



CITIZENS ADVISORY COMMITTEE
and
2000 MEASURE A CITIZENS WATCHDOG COMMITTEE

Wednesday, March 10, 2010

REVISED MINUTES

CALL TO ORDER

The Regular Meeting of the Citizens Advisory Committee (CAC) was called to order at 4:31 p.m., by Chairperson Powers, in Conference Room B-104, VTA River Oaks Campus, 3331 North First Street, San Jose, California.

1. ROLL CALL

Attendee Name	Title	Status
Stephen Blaylock	CAC Member	Present
Clinton Brownley	CAC Member	Present
Chris Elias	CAC Member	Present
Ray Hashimoto	CAC Member	Present
Roberta Hughan	CAC Member	Present
Robert Jacobvitz	CAC Vice Chairperson	Present
Bruce Liedstrand	CAC Member	Present
Gaye Morando	CAC Member	Present
Charlotte Powers	CAC Chairperson	Present
Sally Probst	CAC Member	Present
Connie Rogers	CAC Member	Present
Martin Schulter	CAC Member	Present
Noel Tebo	CAC Member	Present
Herman Wadler	CAC Member	Present

A quorum was present.

2. ORDERS OF THE DAY

Chairperson Powers requested Agenda Item #5, Receive Chairperson's Report be moved to the end of the Regular Agenda.

Chairperson Powers introduced and welcomed new CAC Member Clinton W. Brownley representing the West Valley Cities.

On order of Chairperson Powers and there being no objection, the Committee accepted the Orders of the Day.

3. PUBLIC PRESENTATIONS

There were no Public Presentations.

4. Committee Staff Report

- **General Manager's Report**

Michael T. Burns, General Manager, reported the California State Legislature has enacted two major bills to fundamentally restructure the state's transportation finances.

The first bill, ABX8 6 contains 4 major tax changes: 1) eliminates the sales tax on gas; 2) raises the gasoline excise tax by 17.3 cents per gallon in FY 2010/11; 3) raises the sales tax on diesel by 1.75 percent; and 4) lowers the diesel excise tax from 18 cents per gallon to 13.6 cent per gallon to offset for the diesel sales tax rate increase.

The second bill, ABX8 9 provides for how the funds shall be distributed and appropriates \$400 million to the State Transit Assistance (STA) program for FY2009/FY2010/11. For FY2011/12 and beyond, the bill provides that 75 percent of Public Transportation Account revenues shall be directed to the STA program – estimated to provide about \$350 million a year. With regards to the new excise tax funding, the bill first allocates these funds to reimburse the General Fund to offset for transportation bond debt service.

These bills now await the Governor's consideration. The new bills are considered to be more favorable than what the Governor proposed in January 2010.

The Agenda was taken out of order

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 February 10, 2010

M/S/C (Rogers/Tebo) to approve the Regular Meeting Minutes of February 10, 2010.

7. Monthly Legislative History Matrix

On order of Chairperson Powers and there being no objection, the Committee reviewed the Monthly Legislative History Matrix.

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

8. Fiscal Year to Date 2010 Second Quarter Transit Operations Performance Report

On order of Chairperson Powers and there being no objection, the Committee reviewed the Fiscal Year to Date 2010 Second Quarter Transit Operations Performance Report.

2000 MEASURE A CITIZENS WATCHDOG COMMITTEE REGULAR AGENDA

9. Independent Compliance Auditor Status Update on Compliance Audit of FY09

Dave Bullock CPA, with the independent Certified Public Accounting (CPA) firm of Macias, Gini and O'Connell, LLP (MGO), and Craig Boyer CPA, Engagement Manager, provided a status report of the compliance audit of FY 09.

The MGO team is tentatively agendized to present the final compliance audit report and findings at the April CWC meeting. The presentation is dependent upon timely receipt of outstanding information.

On order of Chairperson Powers and there being no objection, the Committee received the Independent Compliance Auditor Status update on Compliance Audit of FY09.

10. Measure A Compliance Audit Procedure

Mr. Bullock, and Mr. Boyer provided an overview of the Measure A Compliance Audit Procedure.

The Committee clarified the CWC independent compliance auditor will send the draft report directly to the CWC chairperson, with a copy to the CWC vice chairperson. The CWC chairperson will submit the draft to staff and committee members for response, comments, and questions.

Members of the Committee requested comparison data from past years included in the audit document.

M/S/C (Probst/Rogers) to adopt a procedure for review of the 2000 Measure A Citizens Watchdog Committee's independent Compliance Auditor's Draft Audit Report. Member Wadler abstained.

11. Background and Requirements for CWC Public Hearing

Stephen Flynn, Senior Management Analyst, provided an overview of the staff report.

Mr. Flynn provided historic background and protocol regarding the public hearing. He clarified that the Measure A ballot mandates the CAC must perform the following: 1) Review all Measure A expenditures; and 2) hold annual public hearings and issue reports to inform Santa Clara County residents how funds are being spent.

Mr. Flynn stated the purpose of the public hearing requirement is to provide the public with a forum for offering input to the CWC on the Measure A Program.

Members of the Committee recommended that VTA staff explore additional public outreach efforts to inform the community of the CWC Public Hearing. Greta Helm, External Affairs Officer and Staff Liaison commented that staff would research alternative public outreach strategies to inform the community of the proposed CWC Public Hearing.

Members of the Committee requested that staff attempt to contact members of the community who have been interested in the Measure A Program.

On order of Chairperson Powers and there being no objection, the Committee reviewed the Background and Requirements for CWC Public Hearing.

CITIZENS ADVISORY COMMITTEE REGULAR AGENDA

12. Airport Transit Connector Project Description

John Ristow, Chief CMA Officer, introduced Henry Servin Jr., BART Project Liaison Manager, from the City of San Jose, and Laura Stuchinsky, City of San Jose Department of Transportation Sustainability Officer.

Mr. Servin provided a PowerPoint presentation regarding PodCar Technology. The presentation clarified Automated Transit Network and Personal Rapid Transit (PRT) concepts.

Ms. Stuchinsky provided a brief overview of the PodCar building momentum in San Jose, the project scope, current activities and timeline for the project.

Some members of the Committee expressed interest with the PodCar's proposed routes, the origin of manufacture, maintenance, and the potential to expand the routes to other areas of the city.

On order of Chairperson Powers and there being no objection, the Committee reviewed the Airport Transit Connector Project Description.

13. Strategic Finance Assessment – Capital Projects

Kim Koenig, Fiscal Resources Manager, provided an overview of the staff report.

Members of the Committee asked if staff is going to work with other jurisdictions on the initial screening of projects listed in the memorandum. Ms. Koenig responded that during the initial screening process, based on specific criteria, assessments will be performed to determine if a project is viable for use of creative financing and clarified that some projects may be eliminated from further consideration due to the criteria in the initial assessment but could be considered at a later date.

Members of the Committee requested staff provide status progress reports on the screening process to the CAC.

On order of Chairperson Powers and there being no objection, the Committee reviewed the Strategic Finance Assessment – Capital Projects.

14. Incentives to Use Transit

John Ristow, Chief CMA Officer, provided an overview of the staff report. He provided a handout entitled, "Optimizing a Community's Transit System."

Members of the Committee recommended a community outreach effort to engage residents regarding their public transit needs and priorities. Ms. Helm provided a brief overview of the Comprehensive Operations Analysis (COA).

On order of Chairperson Powers and there being no objection, the Committee reviewed the Incentives to Use Transit.

5. Chairperson's Report

Chairperson Powers stated Mr. Gary Richards (Mr. Roadshow), San Jose Mercury News columnist and writer, will be a guest at the April CAC meeting.

- **Financial Recovery Committee Member Report**
Vice Chairperson Jacobvitz provided a brief report on the March 10, 2010, Ad Hoc Committee meeting.
- **CAC Stakeholder Representation Subcommittee Report**
(Deferred)

COMBINED CAC AND CITIZENS WATCHDOG COMMITTEE ITEMS

15. Review the Citizens Advisory Committee and Citizens Watchdog Committee Work Plans

On order of Chairperson Powers and there being no objection, the Committee reviewed the Citizens Advisory Committee and Citizens Watchdog Committee Work Plans.

OTHER

16. ANNOUNCEMENTS

Chairperson Powers invited Member Brownley to share with the Committee his background and interest in transportation.

17. ADJOURNMENT

On order of Chairperson Powers and there being no objection, the meeting was adjourned at 6:47 p.m.

Respectfully submitted,

Jacqueline F. Golzio, Board Assistant
Office of the Board Secretary