



CONGESTION MANAGEMENT PROGRAM & PLANNING COMMITTEE

Thursday, May 23, 2007

MINUTES

1. CALL TO ORDER

The Regular Meeting of the Congestion Management Program & Planning Committee (CMPP) was called to order at 10:35 a.m. by Vice Chairperson Campos in Room 1572, 200 E Santa Clara Street, San Jose, California.

ROLL CALL

Members Present

Nora Campos
Sam Liccardo

Alternates Present

None

Members Absent

Liz Kniss, Chairperson
Laura Macias

Alternates Absent

Pete McHugh
Dominic Caserta
Judy Chirco

* 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.

3. ORDERS OF THE DAY

There were no Orders of the Day.

CONSENT AGENDA

4. Minutes of February 15, 2007

On order of Vice Chairperson Campos, there being no objection, the Committee of the Whole deferred the Minutes of February 15, 2007.

5. Minutes of April 19, 2007

On order of Vice Chairperson Campos, there being no objection, the Committee of the Whole deferred the Minutes of April 19, 2007.

6. Monthly Legislative History Matrix

Jim Lawson, Government Affairs Manager, reported that the four VTA sponsored bills met the April 27, 2007 deadline and are now ready to go to its respective houses. AB 574 (Torrico) for High Occupancy Toll (HOT) Lanes and AB 1492 (Laird) for Yield-to-Bus Program were both approved by the Assembly Transportation Committee. The Senate Transportation and Housing Committee approved SB 184 (Alquist) for State Transportation Improvement Program (STIP) Pre-Award Authority and SB 264 (Alquist) VTA Sales Tax Authority.

The other bills that are of interest to VTA that relate to Proposition 1B are the following: AB 1351 (Levine); SB 748 (Corbett), SB 872 (Ackerman), AB 901 (Nunez), SB 716 (Perata), AB 1350 (Nunez), and SB 45 (Perata).

Upon inquiry of Member Liccardo, Mr. Lawson responded that the legislation authorized two HOT Lanes Projects. Carolyn Gonot, Chief Development Officer, added the legislation did not designate a particular corridor for HOT Lanes. However, VTA is currently studying the 85/101 corridor as a candidate for HOT Lanes.

Vice Chairperson Campos referred to bills regarding which state agency would oversee the allocation of the \$3.6 billion in Proposition 1B revenues. She stated that there is consensus at the California League of Cities to lobby for funds to go directly to local cities instead of a middle agency such as the California Transportation Commission (CTC) or Caltrans. She stated that this issue should be monitored carefully.

Upon inquiry of Vice Chairperson Campos, Mr. Burns responded that it is more advantageous for VTA if the transit dollars were distributed or allocated based on a formula rather than by a discretionary basis.

On order of Vice Chairperson Campos, there being no objection, the Committee of the Whole reviewed the Monthly Legislative History Matrix.

7. **Proactive CMP Reviewed and Approved Projects Quarterly Status Report**

Member Liccardo referred to Page 16 – Horizon Residential, and inquired about the potential conflict of the project with the Silicon Valley Rapid Transit (SVRT) project. Ms. Gonot noted that the conflict involves the construction staging area for the ventilation structure of the SVRT Downtown Station. Ms. Gonot stated that she will provide more information offline.

On order of Vice Chairperson Campos, there being no objection, the Committee of the Whole reviewed the Proactive CMP Reviewed and Approved Projects Quarterly Status Report January through March 2007.

REGULAR AGENDA

8. **FY 2008 Transportation Development Act Article 3 Project Priorities**

Marcella Rensi, Transportation Planning Manager, provided a brief overview, noting that Attachment A – 2007/08 TDA Article 3 Requests by Jurisdiction, illustrates the projects, sponsors, and the grant requests under this program. The “guarantee” column represents the 70 percent funds that cities have discretion over. VTA’s responsibility is to ensure that the projects are eligible and submit the projects to the Metropolitan Transportation Commission (MTC). Tier 1 Projects originate from the Bicycle Expenditure Program, which the Board approved as part of the Valley Transportation Plan (VTP) 2030. Ms. Rensi stated that cities could opt to bank their funds for up to three years if their project is not yet ready or if they are preparing for a larger project.

Vice Chairperson Campos asked what happens to funds if cities fail to use their banked funds after three years. Ms. Rensi responded that after three years, the funds revert back to the pot for allocation.

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 project priorities for the FY 2008 Countywide Transportation Development Act (TDA) Article 3 program.

9. **North San Jose Deficiency Plan Approval**

Ms. Gonot stated that the Congestion Management Agency (CMA) statutes require Member Agencies to develop a deficiency plan if their facilities do not meet the Level of Service (LOS) requirements. She introduced Chris Augenstein, Transportation Planning Manager.

Mr. Augenstein stated that the North San Jose Deficiency Plan was developed using the VTA Requirements for Deficiency Plans. He added that this was a collaborative effort between the City of San Jose and VTA. The plan identified approximately \$519 million

worth of improvements, including the \$456 million for roadway improvements and \$62 million for transit, bicycle, and pedestrian improvements. He added that there is a monitoring program and that the plan must be updated every three years. Mr. Augenstein stated that the VTA Board of Directors must approve or deny the plan in its entirety and cannot make changes to the plan.

Member Liccardo asked if gas tax monies will be withheld if the deficiency plan is not implemented. Mr. Augenstein responded that gas taxes would not be withheld since a deficiency plan is already created, which will mitigate some of the problematic intersections.

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 City of San Jose North San Jose Deficiency Plan.

10. Local Program Reserve Programming

Ms. Gonot stated that the Board previously programmed \$57.54 million in 2006 State Transportation Improvement Program (STIP) Augmentation funds to the Capitol Expressway Light Rail extension in exchange for the same amount of 2000 Measure A funds. At the same time, the Board programmed the Local Program Reserve (LPR) exchange funds to projects. As a result of CTC's final selection of projects for the Corridor Mobility Improvement Account (CMIA), VTA will need to revise the programming of LPR to provide funding for the project development phases of the CMIA projects selected by the CTC. Ms. Gonot stated that Table 1: Local Program Reserve – 2000 Measure A Exchange on Page 3 of 4 of the staff reports notes the current and the proposed amount changes for each project.

Ms. Gonot discussed the proposed changes. She stated that the five highway projects noted on the table will be moved to the next phase. The Existing STIP projects remains unchanged. Under the VTP 2030 Programs, the Highway Project Development and un-programmed LPR were moved to the highway projects. The Local Streets and County roads amount remained unchanged.

Ms. Gonot advised that this item will allow the Board to provide direction on expenditures. She added that the consultant contracts involved in these projects are scheduled for award by the June 2007 Board of Directors Regular Meeting. The budget authorization is incorporated in the biennial budget.

Member Liccardo expressed appreciation to VTA staff for being creative in moving monies to ensure that projects are built and monies are not lost. He inquired if there are legal issues involved in exchanging monies. Suzanne Gifford, General Counsel, responded that since the funds were exchanged, there are no adverse legal implications. Mr. Burns added that other agencies within the State such as MTC also shift funds to ensure completion of projects.

Member Liccardo referred to the I-280/880 Interchange and inquired about the funding strategy for the project. Ms. Gonot stated that VTA is considering phasing the project and using federal dollars and the next STIP cycle. The improvements for this project are mostly ramp improvements.

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 Local Program Reserve (LPR) funds to projects.

11. Draft 2006 Monitoring and Conformance Report and Conformance Findings

Adam Burger, Transportation Planner II, noted that according to State statutes, VTA as a CMA is required to determine annually whether Member Agencies are conforming to adopted CMP standards. Mr. Burger briefly discussed the methodology, level of service, and findings for freeways, expressways, rural highways, CMP intersections. He also noted that part of the report is analysis of the land use and bicycle and pedestrian data. He reported that the analysis showed that all of the CMP intersections and rural highways are in conformance, there is a slight increase in freeway congestion, and every Member Agency has provided land use data and traffic impact analysis to VTA.

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 Draft 2006 Monitoring and Conformance Report and Conformance Findings.

OTHER ITEMS

12. Recommended Biennial Budget for Fiscal Years 2008 and 2009

Carol Lawson, Fiscal Resources Manager, provided a brief overview of the Biennial Budget, highlighting the following: 1) the budget was discussed at a Board Workshop; 2) VTA conducted five community meetings regarding the budget; 3) Four of the five Advisory Committees endorsed the budget and fifth Advisory Committee did not endorse due to a lack of quorum; 4) the budget was presented to the Transit Planning and Operations (TP&O) and Administration and Finance (A&F) Committees; and 5) budget questions and answers will be addressed on the upcoming Board Memo for the June 7, 2007 Board of Directors meeting packet.

Ms. Lawson referred to the hand-out entitled, "Proposed Adjustments to Recommended Biennial Budget as of May 18, 2007" and discussed the proposed changes since the original publication of the budget. She discussed the changes on VTA Transit, VTA Highway, 1996 Measure B, Appropriations, Capital Program, Comparison of Revenues and Expenses, Member Agency Fees Assessments, and sources and uses of funds summary.

On order of Vice Chairperson Campos, there being no objection, the Committee of the Whole reviewed the Recommended Biennial Budget for Fiscal Years 2008 and 2009.

13. Valley Transportation Plan (VTP) 2030 Update

Mr. Augenstein distributed a hand-out entitled "VTP 2030." Mr. Augenstein clarified that although the VTA provides planning framework, outlines projects, and identifies sources of funding, it does not set priorities or implementation schedules. VTP 2030 feeds into the MTC's Regional Transportation Plan (RTP) and is updated every three to four years to correspond with RTP updates.

Mr. Augenstein provided an update on the RTP highlighting new issues including Global Warming and Air Quality, Vision, and Focus. He discussed the RTP schedule, steps involved in development of the 2009 RTP vision, and the 2009 RTP plan process. He also briefly discussed the schedule for VTP 2030 update, highlighting that VTP 2035 is slated for Board approval by December 2008. Mr. Augenstein advised that staff will forward to the Committee updates on VTP 2030 and RTP within the next 12-18 months.

Vice Chairperson Campos expressed concern regarding the timeframe and key players in developing the vision of the RTP as well as the community outreach efforts involved in the process. She noted the importance of getting buy-in from the community earlier in the process. Mr. Augenstein noted that most CMA Directors would recommend policy and process changes and move toward a more logical process. On VTP 2030, Mr. Augenstein stated that it will be a very open process to ensure that the public can weigh in on the plan.

Member Liccardo stated that staff should continuously remind the Board of Directors that the VTA's focus is improving transit. Vice Chairperson Campos noted that there should be emphasis in vision and goals when making presentations.

On order of Vice Chairperson Campos, there being no objection, the Committee of the Whole reviewed the Valley Transportation Plan (VTP) 2030 Update.

14. Items of Concern and Referral to Administration

There were no Items of Concern and Referral to Administration.

15. Committee Work Plan

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

16. Committee Staff Report

There was no Committee Staff Report.

17. Chairperson's Report

Vice Chairperson Campos invited the Committee and VTA staff to attend the California League of Cities' meeting that will take place at the Hilton Hotel in San Jose on June 28, 2007.

18. Consent Agenda for the June 7, 2007 Board of Directors Meeting

CONSENT: Agenda Item #7., Review the Proactive CMP Reviewed and Approved Projects Quarterly Status Report January through March 2007. **Agenda Item #8.,** Approve project priorities for the FY 2008 Countywide Transportation Development Act (TDA) Article 3 program. **Agenda Item #10.,** Approve the programming of Local Program Reserve (LPR) funds to projects. **Agenda Item #11.,** Approve the Draft 2006 Monitoring and Conformance Report and Conformance Findings.

REGULAR: Agenda Item # 9., Approve the City of San Jose North San Jose Deficiency Plan.

19. Announcements

There were no announcements.

20. ADJOURNMENT

On order of Vice Chairperson Campos, there being no objection, the meeting was adjourned at 11:48 a.m.

Respectfully submitted,

Elaine F. Baltao, Board Assistant
VTA Board of Directors