



## TECHNICAL ADVISORY COMMITTEE

Thursday, September 14, 2006

### MINUTES

#### 1. CALL TO ORDER

The Regular Meeting of the Technical Advisory Committee (TAC) was called to order at 1:35 p.m. by Chairperson Yoshino in Conference Room B-104, Valley Transportation Authority (VTA), 3331 North First Street, San Jose, California.

#### ROLL CALL

##### Members Present

John Cherbone  
Dan Collen  
Nancy Coss-Fitzwater, Ex-Officio  
John Curtis  
Don Dey, Vice Chairperson  
Robert Kass  
Gayle Likens

##### Members Present

Henry Louie  
Jim Porter  
Jaime Rodriguez  
Jim Rowe  
Ben Tripousis  
Jack Witthaus  
Steve Yoshino, Chairperson

##### Members Absent

Joan Jenkins  
Ralph Qualls, Jr.

##### Members Absent

Gordon Siebert  
Lee Taubeneck, Ex-Officio

A quorum was present.

#### 2. PUBLIC PRESENTATIONS

There were no Public Presentations.

#### 3. Committee Staff Report

##### Quarterly Report from the General Manager

Michael T. Burns, General Manager, referred to the Study Session to be held during today's TAC meeting and thanked TAC for undertaking this effort. He also thanked

TAC on behalf of Board of Directors Chairperson Cindy Chavez. Board of Directors Chairperson Chavez has been a big proponent of finding new ways to increase the effectiveness of the Committees in the decision-making structure and process of the Board of Directors.

Members Dey and Cherbone took their seats at 1:37 p.m.

Mr. Burns invited TAC to attend the I-880 Coleman Avenue Interchange Project Ribbon Cutting Ceremony scheduled for Monday, September 18, 2006, at 10:00 a.m.

Member Likens took her seat at 1:38 p.m.

Mr. Burns indicated that the American Public Transportation Association (APTA) will hold its annual conference in San Jose, CA from October 9-11, 2006, and VTA will be hosting the conference. He noted that VTA purchased an ample amount of registrations and all VTA Committee Members are welcomed to attend the technical sessions. Mr. Burns informed TAC to contact Jim Lawson, Government Affairs Manager, if interested in attending the conference. A draft program of the conference is available on APTA's website: [www.apta.com](http://www.apta.com).

Alternate Member Tripousis took his seat at 1:40 p.m.

Mr. Burns referred to the Organizational and Financial Assessment and expressed his appreciation to Chairperson Yoshino for his efforts during the selection of the consultants. He introduced Ann Carey, Executive Assistant to the General Manager and Project Manager of the Organizational and Financial Assessment.

Ms. Carey noted that she was previously employed at San Francisco MUNI and has a background in finance. She reported that VTA has launched a company-wide Organizational and Financial Assessment and has selected the Hay Group to conduct the analysis for VTA. The goal of the assessment is to examine how the organization conducts business, assess the performance of the organization, and recommend changes for improving the organization's ability to deliver services. The analysis will proceed in the following four phases: 1) a high-level review of the entire organization; 2) looking at specific business divisions; 3) an assessment of the financial performance and financial composition of the organization; and 4) looking at some specific programs identified in the initial review. Ms. Carey indicated that the project work is underway and the work plan calls for an iterative process with VTA throughout the project and includes input from the Board of Directors and its Advisory Committees. The consultants will be interviewing the Advisory Committee Chairpersons during the first week of October 2006, and the Office of the Board Secretary will be scheduling the interviews. Ms. Carey encouraged any Advisory Committee Member who has an issue/concern/suggestion for the assessment to inform their Chairperson and the Chairperson can communicate the issue/concern/suggestion to the consultants during the interview.

Mr. Burns noted that the schedule for completion of the assessment is March 2007.

Chairperson Yoshino queried if the consultants would be conducting an assessment on the role of the Advisory Committees. Mr. Burns indicated “absolutely” and that it is an important part of the study.

John Sighamony, Transportation Planner III, reported that the Board of Directors adopted the Final Report of the Litter Control and Landscape Maintenance Program in June 2006, and part of the approval process was to develop a task force. He noted that in early summer 2006, the City of San Jose initiated their own citywide Litter Technical Advisory Committee and it was turning into a countywide task force.

Mr. Sighamony distributed a presentation document entitled, “Santa Clara County Anti-Litter Advisory Committee” and directed attention to the information provided on the role of the Litter Technical Advisory Committee. He also distributed and directed attention to the Litter Technical Advisory Committee Agenda of September 11, 2006. The Litter Technical Advisory Committee consists of the following four Sub-Groups: 1) Enforcement, 2) Education, 3) Litter Control and Removal Efforts, and 4) Volunteers. Mr. Sighamony noted that Member Kass is the Co-Chair of the Litter Control and Removal Efforts Sub-Group. Mr. Sighamony asked for volunteers to serve on the Litter Technical Advisory Committee and noted that the expectation would be at least a year’s commitment. The Litter Technical Advisory Committee meets once a month and the Sub-Groups would meet at the request of the Co-Chairs.

Alternate Member Tripousis indicated that the Litter Technical Advisory Committee is looking for representation from every city in the County of Santa Clara, noting that the cities of Campbell and San Jose are represented.

Member Kass expressed concern regarding the poor conditions of the freeways in Santa Clara County and that there is no real high-level focus of attention to make the freeways more presentable. He indicated that it is hopeful that this broader effort will involve some electeds and higher-level persons to look at education, enforcement, and litter control and removal efforts. Member Kass noted that VTA has done a phenomenal job in addressing the litter issue. He noted that the condition of the freeways is a countywide issue, and it should have countywide overall guidance, funding, and support.

Mr. Sighamony indicated that if anyone is interested in serving on the Litter Technical Advisory Committee to contact him via e-mail or telephone.

Member Dey queried about the availability of funding from Caltrans to clean-up the freeways. Mr. Sighamony indicated that VTA is in the process of executing a Memorandum of Understanding (MOU) with Caltrans, so that Caltrans can begin the actual work of picking up the litter. Alternate Member Tripousis noted the need to determine the costs for removing the litter.

Upon query of Chairperson Yoshino, Mr. Sighamony noted that any representative from the cities could serve on the Litter Technical Advisory Committee. Mr. Sighamony noted

that the next Litter Technical Advisory Committee is scheduled on November 6, 2006, and will be held at the City of San Jose.

**On order of Chairperson Yoshino**, there being no objection, the Committee Staff Report was received.

**4. Chairperson's Report**

There was no Chairperson's Report.

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

**CONSENT AGENDA**

**5. Minutes of August 10, 2006**

M/S/C (Tripousis/Rowe) to approve the Minutes of August 10, 2006.

**REGULAR AGENDA**

**6. Study Session: Technical Advisory Committee Effectiveness and Relationship to Policy Advisory Committee and Board of Directors**

Chairperson Yoshino referred to the June 8, 2006, TAC meeting discussion with Board of Directors Chairperson Chavez regarding, "how can TAC provide more of a significant role in advising the Policy Advisory Committee (PAC) and Board of Directors." He also noted the discussion held with PAC Chairperson, Steve Glickman, regarding improving the interaction between TAC and PAC.

Chairperson Yoshino indicated that at the August 10, 2006 TAC meeting, he had asked for volunteers to meet with staff and himself to develop a framework for how TAC could more effectively interact with VTA staff, PAC, and Board of Directors. He noted that the following TAC Members volunteered to serve on the subcommittee: Members Witthaus, Dey, Porter, and Yoshino, Alternate Member Tripousis. The subcommittee also consisted of VTA staff persons Steven Flynn, Sr. Management Analyst, and Mr. Lawson. The Subcommittee met and developed a Study Guide, containing an outline of ideas/suggestions/recommendations on how TAC could interact more effectively with VTA staff, PAC, and Board of Directors.

Chairperson Yoshino recommended that the Study Session discussion be divided into three broad categories: 1) Concerns/issues on how TAC operates in relation to VTA staff, PAC, and Board of Directors, and how TAC interacts with its respective

representatives/city councils; 2) What is the purpose/role/mission of TAC; and 3) Ideas/suggestions/recommendations on how to improve TAC's role.

Mr. Lawson indicated that the TAC Subcommittee had asked staff to research and provide information on the historical basis of TAC. He directed attention to the Study Session Guide, first bulleted item, which contained information that staff abstracted from the written record indicating the recommended role and responsibilities of TAC when the Congestion Management Agency (CMA) and Transit District (TD) merged to form VTA in 1995.

Chairperson Yoshino directed attention to the Study Guide, second bulleted item, "Meetings", and noted that the information listed under the heading is the outcome (ideas/suggestions/recommendations) of the discussion held at the Subcommittee meeting on how TAC can become more effective in the process.

**Concerns/issues on how TAC operates in relation to VTA staff, Policy Advisory Committee (PAC), and Board of Directors, and how TAC interacts with its respective representatives/City Councils**

Member Curtis suggested that TAC receive items more in advance of the PAC meetings to allow for more in depth review of the issues and sufficient time to interact with their respective city councils regarding issues that may affect their cities. He indicated that there seems to be a discontinuity between one meeting and the next meeting and noted the need for more continuity.

Member Kass expressed concern about receiving items in a timely manner. He commented that it does not seem like the presentations provided by VTA staff is focused narrowly on the role of TAC. He noted that clarification is needed with regards to what items should be brought forward to TAC.

Alternate Member Tripousis indicated that the recurring theme in the Subcommittee discussion was that there was a time where TAC's purview and responsibility was on approval of items that were brought forward, and somehow the items devolved into "review and comment." When the items are presented to TAC for "review and comment", it does not allow TAC the opportunity to provide the level of input and analysis necessary to provide meaningful input. The interest of the jurisdictions is to get engaged in a meaningful way before the item is forwarded to PAC and the Board of Directors. Alternate Member Tripousis noted that in the past, there seemed to be more action items on the TAC agenda prior to an item being forwarded. He indicated that TAC would like to receive items earlier, provide more meaningful input, and when TAC weighs in on an issue, the outcome is a meaningful vote.

Member Kass indicated that TAC is a staff group that has recommending or approving authority on items that go to elected officials. He noted that if TAC is going to be recommending items for approval, clarification is needed on how this works within the overall approval process.

Alternate Member Tripousis noted the importance of TAC being able to take a technical consensus oriented approach to issues that affect all jurisdictions, whether it is funding, how funds are distributed, project priorities, etc. He noted the importance of TAC having the ability to brief their jurisdictions on items in a timely manner before being forwarded to the Board of Directors.

Alternate Member Rodriguez recommended that an orientation be provided to new members informing them of the role of TAC. He indicated that as a new member, he did not receive any information informing him of his role on TAC.

Member Witthaus suggested that TAC review issues in the very early stage of development, so that TAC would become more of a working group instead of a rubber stamper.

Member Witthaus expressed concern regarding how TAC's recommendations are reviewed by the Board of Directors. He expressed concern that at present, the TAC Minutes are placed into the Board of Directors Agenda Packet, and this may not allow the opportunity for the level of review needed to provide meaningful input. He indicated that he would like to see TAC's recommendations explicitly stated in staff reports.

Member Dey supported the suggestion that TAC receive items in a timely manner in order for TAC to provide more meaningful input to PAC representatives. He noted that in the 1990's, TAC generated projects and made recommendations from a technical perspective. He referenced the litter issue that was reviewed by TAC, and noted that it is these types of issues that should continue to be reviewed by TAC.

Member Porter noted that at the Subcommittee meeting, the question of "how TAC's issues could be addressed without increasing the workload of VTA staff" was discussed. He indicated that the issues will need to be addressed in a manner that does not put an undue burden on VTA staff.

Chairperson Yoshino indicated that TAC has to be careful in suggesting the type of mechanism or structure to be put into place in order to receive items in a timely manner, so that the efficiency of the decision-making is not slowed down significantly.

Member Kass queried about the process used to place items on the TAC agenda. Mr. Lawson noted that in the past, a lot of ideas were generated at the TAC and that TAC was the forum within which all jurisdictions could talk with an equal voice and come to a decision.

John Ristow, Deputy Director of Programming and Project Development, indicated that historically TAC has been the forum for all items related to the CMA. He noted that the VTA staff, Board of Directors, or sometimes TAC, generates the agenda, and there is not a strategic thought of what a work program should look like a year in advance.

Member Likens asked if VTA staff could bring projects to TAC earlier if they had a project that was technical and involved the Congestion Management Program (CMP), so that TAC could discuss it before it becomes a report that is sent to the Board of Directors. Member Likens also expressed concern about TAC receiving items earlier, so that they can discuss the items with their respective city councils in a timely and efficient manner.

Ex-Officio Member Coss-Fitzwater commented that VTA will be beginning its budget-building process for its next budget and through this process is where VTA starts to identify the various studies, activities, and initiatives that VTA does as an organization. This process can give TAC ideas on building its work plan.

Alternate Member Rowe indicated that often times TAC cannot provide a recommendation to PAC, because TAC Members have not had the opportunity to talk with their respective city councils.

Upon query of Member Cherbone, Mr. Lawson indicated that the unapproved TAC Minutes are provided to the Board of Directors.

Mr. Ristow noted that he concurs with the suggestion to bring the larger VTA studies/initiatives to the TAC for consultation on a regular basis or in an advance stage.

Mr. Lawson noted that some significant items will be forthcoming, such as the Organization and Financial Assessment, Comprehensive Operations Analysis (COA), and information on the infrastructure bonds. The focus can be on areas that TAC wishes to keep track of and wishes to provide input on. VTA wants to find a way to maximize the value of TAC's time spent at meetings and get a result that feeds back to the entire community.

### **What is the purpose/role/mission of TAC**

Member Witthaus indicated that after the merger with the Transit District, TAC had an opportunity to become a forum for cities to understand and give feedback/input on transit operations. He noted the importance of TAC serving as an interface between smaller jurisdictions and larger regional jurisdictions.

Member Witthaus indicated he has served many years on the Capital Improvement Program (CIP) Subcommittee and there is a lot of information on funding and programming presented at the Subcommittee that TAC does not necessarily see. He noted that this is a role that could be elevated/highlighted more.

Member Kass expressed his satisfaction with regards to the discussions held at TAC, related to items such as funding criteria for new programs, evaluation of bicycle funding allocations, pavement management, etc. He also noted that the CIP Subcommittee provides a lot of valuable input to staff, which is then forwarded to the Board of Directors. He does not see a need for TAC to be involved in the operational side and

noted that there needs to be an operational advisory group that deals with service issues, transit surveys, routing, etc.

Member Kass expressed concern that TAC has not been involved in the review of the criteria for the selection of developers for joint development at the West San Carlos and Capitol Sites, noting that it affects their cities. He referred to the Organizational and Financial Assessment and indicated that the focus should be on those things that TAC has had significant and valuable input on.

Member Dey indicated that most of the information he has gained has been through working on special projects or serving on other subcommittees, noting that not a lot of information gets talked about at the TAC level. The question is, "Do we want TAC to be more active in special studies, such as Community Bus."

Member Dey indicated that he believes that VTA should take a stronger role as a regional organization. He represents a small city that has limited staff, and there is a lot of bureaucratic paperwork that he has to go through to try and satisfy regional or state requirements. He suggested that VTA provide assistance and that VTA should be elevated into more of a lead role for TAC to deal with regional issues.

Member Curtis indicated that one of the missions that should be addressed is TAC's connection to PAC. He noted that much of the policy that is developed or discussed at VTA has a technical component.

Chairperson Yoshino noted that the connections to be addressed are TAC's connection to the PAC, Board of Directors, VTA staff, and to its own representatives.

Alternate Member Tripousis indicated that the relationship he envisioned has always been similar to other commissions. It is staff's responsibility to provide their best recommendation on a particular issue. He indicated that he has always viewed the TAC's responsibility in a similar fashion. It is TAC's responsibility to look at the issue, build some consensus, and determine the best solution for everyone. It is TAC's responsibility to provide expertise and direction at a technical level.

### **Ideas/suggestions/recommendations on how to improve TAC's role**

Member Likens indicated that sometimes issues come before TAC, and TAC may not be able to provide the expertise needed at that time on a particular issue, so there may be times when it is not prudent for TAC to take action on an item at all. TAC may need to go back and talk to their other technical staff for further input. Currently, the process does not allow TAC adequate time to do this. Member Likens indicated that the CIP Subcommittee used to function in a more active role because they would review the information, and the Subcommittee would take a couple of meetings to work on the issues, and then forward their recommendations to the Board of Directors. She noted that TAC does not do this and that sometimes TAC needs to think about things a little longer than 20 minutes in a meeting. By having ample time to review items, TAC Members can provide better input on items that affect their own communities and agencies in terms of the services received from VTA.

Alternate Member Rowe suggested that TAC function as a technical working group. Items need to be presented to TAC in a timelier manner, in order for TAC to review and provide comments on the items presented.

Member Likens noted that items should be presented to TAC at a preliminary recommendation stage.

Member Kass indicated that whatever TAC decides to do, the process should be made more efficient for VTA staff. He noted the possibility of creating a CMA/CMP subcommittee to concentrate on items relating to the CMA/CMP. This would be a way for TAC to sort of divest some of its review authority, but would provide more meaningful feedback.

Alternate Member Collen noted that perhaps every item that comes before TAC does not have the same timeline. There are issues that deserve a longer review period, and there are other issues that TAC does not need to consider.

Chairperson Yoshino noted that there is room for improvement and in trying to balance the work effort for TAC and VTA staff. TAC Members should look more carefully at the issues and VTA staff should look at the timing, how items are passed on to the Board of Directors, and TAC's relationship with various groups. He noted that TAC, with the assistance of VTA staff, should try to develop a matrix and/or even a work program listing items of importance for TAC to address within the coming year.

Chairperson Yoshino noted that the Subcommittee will develop a list (approximately a dozen bullet points) containing TAC's concerns/recommendations from the Study Session and will send out the information via e-mail to TAC for review. The information will be provided to the Hay Group conducting the Organizational and Financial Assessment in October 2006. TAC will review the information again to determine what information should be forwarded to the Board of Directors.

Member Witthaus referred to the development of a work program and noted that he would like to have a brainstorming session with VTA staff and TAC once a year to review and determine what items will be of interest to TAC.

Member Witthaus noted that during the development of the work program, individual agencies could bring their own items of interest to the table.

Chairperson Yoshino noted that the work program would be a living document and that items could be added to it at any time.

Member Witthaus recommended that Standing Agenda items be placed on the TAC agenda, such as, "Update on Caltrans' Intermediary Issues", and "Report from Subcommittees."

Chairperson Yoshino noted that an agenda item entitled, "Member Comments" could be added to the agenda and placed under "Other." He referred to Staff Reports and noted ongoing items could be listed such as, "interaction/interagency issues."

## **OTHER**

### **7. Committee Work Plan**

Mr. Flynn recommended that the Committee review the items to be agendaized at the October 12, 2006, TAC meeting to determine if there are any items that would be of no interest or value to TAC and items that the Committee would recommend be placed on the Consent Agenda.

Upon query of Alternate Member Collen, Mr. Flynn noted that the Committee could request that items be placed on the Consent Agenda as deemed appropriate.

**On order of Chairperson Yoshino**, there being no objection, the Committee Work Plan was reviewed.

### **8. Announcements**

There were no Announcements.

### **9. ADJOURNMENT**

**On order of Chairperson Yoshino**, there being no objection, the meeting was adjourned at 3:00 p.m.

Respectfully submitted,

Tracene Y. Crenshaw, Board Assistant  
VTA Board of Directors