee’s duties and responsibilities; and
- Aligning committee work plan to the Board of Directors Consolidated Work Plan.

Mr. Flynn stated that the ACE process will be a standing item on future Advisory Committee agendas to allow the ACE Subcommittees the opportunity to report on the progress made and issues identified by the Subcommittees.

Mr. Flynn noted staff will provide monthly updates on the overall ACE process to the Advisory Committees. The ACE Subcommittees have met twice with the exception of the Technical Advisory Committee (TAC), which has met once since TAC has

previously completed development of their draft mission statement. The following ACE Subcommittees have developed their draft mission statements for submission to their Committees: TAC, Bicycle and Pedestrian Advisory Committee (BPAC), and Policy Advisory Committee (PAC). The Citizens Advisory Committee (CAC) and Committee for Transit Accessibility (CTA) are working on the development of their draft mission statements. Adopted mission statements will be incorporated into Advisory Committee bylaws.

Member Probst requested staff provide a copy of the VTA Mission and Vision Statement to the Committee. Mr. Flynn responded staff will distribute the item to the Committee Members.

On order of Chairperson Tebo and there being no objection, the Committee received the Status and Progress of the Advisory Committee Enhancement Process to Date.

10. **Citizens Advisory Committee (CAC) Advisory Committee Enhancement Subcommittee**

Member Powers referenced the CAC Bylaws, noting the Subcommittee would like to include a provision that would allow the Committee to receive input from the community regarding issues and concerns that need to be addressed.

Member Powers stated the Subcommittee has been looking at the Committee structure and wondering if there are ways for the Committees to work together collaboratively to ensure cross communication between VTA's Advisory Committees to make the Committees better and more efficient. Member Powers stressed the importance for the Committee to amend the CAC Bylaws to be able to self generate items of interest on future committee agendas.

Member Kline stressed the importance for VTA's Advisory Committees to focus and provide quality input on their specific areas of expertise. Member Kline noted it is vital to have cross communication between VTA's Advisory Committees.

On order of Chairperson Tebo and there being no objection, the Committee received the Citizens Advisory Committee (CAC) Advisory Committee Enhancement Subcommittee.

11. **Draft Valley Transportation Plan 2035 (VTP 2035) as Santa Clara County's Long-Range Countywide Transportation Plan**

John Sighamony, Senior Transportation Planner, reported the Valley Transportation Plan 2035 (VTP 2035) projects serve as VTA's recommendations for the Regional Transportation Plan (RTP) and scheduled for adoption by the Metropolitan Transportation Commission (MTC) in April 2009.

Mr. Sighamony highlighted on the VTP 2035, noting that the draft document contains the following:

- Plan setting, vision, goals, and objectives;
- Fund projections and description of the VTP capital investments, services, and planning activities;
- Land use, partnership, and climate protection programs;
- Near term implementation tasks and transportation studies; and

- Strategic Plan element.

Mr. Sighamony stated the VTP 2035 provides a framework for making key transportation decisions and a plan for investing in VTA's transportation system. The VTP 2035 core planning centers on the following:

- Strengthening and expanding the transit system;
- Developing an countywide Express Lane System and exploring other pricing strategies;
- Maintaining and improving local and regional roadways, bike routes, and pedestrian facilities;
- Improving transportation systems efficiency and implementing new technologies;
- Improving the relationship between land use and transportation decisions;
- Integrating all modes and re-thinking transportation engineering and design standards; and
- Developing strategies and programs to address climate change, energy use, and new funding.

Member Kline stressed the importance for the VTP 2035 to include a table of contents. Mr. Sighamony responded the final plan will include a table of contents as well as an appendix, and project descriptions.

Mr. Sighamony requested CAC Members provide comments on the draft VTP 2035 at their December 10, 2008 meeting. The final VTP 2035 plan will be forwarded to the January 8, 2009 Board of Directors meeting for consideration and adoption.

The Committee stressed the importance for the VTP 2035 to include an executive summary noting the updates and the major changes since the VTP 2030 plan. Mr. Sighamony responded that staff can include that information in the final plan.

Member Okuzumi referenced Page 55, Chapter Two – Capital Program, Table 2-6 Measure A Transit Projects in Santa Clara County, and queried if VTA has authority to add projects that were not included in the original ballot language. Mr. Sighamony responded the original ballot has a Downtown East Valley Project component, which could be a variety of different types of transportation improvements. The Measure A ballot language was broad in terms of what could be included in the projects.

Member Okuzumi queried if there was a formal process by which VTA could amend the original ballot language or does it need authorization from the voters. Mr. Sighamony responded staff will research and provide the information to the Committee.

Member Okuzumi referenced Page 10 – 11, Chapter Two – Capital Program, Transportation Funding Sources for VTP 2035 Projects and Programs, and expressed concern over the possibility that Proposition 42 State Transit Assistance (STA) funds may be raided, which would adversely impact VTA as a transit operator.

Member Okuzumi stressed the importance for VTA to implement an expenditure plan, which includes a list of projects with a spreadsheet that includes the cash flow and timing of projects. Member Okuzumi noted importance of a spreadsheet with all the assumptions available to ensure the Board of Directors are equipped to make an informed decision.

Member Okuzumi stated it is prudent for VTA to attempt to prioritize projects in terms of funding availability.

Member Elias referenced Page 55, Chapter Two – Capital Program, Table 2-6 Measure A Transit Projects in Santa Clara County, and requested staff check to determine if the Project from Eastridge south to Nieman Avenue was still on the list of projects.

Member Okuzumi stressed the importance for VTA to be diligent and plan ahead in the event of further reductions in state transportation funding.

On order of Chairperson Tebo and there being no objection, the Committee received the Draft Valley Transportation Plan 2035 as Santa Clara County’s Long-Range Countywide Transportation Plan.

12. High Occupancy Toll (HOT) Lanes Project Final Recommendations/Implementation Plan

Murali Ramanujam, Senior Transportation Engineer, directed attention to the presentation entitled, “Silicon Valley Express Lanes Program – Final Recommendations for Implementation Plan”, highlighting: 1) Program Background; 2) Why Express Lanes; 3) What is an Express Lane; 4) How does it Work; 5) Other Successful Express Lanes; 6) Regional Program; 7) Silicon Valley Express Lanes Program Implementation Plan; 8) Silicon Valley Express Lanes State Route (SR) 237 Express Connectors; 9) Silicon Valley Express Lanes SR 85 Express Lanes; 10) Silicon Valley Express Lanes US 101 Express Lanes; 11) Silicon Valley Express Lanes Program Implementation Plan; 12) Silicon Valley Express Lanes Funding Options; 13) Silicon Valley Express Lanes Program Recommendations; and 14) Comments/Questions.

Mr. Ramanujam stated the Silicon Valley Express Lanes Program (Program) would provide long term mobility benefits and another funding stream for transportation improvements. He highlighted on the Express Lanes Program objectives:

- Make better use of existing roadways;
- Manage congestion;
- Provide commuters with new options; and
- Help fund needed improvements including public transit.

Mr. Ramanujam expected the SR 237 Express Connectors would be completed by 2010 with an implementation cost of \$5 million and net revenue of \$5 million per year with total net revenue of \$38 million by 2035.

Mr. Ramanujam estimated the SR 85 Express Lanes would be completed by 2012 with an implementation cost of \$96 million and initial net revenue of \$2 million growing to \$32 million per year with total net revenue of \$300 million by 2035.

Mr. Ramanujam reported US 101 Express Lanes is expected to be completed by 2015 with an implementation cost of \$460 million and initial net revenue of \$11 million growing to \$32 million per year with total net revenue of \$1.2 billion by 2035.

The Committee expressed their appreciation and support for the Silicon Valley Express Lanes Program.

M/S/C (Powers/Probst) to recommend that the Board of Directors take the following actions: 1) Approve the Silicon Valley Express Lanes Program as described in the memorandum and attachments; 2) Approve allocation of up to \$6,000,000 from the Local Program reserve funds for implementation of State Route (SR) 237 Express Connectors

and for continuation of environmental documentation and engineering for the State Route (SR) 85 and US 101 Express Lanes; and 3) Direct staff to return within 90 days with an update on funding options for the completion of the Silicon Valley Express Lanes Program.

13. 2009 VTA Legislative Program

Scott Haywood, Policy and Community Relations Manager, reported that previously VTA's Legislative Programs were adopted separately for federal and state government affairs. For 2009, staff recommends a combined Legislative Program that consists of federal, state, regional, and local elements, which would provide a comprehensive framework for directing all of VTA's advocacy efforts.

VTA annually adopts a Legislative Program to provide direction for its legislative and policy activities for the year. The Legislative Program is meant to be flexible in order to give VTA the ability to pursue unanticipated legislative and administrative opportunities that may present themselves during the course of the year, and to respond expeditiously to the dynamic political and policy processes in Washington, D.C., Sacramento, and the Bay Area.

Mr. Haywood commented on the recommended 2009 Legislative Program, which is divided into three sections: 1) Federal; 2) State; and 3) Regional and Local with each section consisting of a summary of the key policy issues and a series of related advocacy principles.

Federal Section

VTA will endorse the California Consensus Principles on the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) reauthorization that were developed through a collaborative process involving Governor Arnold Schwarzenegger; the Business, Transportation and Housing Agency; Caltrans; and transportation stakeholders from across California.

Mr. Haywood stated that the 2009 Legislative Program Federal Section includes more specific SAFETEA-LU reauthorization advocacy principles related to finance and the structure of federal surface transportation programs. The 2009 Legislative Program Federal Section covers the following: 1) FY 2010 transportation appropriations; 2) climate change; and 3) public transit security; and includes recommendations for project requests for both SAFETEA-LU reauthorization and the FY 2010 transportation appropriations bill.

State Section

VTA's top priority will be to protect state transportation funding for their intended purpose.

Mr. Haywood stated the 2009 Legislative Program State Section includes the following: 1) the structure of State Transportation Programs; 2) transportation and environment; 3) Transit-Oriented Development (TOD); 4) project delivery; 5) High-Speed Rail; and recommendations for legislation that VTA should seek to sponsor or co-sponsor.

Regional & Local Section

The Metropolitan Transportation Commission (MTC) is scheduled to adopt the Regional Transportation Plan (RTP) for the nine-county Bay Area. The RTP includes the amount of revenues expected to flow into the region over a 25 year time period and contains a list of projects submitted by each county to address the transportation needs in the region. The RTP will address issues as climate change, freeway performance, High-Occupancy Toll (HOT) lanes, and land use.

VTA's top priority is to ensure these programs are administered in a way that is beneficial for Santa Clara County, as well as the region as a whole.

Member Okuzumi stressed the importance for VTA to endorse the MTC regional gasoline tax legislation since it would benefit VTA as a transit operator.

Member Powers stressed the importance for the CAC Committee to receive periodic updates on VTA's Legislative Program.

On order of Chairperson Tebo and there being no objection, the Committee received the 2009 VTA Legislative Program.

2000 MEASURE A CITIZENS WATCHDOG COMMITTEE REGULAR AGENDA

14. Introduction of CWC Compliance Auditing Team

Stephen Flynn, Senior Management Analyst, reported at the October 8, 2008 CAC meeting, the Committee approved awarding the contract for compliance auditing services to the Certified Public Accounting (CPA) firm of Macias, Gini, and O'Connell, LLP (MGP).

David Bullock, Engagement Partner, provided a brief introduction of the MGO Client Service Team to the Committee.

Member Kline noted the role and responsibility of the Citizens Watchdog Committee (CWC) to ensure the intent of the 2000 Measure A Program is fulfilled.

Member Kline stressed the importance for MGO's loyalty to the CWC Committee and ability to be available to the Committee to provide information and answer questions.

Member Kline supported the establishment of a Subcommittee to meet with MGO Client Service Team and provide a report back to the CWC Committee.

On order of Chairperson Tebo and there being no objection, the Committee received the Introduction of CWC Compliance Auditing Team.

COMBINED CAC AND CITIZENS WATCHDOG COMMITTEE ITEMS

15. CAC and the 2000 Measure A Citizens Watchdog Committee (CWC) Work Plans

Stephen Flynn, Senior Management Analyst, reported the Valley Transportation Plan 2035 (VTP 2035) is scheduled as an action item for the December 10, 2008 CAC meeting.

Greta Helm, Chief External Affairs Officer and Staff Liaison, referenced VTA's automated system, noted staff is currently in the process of adding the Advisory Committee Work Plans in the system.

Member Kline stressed the importance for the CAC and CWC action items be placed together at the beginning of the Committee agenda. Mr. Flynn responded the intent of the combined Committee agenda was to allow the public time to arrive and opportunity to participate in the meeting.

Mr. Flynn directed attention to the CAC/CWC Committee agenda, noting the time certain for the CWC meeting. Mr. Flynn stated staff will add this Committee concern to the work plan to be agendized for a future meeting.

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

OTHER

16. Announcements

There were no Announcements.

17. ADJOURNMENT

On order of Chairperson Tebo and there being no objection, the meeting was adjourned at 6:35 p.m.

Respectfully submitted,

Michelle M. Garza, Board Assistant
VTA Board of Directors