



## CONGESTION MANAGEMENT PROGRAM & PLANNING COMMITTEE

Thursday, April 20, 2006

### MINUTES

#### 1. CALL TO ORDER

The Regular Meeting of the Congestion Management Program & Planning Committee (CMPP) was called to order at 10:37 a.m. by Vice Chairperson Campos in Room 157, County Government Center, 70 West Hedding Street, San Jose, California.

#### ROLL CALL

##### Members Present

Nora Campos, Vice Chairperson  
Dennis Kennedy

##### Members Absent

Cindy Chavez  
Liz Kniss, Chairperson

##### Alternates Present

Pete McHugh

##### Alternates Absent

Al Pinheiro  
Ken Yeager

\* Alternates do not serve unless participating as a Member.

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

#### 2. PUBLIC PRESENTATIONS

There were no Public Presentations.

Michael T. Burns, General Manager, introduced Bill Lopez, VTA's new Chief Administrative Officer.

Mr. Lopez provided a brief background about his career in San Diego, CA.

Member Kennedy took his seat at 10:39 a.m.

The Committee welcomed Mr. Lopez.

**3. ORDERS OF THE DAY**

Vice Chairperson Campos noted that staff requested that Agenda Item #8. City of Gilroy Community-Based Transportation Plan be deferred to a future meeting.

**On order of Vice Chairperson Campos**, there being no objection, the Committee of the Whole accepted the Orders of the Day.

**CONSENT AGENDA**

**4. Minutes of February 16, 2006**

**On order of Vice Chairperson Campos**, there being no objection, the Committee of the Whole deferred the Minutes of February 16, 2006.

**5. Monthly Legislative Report for March 2006**

Kurt Evans, Government Affairs Manager, noted that the Federal Legislative Report focuses on the President's FY 2007 Budget which was submitted to Congress last February 2006. Congress will conduct various hearings to arrive at a budget resolution that will frame the annual 13 appropriations bills.

Mr. Evans noted that with regard to transportation, there have been discussions about Amtrak operations and added that the President's budget proposes a decline of Amtrak funding from \$1.3 billion in FY 2006 to \$900 million in FY 2007. Additionally, there have been discussion regarding the smaller \$100 million budget for the Small Starts Program.

Mr. Evans advised the Committee of the major "shake-up" of the top three positions at the Federal Transit Administration (FTA). The Senate Banking, Housing, and Urban Affairs Committee held a confirmation hearing and approved the President's nomination of James Simpson for FTA Administrator. Mr. Simpson's nomination will now go to the Senate for consideration. The other two new leaders in FTA are Sandy Bushue, Deputy FTA Administrator and David Horner, Chief Counsel. Mr. Evans stated that the signals from the new leadership at FTA have been very positive and more cooperative.

Upon inquiry of Vice Chairperson Campos, Mr. Evans noted that VTA is engaged in a negotiation with FTA regarding Project Development Agreement. This agreement will include issues such as financial plan, travel forecasting model, risk assessment, and other issues that will enable project sponsors like VTA to move forward, resolve issues, and progress the project to the New Starts Process. The new leadership sees the agreement as a useful framework to build a more cooperative relationship between VTA and FTA.

Mr. Burns stated that VTA staff is working closely to ensure that there will be a positive relationship with the new leadership at FTA. He added that there is already a working relationship established as he had worked with Ms. Bushue in the past.

Member Kennedy requested information on the list of projects that VTA is pursuing federal dollars for.

Mr. Evans indicated that VTA is not seeking federal appropriations for the BART Extension Project in FY 2007. In the interim, VTA is working with FTA to resolve issues such as travel forecasting model, cost-effectiveness, financial plan, and risk assessment. Mr. Evans added that VTA has interests in other projects such as bus and highway projects in the appropriations. Mr. Evans noted that the projects VTA is pursuing is laid out in the Federal Legislative Program.

Vice Chairperson Campos requested that the information requested by Member Kennedy be provided to all Board Members.

**On order of Vice Chairperson Campos**, there being no objection, the Committee of the Whole received the Monthly Legislative Reports for March 2006.

## **REGULAR AGENDA**

### **6. FY 2007 Transportation Fund for Clean Air Program Manager Fund**

John Ristow, Programming & Project Development Deputy Director, stated that the Transportation Fund for Clean Air (TFCA) is generated from the \$4.00 vehicle registration surcharge. VTA receives 40 percent of those funds and issues a Call for Projects to all Member Agencies. Mr. Ristow noted that projects submitted by Member Agencies are illustrated on the memorandum's Attachment A – Santa Clara County FY 2006-07 TFCA 40% Program. This year, all the projects submitted will be funded.

**On order of Vice Chairperson Campos**, there being no objection, the Committee of the Whole approved submitting a recommendation to the Board of Directors to approve the programming of FY 2007 Transportation Fund for Clean Air Program Manager (TFCA 40%) funds.

### **7. Amendment to Tier 1 Bicycle Expenditure Program Project: River Oaks Bicycle and Pedestrian Bridge**

Mr. Ristow stated that the project's completion is delayed due to problems with the contractor, difficult sub-surface conditions, and weather. There is a need to increase the budget for the River Oaks Bicycle and Pedestrian Bridge to cover the inspection activities that are still required by the project.

Upon inquiry of Member Kennedy, Mr. Ristow noted that Stevens Creek Quarry, Inc. met the pre-qualifications. However, this project was fairly new to the contractor and had problems with sub-contractor. They have had problems with the execution of the drill pile holes. Mr. Ristow stated the additional inspection cost could be offset from the \$500 liquidated damage per day that the contractor will pay, excluding rainy days. Mr. Ristow stated that the project required a number of inspection teams due to the project's sensitive area.

Jack Collins, Chief Construction Officer, noted the problems the contractor experienced with this project. He stated that the contractor quickly notified VTA of the problem regarding their sub-contractor. However, the substitution process requires five days before the sub-contractor could be replaced.

**On order of Vice Chairperson Campos**, there being no objection, the Committee of the Whole approved submitting a recommendation to the Board of Directors to approve an increase of \$282,000 in the Bicycle Expenditure Program 1996 Measure B allocation for the River Oaks Bicycle and Pedestrian Bridge for a total allocation of \$1.92 million from the 1996 Measure B Bicycle Account.

**8. Gilroy Community Based Transportation Plan**

**On order of Vice Chairperson Campos**, there being no objection, the Committee of the Whole deferred the Gilroy Community Based Transportation Plan.

**9. Southern Gateway Transportation and Land Use Study**

Amin Surani, Senior Transportation Engineer, provided a quick overview and presented a Power Point presentation on the Southern Gateway Transportation and Land Use Study. Mr. Surani noted that staff commenced the study in the Fall of 2002 with the intention of identifying roadway improvements to meet the transportation needs in the area based on growth in population, housing, and jobs. Also, the study will evaluate roadway improvements with the consideration of funding constraints, land use policies, and funding priorities.

Mr. Surani discussed the guiding principles for the study, including the following:

- Implement system-wide strategies for enhancing roadway safety
- Develop roadway improvements that preserve and support existing land uses
- Address the wide ranging mobility needs of traveling public
- Develop roadway improvement strategies that take advantage of partnering and funding opportunities.

Mr. Surani provided an overview of six different scenarios that explore different types of improvements in various roadways such as U.S. 101, SR 154, SR 156, SR 25, Bloomfield Avenue, and Santa Teresa Boulevard. Each scenario presented included the pros and cons as well as the total estimated cost to complete.

Member Kennedy referred to the Union Pacific Railroad area and noted that a developer named DMB Associates, Inc. purchased the property for a proposed new city (El Rancho San Benito). He inquired if DMB provided their presentation to VTA.

Mr. Ristow noted that DMB purchased 4,500 acres for a housing mix use development with a proposed 6,800 houses. Mr. Ristow stated that VTA is participating in the pre-planning activities and met with engineering and planning representatives to get information about their plans for roadway facilities in the area. Mr. Ristow added that DMB is proposing a contribution of approximately \$170 million to San Benito Council of Governments for transportation projects. Mr. Ristow stated that the proposal is subject to San Benito County residents' votes tentatively scheduled for November 2007.

Member Kennedy advised the Committee that he met with DMB and stated that DMB has a series of principles based on the numerous workshops they have held with the residents and adjacent communities. Mr. Ristow stated that in the workshops, DMB reviewed the economic, transportation, and environment issues related to the proposed project.

Member Kennedy noted that once the proposal is approved, it will have a major impact to the South County. He referred to the feasibility of a commuter rail that could connect to Caltrain and inquired about VTA's participation in that discussion. He noted that it will be in VTA's interest to advocate for a system that will tie into Caltrain.

Mr. Ristow responded that the Southern Gateway Study does not include those issues because those issues came up after the study was completed. Mr. Ristow added that DMB has not described any plans for the commuter rail. Mr. Ristow added that the study presented scenarios that need to be considered in the future; but noted that VTA cannot make a decision as to what San Benito County would like to do. Therefore, it is important to continue discussion with them.

Mr. Surani added that after the majority of the Southern Gateway Study was completed, VTA staff initiated the South County Circulation Study that examines the impacts of future major developments such as the DMB proposal to U.S. 101, SR 25, SR 152, and SR 156. The study will look at the current existing conditions as well as the future transportation needs for that area.

Mr. Ristow clarified that the Southern Gateway Study's intent is to look at major east-west and commute into Santa Clara County patterns. The South County Circulation Study will plug in the transportation model that will incorporate the new developments outside the County.

Upon inquiry of Member Kennedy, Mr. Ristow noted that rail was not included in the Southern Gateway study because there was not any formal plan. Salinas and Monterey County are considering extension of Caltrain but there are no formal plans as of yet. Mr. Evans stated that they have \$20 million of The State's Traffic Congestion Relief (TCRP) monies for that project but only expended \$1 million for that project. It is fairly

early in the planning process and there are issues that involve Union Pacific Railroad regarding the right of way. Jim Lawson, Government Affairs Manager, added that VTA continues to communicate with Salinas and Monterey County as well as their consultants. Mr. Lawson advised that information will be brought forward, as they become available, to apprise the Committee what kind of plans are being developed and how VTA's involvement would be.

Mr. Surani discussed the funding picture with information about available funding assumptions from Santa Clara and San Benito Counties. He also discussed the potential funding flow, noting that since the scenarios' cost range from under \$1 billion to nearly \$1.5 billion, it would take over 50 years to fund approximately \$1.2 billion in improvements.

The Implementation Approaches that the Study explored included phasing based on "pay as you go" and implementation dependent on public-private partnership. Mr. Surani briefly discussed the implementation approach for Scenarios 3 and 4.

Lastly, Mr. Surani noted the remaining issues that could be followed up in the future, including: 1) update land use assumptions due to possible newly proposed developments; 2) update trucks and good movement analysis; 3) investigate potential public-private partnership opportunities for funding and implementation of improvements; 4) consider shift of Interregional focus route status from SR 152 to SR 25 in order to be eligible for Interregional Transportation Improvement Program (ITIP) funding, and; 5) make a final determination on the location of Southern Gateway area east-west capacity improvements between US 101 and points east.

Upon inquiry of Member Kennedy, Mr. Surani explained that the source of the inter-regional improvement program is the 25 percent of the State Transportation Improvement Program (STIP) funds that goes to Caltrans. Statewide, Caltrans decides which areas should receive funding. Focus route is more interregional and connecting between major regional population. Mr. Evans stated that Caltrans has already identified and has a working document on the interregional road system throughout the State. SB 45 provided the funding source for the interregional roadway network, focusing on the rural areas throughout the state.

Mr. Surani stated that staff recommends closing the Southern Gateway Study with the remaining issues to be resolved in the future through follow up. He noted that there are numerous studies and efforts like the South County Circulation Study that addresses the remaining issues. Another effort is Caltrans District 5's re-run of the model with the scenarios from the Southern Gateway Study and new information. This effort will examine if the scenarios still hold true or if there are other alternatives. In addition, Caltrans is working on a project on SR 25 and VTA is doing some effort on the SR 25 and US 101 corridor also.

Mr. Evans advised that improvements discussed requires VTA to work with San Benito County and also deal with two different districts of Caltrans. Mr. Evans stressed the need for coordination of efforts.

Member Kennedy acknowledged the difficulty of having two Caltrans districts involved as evident in the SR 25 safety improvement project. Because the roadway was split in two districts, one has funding and the other does not.

Vice Chairperson Campos requested that the Southern Gateway Transportation and Land Use Study presentation be included in the May 4, 2006 Regular Board of Directors Meeting packet.

**On order of Vice Chairperson Campos**, there being no objection, the Committee of the Whole reviewed the Southern Gateway Transportation and Land Use Study.

**10. Memorandum of Understanding with the Council of San Benito County Governments**

Mr. Ristow stated that the Memorandum of Understanding (MOU) between VTA and the Council of San Benito County Governments (COG) would formalize the continuing dialogue between two parties. This MOU will commit VTA to have regular meetings with the COG and continue to study transportation solutions.

Member Kennedy suggested attaching the copy of the Southern Gateway Transportation and Land Use Study presentation with this item to provide background.

**On order of Vice Chairperson Campos**, there being no objection, the Committee of the Whole approved submitting a recommendation to the Board of Directors to authorize the General Manager to execute Memorandum of Understanding with the Council of San Benito County Governments regarding cooperation on development of transportation solutions for Santa Clara and San Benito Counties.

**11. Programmed Projects Quarterly Monitoring Report for January to March 2006**

Marcella Rensi, Transportation Planning Manager, provided an overview of planning process and the programming and project delivery process. Ms. Rensi reviewed the major funding sources, including: 1) STIP; 2) Surface Transportation Program (STP); 3) Congestion Mitigation & Air Quality (CMAQ); 4) Transportation Enhancements (TE), and; 5) Job Access and Reverse Commute (JARC).

Ms. Rensi briefly discussed the programming, obligation, and project delivery processes. She also discussed the steps involved within each process. Programming means that the VTA Board ties grant funds to specific projects for a specific scope on a specific schedule. Obligation means that the project sponsor (municipalities or County) would secure permission from Federal Highways to start spending the grant money. Lastly, Project Delivery is where the project sponsors will build the project, collect the grant money, and close out the project.

Ms. Rensi stated that as a Congestion Management Agency (CMA), VTA is not only responsible for programming funds, but also responsible for monitoring and managing the program and projects. The project sponsors are required to report to VTA on a quarterly basis. VTA staff monitors project status, assists project sponsors when needed, and updates the Quarterly Project Monitoring Report to ensure that deadlines are met.

Mr. Ristow stated that the Report has a project summary sheet that identifies projects with funds expiring and classifies projects in three categories: 1) red – projects at risk of losing funds due to delivery difficulties; 2) yellow – projects may need extra attention or will risk running into difficulties, and; 3) green – projects is progressing smoothly. The other part of the Report lists all the programmed projects.

Vice Chairperson Campos requested that the Board of Directors receive the presentation on the Programming and Project Delivery Process at its May 4, 2006 Regular Meeting.

Upon inquiry of Vice Chairperson Campos, Mr. Ristow stated that it is an on-going challenge to improve and streamline the whole Caltrans local assistance federal process. Earlier on the process, local assistance staff came to VTA to conduct a walk-through and workshops on how to fill out the forms.

**On order of Vice Chairperson Campos**, there being no objection, the Committee of the Whole received a presentation on the Programming and Project Delivery Process and reviewed the Programmed Projects Quarterly Monitoring Report for January to March 2006.

**12. Board Incentive Program to Utilize VTA Services**

**On order of Vice Chairperson Campos**, there being no objection, the Committee of the Whole deferred the consideration of Board Incentive Program to Utilize VTA Services.

**OTHER ITEMS**

**13. Items of Concern and Referral to Administration**

There were no Items of Concern and Referral to Administration.

**14. Committee Work Plan**

**On order of Vice Chairperson Campos**, there being no objection, the Committee of the Whole reviewed the Committee Work Plan.

**15. Committee Staff Report**

There was no Committee Staff Report.

16. **Chairperson's Report**

There was no Chairperson's Report.

17. **Determine Consent Agenda for May 4, 2006 Board of Directors Meeting**

**CONSENT:** **Agenda Item 6.**, Approve the programming of FY 2007 Transportation Fund for Clean Air Program Manager (TFCA 40%) funds; **Agenda Item 7.**, Approve an increase of \$282,000 in the Bicycle Expenditure Program 1996 Measure B allocation for the River Oaks Bicycle and Pedestrian Bridge for a total allocation of \$1.92 million from the 1996 Measure B Bicycle Account; and **Agenda Item #10.**, Authorize the General Manager to execute Memorandum of Understanding with the Council of San Benito County Governments regarding cooperation on development of transportation solutions for Santa Clara and San Benito Counties.

**REGULAR:** None

18. **Announcements**

There were no Announcements.

19. **ADJOURNMENT**

**On order of Vice Chairperson Campos**, there being no objection, the meeting was adjourned at 11:54 a.m.

Respectfully submitted,

Elaine F. Baltao, Board Assistant  
VTA Board of Directors