



TECHNICAL ADVISORY COMMITTEE

Thursday, January 11, 2007

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

Greg Armendariz
John Cherbone
Nancy Coss-Fitzwater, Ex-Officio
Dan Collen
Don Dey, Vice Chairperson
Glenn Goepfert
Joan Jenkins
Robert Kass
Hans Larsen

Members Present

Gayle Likens
Henry Louie
Jim Porter
Kevin Rohani
Jim Rowe
Lee Taubeneck, Ex-Officio
Jack Witthaus
Steve Yoshino, Chairperson

Members Absent

Gordon Siebert

A quorum was present.

2. PUBLIC PRESENTATIONS

There were no Public Presentations.

3. ORDERS OF THE DAY

Chairperson Yoshino noted that staff requested that the following Agenda Items be deferred to the February 8, 2007 TAC meeting: Item #7. Approve the Minutes of December 14, 2006; and Item #15. Receive an update from the Technical Advisory Committee (TAC) Subcommittee.

Stephen Flynn, Sr. Management Analyst, noted that the “Orders of the Day” Agenda Item would be a permanent item on the TAC Agenda.

On order of Chairperson Yoshino, there being no objection, the Orders of the Day were accepted.

4. Committee Staff Report

There was no Committee Staff Report.

Member Kass took his seat at 1:37 p.m.

5. Chairperson’s Report

There was no Chairperson’s Report.

6. Reports from TAC Working Groups

- **Capital Improvement Program (CIP)**

There was no report from the CIP Working Group.

- **Systems Operations & Management (SOM)**

There was no report from the SOM Working Group.

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

CONSENT AGENDA

M/SC (Dey/Collen) to approve the Consent Agenda, as amended.

7. (Deferred to the February 8, 2007 TAC meeting.)

Approve the Minutes of December 14, 2006.

8. Programmed Projects Quarterly Monitoring Report for October to December 2006

M/S/C (Dey/Collen) to review the Programmed Projects Quarterly Monitoring Report for October to December 2006.

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

REGULAR AGENDA

9. Election Process for Advisory Committee Chairperson and Vice Chairperson

Mr. Flynn reported that the Chairperson and Vice Chairperson each serve a one-year term, the elections for Chairperson and Vice Chairperson are conducted separately, an affirmative vote of a majority of the total authorized membership is required, and the election results are effective immediately after the vote.

Chairperson Yoshino indicated that the Nominating Committee recommended the following slate of candidates for 2007: Don Dey for Chairperson and Robert Kass for Vice Chairperson.

Chairperson Yoshino opened the nominations from the floor for the positions of Chairperson and Vice Chairperson.

M/S/C (Rowe/Larsen) to close the nominations and elect Don Dey as Technical Advisory Committee Chairperson for calendar year 2007 to complete the election process.

M/S/C (Dey/Larsen) to close the nominations and elect Robert Kass as Technical Advisory Committee Vice Chairperson for calendar year 2007 to complete the election process.

Chairperson Yoshino relinquished his seat as Chairperson to newly elected Chairperson Dey.

The Committee thanked Chairperson Yoshino for a job well done serving as TAC's Chairperson for 2006.

Member Jenkins took her seat at 1:41 p.m.

10. Caltrans Process for Local Development Review and Traffic Impact

Ex-Officio Member Taubeneck provided a PowerPoint Presentation entitled "Caltrans Local Development – Intergovernmental Review Program (LD-IGR)." He noted that the LD-IGR Program objectives are to review local development projects, to determine their impacts on the State Highway System and to recommend measures to mitigate these impacts. The LD-IGR Department reviews projects under authority granted by the Streets and Highways Code; Government Codes; Public Resources Code; Presidential Executive Order; and Governor's Executive Order. Caltrans has two roles under the California Environmental Quality Act (CEQA), one as a Commenting Agency and another as a Responsible Agency.

Member Witthaus took his seat at 1:45 p.m.

Ex-Officio Member Taubeneck reported that in order to help lead agencies analyze traffic impacts of proposed projects, the Department recommends using its “Guide for the Preparation of Traffic Impact Studies.” He referred to Cumulative Conditions and indicated that cumulative traffic impacts should be analyzed for any project seeking specific entitlements.

Ex-Officio Member Taubeneck referred to “Fair Share” or Traffic Impact Fees and noted that if a project receives a substantial benefit from identified mitigation measures, then the project should assume full responsibility for providing the necessary improvements. He indicated that the “Guide for the Preparation of Traffic Impact Studies” provides a suggested formula for calculating “Fair share” fees.

Ex-Officio Member Taubeneck referred to “Regional Impact Fees” and noted that the Department encourages the adoption of Regional Impact Fee Programs, such as the Tri Valley Transportation Council.

Alternate Member Larsen distributed a document entitled “Local Development/Traffic Impact Issue, City of San Jose Comments.” He noted that he would be providing comments on how San Jose deals with private development and regional impacts. He stated that it raises the question of how private developers will pay for regional improvements in an equitable manner.

Alternate Member Collen referred to the slide on “Fair Share” and asked Ex-Officio Member Taubeneck to provide an explanation on the following statement: “project should assume full responsibility for providing the necessary improvements.” Ex-Officio Member Taubeneck referred to planned projects and noted that Caltrans has a vision usually confined to its transportation corridor concept on what Caltrans sees as a need for the future. Caltrans is constrained financially by the State Transportation Improvement Program (STIP) resources that are allocated to the District/Department.

Alternate Member Larsen indicated that the City of San Jose is receiving comments from Caltrans with regards to project development review and a request for payment of fees for transportation mitigations. He stated that while projects may impact the State highway system, there is no scope defined in terms of improvements nor is there a process to determine a fair share contribution. Alternate Board Member Larsen commented on the project review process of Caltrans. He stated that Caltrans does not support the manner in which San Jose addresses comments in the Environmental Impact Report (EIR) and states that it will deny an encroachment permit until Caltrans’ issues are addressed.

Chairperson Dey commented that the City of Gilroy generally pays for all of its improvements on the State system, because of its Master Plan. He noted that when a developer applies for an encroachment permit, the developer must comply with Caltrans’ guidelines, which are inconsistent with City of Gilroy guidelines.

Alternate Member Larsen commented that when the City of San Jose conducts a traffic analysis, it follows the VTA adopted process. He noted that the City receives comments

from Caltrans stating that they do not agree with the process. He further stated that he understands the SOM Working Group is working on this issue, and it has had difficulty in getting Caltrans to participate.

John Ristow, Programming and Project Development Deputy Director, directed attention to the slide entitled “Fair Share or Traffic Impact Fees” and referenced the following statement: “The Guide for the Preparation of Traffic Impact Studies provides a suggested formula for calculating Fair share fees.” He commented that VTA requires each city and Santa Clara County to perform their traffic analysis according to its procedures.

Ex-Officio Member Taubeneck commented that what constitutes a regional impact for traffic analysis may not be consistent with an inter-regional perspective, which is what Caltrans is required to do as an inter-regional provider of services for traffic. He noted that Caltrans never holds up projects because of lack of fulfillment of any CEQA commitments. Lastly, Ex-Officio Member Taubeneck indicated that Caltrans’ Traffic Impact Study methodology is only a guide and not a regulation.

Chairperson Dey recommended that Caltrans work with the SOM Working Group to address the traffic analysis issue.

M/S/C (Larsen/Jenkins) to request that the SOM Working Group work with Caltrans staff involved with local projects reviewed from the environmental document perspective through the encroachment permit process and to see if a system approach can be developed and mutually agreed upon.

Alternate Member Larsen directed attention to the document he distributed containing City of San Jose’s comments regarding local development and traffic impact issues and provided a report on the following: 1) San Jose’s Current Development Approach; 2) Recent Legal Perspectives; 3) Coyote Valley/South County Issues/Opportunities; and 4) Policy Priorities: Freeway Expansion vs. Multi-Modal System.

Alternate Member Larsen directed attention to the document and noted the following suggestions:

- A. VTA to develop guidelines/policies for addressing “fair share” contributions for regional impacts and other jurisdiction impacts:
 - 1) Identify key Valley Transportation Plan (VTP) 2030 projects and
 - 2) Address multi-modal investment priorities.

- B. VTA to consider a “pilot” regional traffic impact fee for South County area.

- C. Caltrans to improve internal process for local development review.

Ex-Officio Member Taubeneck noted that Caltrans’ role is fairly well defined by the Government Code and a number of other transit statutes. He noted that Caltrans is open to transit and multi-modal opportunities. However, Caltrans’ statutory role is different for highways versus transit.

Mr. Ristow referred to Suggestion B. "VTA to consider a "pilot" regional traffic impact fee for South County area." He noted that VTA is conducting a South County Circulation Study with the Cities of Morgan Hill, Gilroy, San Jose, Caltrans, and Santa Clara County to determine multi-modal transportation needs. He noted that the Study has not considered a regional traffic impact fee. He stated that completion of the Study is expected in the fall of 2007. The TAC and the Board of Directors will then review the Study.

Member Kass referred to the regional impact fee issue and asked who will receive the funds.

On order of Chairperson Dey, there being no objection, the Committee received a presentation on the Caltrans Process for Local Development Review and Traffic Impact.

11. Evaluation Criteria for Community Design and Transportation Program Capital Grants

John Sighamony, Transportation Planner III, reported that in April 2006, the VTA Board of Directors adopted the evaluation criteria for the Community Design and Transportation (CDT) Capital Grants. VTA issued a call-for-projects in July 2006, and the Metropolitan Transportation Commission provided \$8.8 million in federal Congestion Mitigation and Air Quality (CMAQ) and Transportation Enhancements (TE) funds for the first cycle.

Mr. Sighamony reported that fifteen projects were submitted and were reviewed and evaluated by a Scoring Committee. Mr. Sighamony indicated that the Scoring Committee recommended funding all projects that scored above 50 points. Only five projects scored above 50 points and the projects would receive a total of \$5.84 million. Of the \$8.8 million in federal funding, a remainder of \$2.9 million would be used for a second cycle of programming. The Board of Directors directed staff to revisit the scoring criteria and to release a call-for-projects for the remaining \$2.9 million within 60 days.

Mr. Sighamony reported that VTA staff together with the Capital Improvement Program (CIP) Working Group reviewed the current evaluation criteria and recommends revisions. With the anticipated adoption of the proposed revised criteria, VTA will issue another call-for-projects during the February 2007 timeframe. He directed attention to Attachment A – VTA CDT Program, Capital Grant Program – Evaluation Criteria & Procedures, and provided an overview, highlighting: 1) Program Description; 2) Who can apply, and how are funds awarded?; 3) How Much Funding is Available; 4) Eligible Projects; 5) Project Evaluation; and 5) Application/Scoring Process. Mr. Sighamony noted that all eligible projects must include a pedestrian and transit component, and must be located in a core, corridor or station area as defined in VTA's CDT Program. He directed attention to Attachment B that contained a map of VTA's cores, corridors, and station areas.

Mr. Sighamony reported that prior to the application deadline, VTA would provide a workshop to assist Member Agencies in preparing their Capital Grant applications.

Alternate Member Collen referred to a previous TAC meeting wherein he expressed concern regarding Santa Clara County being excluded from participating in the CDT funding options, because Santa Clara County only maintains sidewalks. He noted that Chairperson Dey had requested that staff come up with some recommendations on how Santa Clara County could be incorporated into the program. Mr. Sighamony noted that the CIP Working Group will discuss the matter at its next meeting.

Upon query of Chairperson Dey, Mr. Sighamony noted that VTA would conduct site visits to assist Member Agencies in addition to conducting a workshop.

M/S/C (Larsen/Jenkins) to review and recommend that the VTA Board of Directors approve the revised evaluation criteria and procedure clarification for selecting projects and awarding Community Design and Transportation Program Capital Grants.

12. State Transportation Improvement Program (STIP) Process

Mr. Ristow provided a PowerPoint Presentation on the STIP Process. He provided a report on the following: 1) Origin of the STIP; 2) STIP Fund Sources; 3) 2006 STIP Augmentation; and 4) VTA's Role.

Mr. Ristow referred to the Staff Recommendation and noted that staff is recommending the following programming actions: 1) Program \$57.54 million of 2006 STIP Augmentation funds to the Capitol Light Rail Transit (LRT) Extension to Eastridge Project; and 2) Authorize allocation of \$57.54 million of 2000 Measure A funds to Local Program Reserve for funding to the existing STIP Projects, Corridor Mobility Investment Account (CMIA) Projects, and VTP 2030 Programs. The recommended action requires an exchange of 2006 STIP Augmentation funds and 2000 Measure A Sales Tax funds.

Mr. Ristow provided a report on the Benefits of STIP – Measure A Fund Exchange. The funding exchange: 1) Accelerates project delivery and reduces administrative costs; 2) Provides for cash-flow management, interest income and savings of Measure A funds; 3) Allows the VTA Board to manage VTP expenditures; and 4) Enables VTA to comply with VTA Resolution No. 00.08.49, restricting programming discretionary funds to transit projects and 2006 STIP Augmentation limitations on non-transit funding.

Mr. Ristow provided a report on the STIP Programming Schedule.

Members Kass and Jenkins expressed concern regarding the project eligibility and other restrictions related to the fund exchange.

On order of Chairperson Dey, there being no objection, a presentation on the State Transportation Improvement Program (STIP) Process was received.

13. 2006 State Transportation Improvement Program (STIP) Augmentation

Member Kass reiterated his concern regarding the project eligibility and other restrictions related to the fund exchange. He requested that VTA staff reconfirm that the fund exchange meets the intent of the restrictions on fund-type eligibility of both the Measure A Projects and STIP funds.

M/S/C (Yoshino/Larsen) to review and recommend the programming of \$57.54 million from the 2006 STIP Augmentation Program to the Capitol Light Rail Extension Project; and, authorize allocation of \$57.54 million of 2000 Measure A funds to projects and programs listed in Attachment A. Further, TAC requested that VTA staff reconfirm that the fund exchange meets the intent of the restrictions on fund-type eligibility of both the Measure A Projects and STIP funds.

14. VTA-Administered Transportation Grant Programs

Mr. Ristow noted that information on the VTA-Administered Transportation Grant Programs would be presented to TAC on an annual basis.

Bill Hough, Transportation Planner III, directed attention to the 2-page chart entitled "Attachment A – VTA-Administered Transportation Grant Programs (2007)" and provided an overview, highlighting: 1) Transportation grant programs; 2) Various funding sources, 3) Funding level per cycle; 4) Next call for projects; 5) Eligible project types; and 6) Critical project characteristics.

Member Jenkins requested that an electronic version of Attachment A be sent to TAC Members via e-mail.

On order of Chairperson Dey, there being no objection, a report on the VTA-Administered Transportation Grant Programs was received.

OTHER

15. (Deferred to the February 8, 2007 TAC meeting.)

Receive an update from the Technical Advisory Committee (TAC) Subcommittee.

16. Mission Statement for the Technical Advisory Committee

On order of Chairperson Dey, there being no objection, the development of the TAC Mission Statement was deferred to the February 8, 2007 TAC meeting.

17. Committee Work Plan

Mr. Flynn noted that per the request of Member Larsen at the December 14, 2006 TAC meeting, the following item will be added to the Committee Work Plan under Items for Future Consideration: "VTA Plan/Policy for Applying Environmental Justice Criteria to Grant Programs."

Chairperson Dey requested that staff add a category to the Committee Work Plan that reflects the various project studies currently underway at VTA, and requested that staff present the studies to TAC to keep them apprised of what is happening throughout Santa Clara County.

Member Jenkins requested that the Service Design Guidelines be brought back to TAC for review.

Alternate Member Larsen requested that the following item be listed under Other Items for Future Consideration: "The SOM Working Group provide a report to TAC regarding a reconciliation of Caltrans' Project Development Procedures.

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

18. Announcements

Chairperson Dey welcomed new TAC Member Kevin Rohani, representing the Town of Los Gatos.

Chairperson Dey announced that Ben Tripousis has now been designated as the TAC Member (formerly Alternate Member); and Hans Larsen has been designated as the Alternate TAC Member (formerly Member).

Member Likens announced that the North County Group is sponsoring a public meeting on Friday, January 19, 2007 at 2:00 p.m. at the Mountain View City Council Chambers, and a presentation will be provided on Caltrain's 2025 Plan.

19. ADJOURNMENT

On order of Chairperson Dey, there being no objection, the meeting was adjourned at 3:12 p.m.

Respectfully submitted,

Tracene Y. Crenshaw, Board Assistant
VTA Board of Directors