

CONGESTION MANAGEMENT PROGRAM & PLANNING COMMITTEE

Thursday, October 18, 2007

MINUTES

1. CALL TO ORDER

The Regular Meeting of the Congestion Management Program & Planning Committee (CMPP) was called to order at 10:34 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
Sam Liccardo

Members Absent

Liz Kniss, Chairperson
Laura Macias

Alternates Present

None

Alternates Absent

Dominic Caserta
Kansen Chu
Pete McHugh

* Alternates do not serve unless participating as a Member.

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

The Agenda was taken out of order.

3. ORDERS OF THE DAY

Vice Chairperson Campos moved **Agenda Item # 7.**, Review the Joint Development Program – Update of West San Carlos Property Joint Venture to the beginning of the Agenda.

The Committee of the Whole accepted the Orders of the Day.

OTHER ITEMS

7. **Joint Development Program - Update of West San Carlos Property Joint Venture**

John Ristow, Chief CMA Officer and Staff Liaison, introduced, Chris Augenstein, Transportation Planning Manager.

Mr. Augenstein provided a brief background noting that the West San Carlos Joint Venture is one of the first two VTA projects under its Joint Development Program. He noted that in the Spring 2007, the Board approved an Exclusive Negotiations Agreement (ENA) with Selected Developers Green Valley Corporation and Republic Urban Properties West. He stated that VTA is working collaboratively with the selected developers and most of the key deliverables, task, and milestones outlined in the ENA are completed. However, the developers need to explore further design alternatives for economic viability due to the recent significant changes in the real estate market. As a result, VTA granted the developer a 60-day extension of the ENA to address the design component of the project.

Mr. Augenstein noted that after approval of the Disposition and Development Agreement (DDA), the developer will move forward for the approval process in the City of San Jose. Mr. Augenstein stated that VTA will also be involved in this process.

Mr. Augenstein stated that this is an important project not only because it is a Joint Venture but also because it delivers a high quality project that achieves the goals of the Transit Oriented Development. Furthermore, this project will add something valuable to the community. He noted that the developer is aiming to build a development that is economically viable that could be a model for future projects. Mr. Augenstein stated that staff will be seeking direction from the Committee as to how to proceed with keeping the Board fully apprised of the whole process. He introduced Mr. Van Every, representative from the selected developer.

Mr. Van Every noted that the Venture is called Green Republic and is composed of Green Valley, Barry Swenson, and Republic Urban Properties LLC. Mr. Van Every stated that this Venture has a local flavor and has an excellent working relationship with VTA staff. He noted that this project entails a very interactive process. He referred to the design component of the project and noted that the Venture selected Steinberg Architects, a local firm, out of three architect firms that provided design alternatives.

Member Liccardo took his seat at 10:38 p.m.

Mr. Van Every stated that the Venture will soon engage in the City of San Jose Planning process. In addition to the City of San Jose guidelines, they will also be following the Transit Oriented Development guidelines and procedures. He reported that they are meeting with City of San Jose staff including Lee Butler, Susan Walsh, and Jeannie Hamilton on an on-going basis to obtain their input. He stated that the next steps include finalizing the DDA terms and condition, conceptual plans, environmental impact report, and community outreach. He introduced Yvonne Raysack, Community Outreach Coordinator. He also introduced other members of the Team.

Ms. Raysack stated that the Venture understands that the VTA Board sees community outreach as an important component of the project. Over the past months, they have been compiling opinions of interested parties including leaders, homeowners groups, merchant groups, neighborhood, and other stakeholders. She reported that by next week, they will begin the community ascertainment to find out what the residents view as enhancements

as it relates to the development and the community. The results will be shared with development team to incorporate as many suggested enhancements as possible.

Vice Chairperson Campos suggested that the Board be provided with the details of the community outreach plans and allow the Board the opportunity to provide input. She noted that it would be beneficial for the full Board to be apprised of the project development prior to the DDA. She stated that this is a very big project and a better engaged and well informed Board will help the project run more smoothly. She suggested providing the presentation at the November 2007 Board Meeting.

On order of Vice Chairperson Campos, there being no objection, the Committee of the Whole reviewed the Joint Development Program – Update of West San Carlos Property Joint Venture.

2. PUBLIC PRESENTATIONS

There were no Public Presentations.

CONSENT AGENDA

4. Minutes of August 16, 2007

On order of Vice Chairperson Campos, there being no objection, the Committee of the Whole deferred the Minutes of August 16, 2007.

5. Monthly Legislative History Matrix

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

REGULAR AGENDA

6. Amendment to the Countywide Bicycle Expenditure Plan for the Mary Avenue Bicycle and Pedestrian Bridge

John Ristow, Chief CMA and Staff Liaison, stated that this item requests additional funding for the City of Cupertino's Mary Avenue Bicycle and Pedestrian Bridge Project, which is contained in VTA's Bicycle Expenditure Program (BEP). He noted that the project proposes to build a bridge over I-280 that will connect the Cities of Sunnyvale and Cupertino. He introduced City of Cupertino staff Ralph Qualls, Public Works Director and Glen Goepfert, Public Works Assistant Director.

Mr. Qualls provided a PowerPoint Presentation entitled, "Mary Avenue Bicycle Footbridge," and noted that this is a ten-year project that is greatly supported by the community, region, stakeholders, and Caltrans. He added that this is a regional project that connects the trails from both sides of I-280 and generates a huge population of bicyclists and pedestrians.

Mr. Qualls provided a brief background noting that the City of Cupertino recently received construction bids for the original concrete design bridge and the lowest bid was twice the consultant engineer's estimate. As a result of the high bids, these bids were rejected.

After the rejection of bids, the City of Cupertino hired the Structural Engineering Northeast Division of HNTB and Leslie Robertson Associates. The project was redesigned from concrete to a steel bridge structure, which will approximately reduce cost by \$2 million. Mr. Qualls presented visuals of the bridge, noting that the design is similar to concrete, except that the material to be used is steel. Mr. Qualls stated that the steel bridge alternative design is more pleasing, lighter, much simpler, better quality, and easier to construct.

Mr. Qualls reported that the alternative steel design has garnered support from Caltrans as well. In fact, Caltrans expedited their reviews of the project. Mr. Qualls further reported that the Cupertino City Council unanimously supported the project and authorized advance funding to support the bid.

Mr. Qualls reviewed the Project Cost Estimates for the steel bridge, the cost comparison for the concrete and the alternative steel bridge design, and budget augmentation required to fund the steel bridge.

Mr. Qualls noted that the proposal is for VTA and the City of Cupertino to equally share \$3.35 million to generate the additional \$6.7 million needed to construct the project. Mr. Qualls reviewed the proposed cost allocation, noting that the Cupertino City Council already approved the \$3.35 million augmentation from its general fund and the City of Sunnyvale is contributing \$190,000. Total project funding is \$17,453,000. He reviewed the schedule, highlighting that if successful in obtaining additional funding from VTA, the City of Cupertino will open bids and award the contract in November 2007 for a final completion target date of March 2009.

Mr. Ristow stated that the Mary Avenue Footbridge project is significant and has significant costs as well. He stated that the project is supported by staff because it provides a key connection to the western part of Santa Clara County and provides multiple travel options. He stated that the VTA Board needs difficult series of steps in order to provide the additional funding request, which includes:

- Waive the policy on limitations of cost increases for this particular project;
- Increase the BEP allocation for the project using future BEP grant funds that VTA expects to have within 12-18 months. This may impact future projects, but currently, there are no known projects that will be impacted because none of the projects listed in the BEP are ready for funding.
- Loan from the Congestion Management Program Local Program Reserve (LPR) funds to fund the construction of the project;

- Commit to program an equivalent amount of future BEP funds to repay the LPR funds.

Vice Chairperson Campos inquired about the impacts to the project, if the VTA Board does not approve the requested fund augmentation. Mr. Qualls stated that if the VTA Board decision is delayed, it will create an uncertainty in the City of Cupertino.

Vice Chairperson Campos suggested that to prevent any delay, staff should prepare relevant information that could help the VTA Board make a decision including whether there are projects in the pipeline that could be negatively impacted.

Member Liccardo inquired about the rationale for the significant project cost escalation since it was originally proposed. He expressed concern about the high costs and inquired if VTA could seek federal dollars to fund the project.

Mr. Goepfert responded that the original project changed not only because of the change in structure but also because of the incorporation of suggested amenities. These amenities such as safety features, landscaping, security, and park features were obtained from the community outreach that was included earlier in the project process. Mr. Qualls added that there are many documented reasons why the evolution of the project resulted in increased costs. There are also other factors that contributed to the significant escalation such as higher construction costs and materials, additional requirements of Caltrans, and the consultant's estimate for the original design was too low.

Michael T. Burns, General Manager, referred to Member Liccardo's comment about possibility for federal funding, and responded that seeking federal dollars at this point of the project will only cause further delay. He referred to the concern about the high costs and commented that there is a much smaller pedestrian bridge that crosses Monterey Road that costs about \$10 million.

Mr. Qualls referred to the costs and stated that this bridge has a wider span. It is 325 feet from tower to tower and total width is almost 440 feet.

Mr. Ristow reported that the Bicycle and Pedestrian Advisory Committee (BPAC) and the Technical Advisory Committee (TAC) reviewed this item. The BPAC endorsed the staff recommendation and TAC voted 8-2 in favor of staff recommendation. The opposition in TAC was similar to the questions that were raised at today's meeting.

Mr. Qualls noted the attendance of Joe Walton, BPAC Member and City of Cupertino BPAC Member, at the CMPP meeting. Mr. Qualls noted that Mr. Walton has been supporting the project for many years.

Jerry Grace, Interested Citizen, expressed support for the bridge and noted that it was a good report. He noted that safety is an important issue. He reported a tragic event that killed San Mateo Police Chief's son because he was not wearing a helmet while skateboarding.

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 following : 1) Waive the Bicycle Expenditure Program policy on limitations of cost increases for the Mary Avenue Bicycle and Pedestrian Bridge Project; 2) Increase the Bicycle Expenditure Plan allocation for the Mary Avenue Bicycle and Pedestrian Bridge by \$3.35 million for a total of \$10.35 million; 3) Program \$3.35 million in Congestion Management Program Local Program Reserve funds to the construction of the Mary Avenue Bicycle and Pedestrian Bridge; and 4) Commit to program an equivalent amount of future Bicycle Expenditure Plan funds to repay the Local Program Reserve fund, as the future grant funds becomes available for programming.

OTHER ITEMS (continued)

8. Signal Systems in Santa Clara County - An Update on Ramp Metering, Traffic Signals, and Transit Signal Priority

John Ristow, Chief CMA and Staff Liaison, stated that this item is in response to a referral from a previous CMPP meeting. The presentation will include VTA's role in signal operations and how these signals operate. He introduced Casey Emoto, Transportation Engineering Manager.

Mr. Emoto provided a presentation that highlights VTA's role in Signal Operations. He noted that the TAC has a working group called Systems Operations and Management Group that deals with the technical issues of the signal operations on the regional level. He added that Valley Transportation Plan (VTP) 2030 identifies \$28 million for Transportation Systems Operation and Management Program.

Mr. Emoto discussed the signal operations on freeways noting that Santa Clara County has the most ramp meters in any county in the Bay Area. Caltrans' two next priority corridors proposed for ramp metering system to turn on in 2008 are I-880 South between SR 237 and US 101 and US 101 South between Embarcadero and Dela Cruz. He also discussed other ramp metering activities that are underway in Metropolitan Transportation Commission (MTC), Santa Clara County, and VTA Systems Operations and Management Working Group levels.

Mr. Emoto stated that Caltrans and the MTC highway congestion monitoring report for 2006 noted that freeway congestion increased for the third year in a row in the Bay Area. For the second year, none of the routes in Santa Clara County were in the top ten list. Mr. Emoto commented that the ramp delays were not being accounted for in the report.

Michael T. Burns, General Manager, stated that this monitoring report adversely impacted VTA for its chance for funding from the Infrastructure Bond Program where main line congestion in freeways was the focus for prioritizing projects.

Mr. Emoto discussed the signal operations in local roadways noting the efforts that aim to improve local traffic flow and the benefits of signal timing. He also discussed the

challenges on operating and maintaining signal operations on the local roadways including finding funding for signal timing and the use of older signal technologies.

Mr. Emoto presented the Transit Signal Priority (TSP) for bus and light rail and noted that the VTA Rapid 522 had bus signal priority (BSP) since its opening in July 2005 and the light rail since its opening in 1987. He briefly summarized the benefits of the BSP, noting that faster service is preferred by riders. Mr. Emoto informed the Committee about the partnership of VTA with Caltrans (Signal Maintainer) and the local agencies. He noted the ongoing and future bus signal priority projects that include testing of newer technologies.

Member Liccardo referred to the funding formula noted by staff and inquired if there is possibility that the formula could be changed to consider the total freeway congestion, including ramp delays. Mr. Emoto responded that VTA funding match has already been forwarded to MTC.

Jerry Grace, Interested Citizen inquired if VTA staff will attend the MTC/Association of Bay Area Government Summit. Mr. Grace suggested that VTA include the signal systems in the long-range plan of MTC.

On order of Vice Chairperson Campos, there being no objection, the Committee of the Whole reviewed the Signal Systems in Santa Clara County – An Update on Ramp Metering, Traffic Signals, and Transit Signal Priority.

9. Items of Concern and Referral to Administration

There were no Items of Concern and Referral to Administration.

10. Committee Work Plan

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

11. Committee Staff Report

John Ristow, Chief CMA and Staff Liaison, reported the following: 1) MTC approval of the Regional Rail Plan on September 26, 2007, which establishes a vision for the future rail system in the Bay Area; 2) MTC Planning Committee approval of a series of recommendations including establishing the Pacheco Pass as the preferred main route for High Speed Rail between Northern and Southern California; 3) The California High Speed Rail Authority is scheduled to consider approval of the environmental document for the Bay Area to Central Valley Route on November 14, 2007; 4) The freeway litter control six-month pilot project for US 101 commenced on October 1, 2007; and 5) The VTA Board of Directors Workshop Meeting on the VTP 2035/Regional Transportation Plan will be held on October 19, 2007, and the MTC RTP Summit will be held on October 26, 2007.

On order of Vice Chairperson Campos, there being no objection, the Committee of the Whole received the Committee Staff Report.

12. Chairperson's Report

Vice Chairperson Campos reported that that the City of San Jose established a Litter Hotline.

13. Determine Consent Agenda for November 1, 2007 Board of Directors Meeting

CONSENT: None

REGULAR: Agenda Item #6., Recommend that the VTA Board of Directors approve the following: 1) Waive the Bicycle Expenditure Program policy on limitations of cost increases for the Mary Avenue Bicycle and Pedestrian Bridge Project; 2) Increase the Bicycle Expenditure Plan allocation for the Mary Avenue Bicycle and Pedestrian Bridge by \$3.35 million for a total of \$10.35 million; 3) Program \$3.35 million in Congestion Management Program Local Program Reserve funds to the construction of the Mary Avenue Bicycle and Pedestrian Bridge; and 4) Commit to program an equivalent amount of future Bicycle Expenditure Plan funds to repay the Local Program Reserve fund, as the future grant funds becomes available for programming.

14. Announcements

Michael T. Burns, General Manager, announced the promotion of John Ristow to Chief Congestion Management Agency (CMA) Officer.

15. ADJOURNMENT

On order of Vice Chairperson Campos, there being no objection, the meeting was adjourned at 11:50 a.m.

Respectfully submitted,

Elaine F. Baltao, Board Assistant
VTA Board of Directors