

Congestion Management Program & Planning Committee

Thursday, February 18, 2010

MINUTES

CALL TO ORDER

The Regular Meeting of the Congestion Management Program & Planning Committee (CMPP) was called to order at 10:04 a.m. by Chairperson Pyle in Conference Room B-104, Valley Transportation Authority, River Oaks Campus, 3331 North First Street, San Jose, California.

1. ROLL CALL

Attendee Name	Title	Status
Rose Herrera	Member	Present
Chris Moylan	Member	Present
Chuck Page	Member	Present
Nancy Pyle	Chairperson	Present
Nora Campos	Alternate Member	N/A
Jamie Matthews	Alternate Member	N/A

A quorum was present.

2. PUBLIC PRESENTATIONS

There were no Public Presentations.

3. ORDERS OF THE DAY

John Ristow, Staff Liaison, recommended changing the order of **Item #10**, Approve the use of up to \$1,000,000 in Local Program Reserve funding for the Project Readiness Initiative; and authorize the General Manager to execute funding agreements with Member Agencies, as necessary to implement the Program; and **Item #11**, Adopt the “Block Grant” program structure for programming future Federal flexible funds through the Congestion Management Agency.

M/S/C (Herrera/Pyle) to accept the Orders of the Day.

CONSENT AGENDA

4. Minutes of October 15, 2009.

M/S/C (Herrera/Pyle) to approve the Minutes of October 15, 2009.

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

5. **Minutes of November 19, 2009.**

M/S/C (Herrera/Pyle) to approve the Minutes of November 19, 2009.

6. **Minutes of January 21, 2010.**

M/S/C (Herrera/Pyle) to approve the Minutes of January 21, 2010.

REGULAR AGENDA

7. **Election of the Committee Vice Chairperson for Calendar Year 2010**

M/S/C (Pyle/Herrera) to elect Chuck Page as the Congestion Management Program and Planning (CMPP) Committee's Vice Chairperson for Calendar Year 2010.

8. **2010 Congestion Management Program and Planning (CMPP) Committee Meeting Schedule**

M/S/C (Herrera/Pyle) to approve the 2010 Congestion Management Program and Planning (CMPP) Committee Meeting Schedule.

Member Moylan took his seat at 10:15 a.m.

9. **Permanent Disposition Process and Declaration of Surplus Property**

Bijal Patel, Deputy Director of Property Development and Management, provided a report and PowerPoint slides on real estate properties owned by VTA that were identified as assets suitable for permanent disposition. Ms. Patel indicated the proposed assets are not necessary for planned projects and offer limited joint development potential. An evaluation on each property was done and other departments consulted to ensure assets could not be utilized for additional purposes.

Member Moylan expressed concern with selling property during a buyers' market. He requested calculations showing comparison of selling now versus selling next year be added to the information being presented. Ms. Patel indicated the numbers would be a part of the report when there is a deal available on specific properties.

Member Herrera stressed this action is only to list properties as surplus, which she fully supports. She questioned the estimated amounts expected to be gained from the sale of the assets, and indicated the need to look for ways to address immediate financial needs.

M/S/C (Herrera/Pyle) to approve submitting a recommendation to the Board to approve for permanent disposition and declare as "surplus property" in accordance with applicable law the following six real estate assets:

- A. Avenue A near Alum Rock (San Jose, CA)
- B. Communications Hill at Hwy 87 (San Jose, CA)
- C. Lawrence Expressway at Moorpark Park-n-Ride (San Jose, CA)
- D. Lean @ Herlong (San Jose, CA)
- E. North 1st & St. James (San Jose, CA)

F. Page Mill and El Camino Park-n-Ride (Palo Alto, CA)

The final disposition terms and conditions of the recommended assets will be brought to the Board for consideration and approval at such time that a transaction is proposed

11. Block Grant Program

Marcella Rensi, Transportation Planning Manager, provided a report on the Metropolitan Transportation Commission's adopted "Block Grant" program which will be used in an attempt to simplify the administration of three programs; Local Streets and Roads Rehabilitation and Reconstruction, Transportation for Livable Communities (TLC), and Regional Bicycle Program projects. As the Congestion Management Agency (CMA) for Santa Clara County, VTA is responsible for developing and administering the program.

Member Moylan noted there may be concerns raised with regard to the County share when the item is taken to the full Board.

Member Herrera questioned if the percentage of funds coming back to VTA could be used for jobs.

Michael T. Burns, General Manager, commented there is a shortfall in the CMA budget and those funds will be used for management of program activities.

M/S/C (Moylan/Herrera) to approve submitting a recommendation to the Board of Directors to adopt the "Block Grant" program structure for programming future Federal flexible funds through the Congestion Management Agency

10. Project Readiness Initiative

Marcella Rensi, Transportation Planning Manager, provided a brief report on the Project Readiness Initiative being proposed by VTA to assist Santa Clara County Jurisdictions with jump starting the project development readiness of local projects to become better prepared to compete for approximately \$1 billion in new federal discretionary funding for transportation programs.

Member Herrera indicated her full support for competing for federal funds and working to get projects ready.

Chairperson Pyle noted the development of projects will keep people employed.

Chairperson Moylan indicated this will help drive a culture change to always have projects ready.

Tammy Dhanota, SEIU 521 VTA Union Steward, commented the opportunity should be taken to look at using reserves to preserve jobs.

M/S/C (Herrera/Page) to approve submitting a recommendation to the Board of Directors to approve the use of up to \$1,000,000 in Local Program Reserve funding for the Project Readiness Initiative; and authorize the General Manager to execute funding agreements with Member Agencies, as necessary to implement the Program.

OTHER

12. California Statewide Local Streets and Roads Needs Assessment

John Ristow, Chief Development Officer and CMPP Staff Liaison, provided a brief report on the California Statewide Local Streets and Roads Needs Assessment noting the Technical Advisory Committee (TAC) requested staff to bring the item to the Board and Committees for consideration and support the efforts of sponsors to increase funding for local streets and roads for routine maintenance.

Member Herrera noted the report was compelling and she would like to see proposed legislative initiative that addresses how to take action.

Mr. Ristow indicated it fits within VTA's legislative program.

Member Herrera made a motion to approve the recommendation and that the portion of the VTA legislative program which advocates specific actions be presented to the State and other partners.

Member Page requested clarification of the "essential components" that the Study refers to.

Mr. Ristow indicated the essential components include lighting, signals, and overall image, not just the pavement.

M/S/C (Herrera/Page) to approve submitting a recommendation to the Board to accept the findings of the California Statewide Local Streets and Roads Needs Assessment and authorize the General Manager to provide advocacy support to the efforts of the sponsors of the Study, as appropriate, to increase funding for local streets and roads and additionally, the portion of the VTA legislative program which advocates specific actions be presented to the State and other partners.

13. Transportation System Monitoring Program (TSMP) Final Report

Eugene Maeda, Senior Transportation Planner, provided a report on the Transportation Monitoring Program which was introduced by the Technical Advisory Committee to study the issue of litter control and landscape maintenance along the freeways in Santa Clara County and provide a comprehensive report of the operations and maintenance needs of the transportation infrastructure. The program will provide a countywide mechanism for monitoring and the report can be used as basis for grant applications and can be used to advocate for additional regional funding.

Member Herrera questioned the costs associated with the study and if the information could be used to gain additional funding.

Member Moylan commented on the recommendation by the Technical Advisory Committee (TAC) to provide the report every 3 years, and questioned the effectiveness of the study being done yearly.

Member Page commented much of the findings are based on visual inspection and indicated there may be other ways to get this done if best practices are in place.

Chairperson Pyle indicated the information can be used to satisfy Governmental Accounting Standards Board (GASB) reporting as well and is another reason to do supply the report yearly.

Member Herrera requested staff look at prioritization and how to leverage the information to get funding to fix the problem.

M/S/C (Page/Herrera) to approve submitting a recommendation to the Board to accept the recommendations from the Transportation System Monitoring Program (TSMP) Final Report.

14. HMH Engineers Contract

Mark Robinson, Chief Construction Officer, provided a brief report and information on the Contract with HMH Engineers for the design of the US 101 Operational Improvement and the need to amend the existing contract to provide support during phase 1 construction and complete the final design of phase 2, which would make the phase eligible for American Recovery and Reinvestment (ARRA) funds.

Member Herrera expressed appreciation for the report and staff's efforts at Metropolitan Transportation Commission (MTC), and indicated any information on additional funds available through the Jobs for Mainstreet Bill would be beneficial.

Member Moylan indicated his approval, and stressed the need to control the amount of new residential housing in San Jose, to prevent the need to do this again in 10 years.

M/S/C (Herrera/Page) to approve submitting a recommendation to the Board to authorize the General Manager to complete the following:

- 1) Reallocate \$4,356,050 of Local Program Reserve (LPR) funds from phase 1 of the US 101 Operational Improvements Project (US 101/Tully Rd) to phase 2 of the US 101 Operational Improvements Project (US 101/Capitol Expressway and Yerba Buena Interchange Improvements).
- 2) Execute a contract amendment with HMH Engineers for: a) design support services during construction of phase 1, US 101/Tully Road Interchange, and b) final design of phase 2, US 101/Capitol Expressway and Yerba Buena Interchange Improvements. The HMH Engineers contract amendment will increase the approved contract by a not-to-exceed value of \$3,114,420 for a revised contract value up to \$9,114,420 and will extend the term of the contract through June 30, 2013.
- 3) Execute any necessary agreements with California Department of Transportation (Caltrans) for design, right-of-way, construction and landscaping of phase 2.

15. Proactive CMP Quarterly Report for October through December 2009

Rob Swierk, Senior Transportation Planner, provided an update on key development and transportation projects which were reviewed by VTA as part of the Development Review Program and Transportation Impact Analysis (TIA).

Member Herrera indicated there was support from residents in the Ohlone area who wanted to have access to light rail and other transit. She suggested VTA work with the City of San Jose to set up an assessment.

On order of Chairperson Pyle and there being no objection, a presentation on the Proactive CMP Quarterly Report for October-December 2009 was received.

16. Programmed Projects Quarterly Monitoring Report for October-December 2009.

John Ristow, Chief CMA Officer and Staff Liaison, provided a brief update on the Programmed Project Monitoring report, highlighting the progress of projects funded through programming actions of the VTA Board.

Chairperson Pyle noted there were no projects in danger of losing funds and she appreciated staff for working hard to make that happen.

On order of Chairperson Pyle and there being no objection, the Programmed Projects Quarterly Monitoring Report for October – December 2009 was received.

17. ABAG Socioeconomic Projections and Historical Data

Rob Swierk, Senior Transportation Planner, provided information on a spreadsheet tool developed by VTA using socioeconomic projects received from Association of Bay Area Governments (ABAG) which shows historical socioeconomic figures as well as future figures. The tool aids in presenting the information to Member Agencies and the public providing historical backing for future growth projections.

Chairperson Pyle noted the information will be beneficial for many efforts.

Member Herrera indicated the job growth information was most concerning.

On order of Chairperson Pyle and there being no objection, a report on the ABAG Socioeconomic Projections and Historical Data was received.

18. Items of Concern and Referral to Administration

There were no Items of Concern and Referral to Administration.

19. Committee Work Plan

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

20. Committee Staff Report

Mr. Ristow noted the written Committee Staff Report is available on the table and highlighted the \$1.2 billion received for the California High Speed Rail and new federal grants ready to be released.

On order of Chairperson Pyle and there being no objection, Committee Staff Report was received.

21. Chairperson's Report

Chairperson Pyle noted the appointment of the Chuck Page as the new Vice Chairperson for CMPP.

Member Moylan expressed concern with the communication between Chairperson Pyle and VTA staff with regard to RSVP's to the polling.

Mr. Ristow noted he will follow up on the issue to see where the breakdown occurred.

On order of Chairperson Pyle and there being no objection, the Chairperson's Report was received.

22. Determine Consent Agenda for March 4, 2010 Board of Directors Meeting

CONSENT:

Item #10 - Approve the use of up to \$1,000,000 in Local Program Reserve funding for the Project Readiness Initiative; and authorize the General Manager to execute funding agreements with Member Agencies, as necessary to implement the Program.

Item #11 - Adopt the "Block Grant" program structure for programming future Federal flexible funds through the Congestion Management Agency.

Item #12 - Accept the findings of the California Statewide Local Streets and Roads Needs Assessment and authorize the General Manager to provide advocacy support to the efforts of the sponsors of the Study, as appropriate, to increase funding for local streets and roads.

Item #13 - Accept the recommendations from the Transportation System Monitoring Program (TSMP) Final Report.

Item #14 - Authorize the General Manager to complete the following:

- 1) Reallocate \$4,356,050 of Local Program Reserve (LPR) funds from phase 1 of the US 101 Operational Improvements Project (US 101/Tully Rd) to phase 2 of the US 101 Operational Improvements Project (US 101/Capitol Expressway and Yerba Buena Interchange Improvements).
- 2) Execute a contract amendment with HMH Engineers for: a) design support services during construction of phase 1, US 101/Tully Road Interchange, and b) final design of phase 2, US 101/Capitol Expressway and Yerba Buena Interchange Improvements. The HMH Engineers contract amendment will increase the approved contract by a not-to-exceed value of \$3,114,420 for a revised contract value up to \$9,114,420 and will extend the term of the contract through June 30, 2013.
- 3) Execute any necessary agreements with California Department of Transportation (Caltrans) for design, right-of-way, construction and landscaping of phase 2.

Item #15 - Receive a presentation on the Proactive CMP Quarterly Report for October through December 2009.

Item #16 - Receive the Programmed Projects Quarterly Monitoring Report for October-December 2009.

REGULAR:

Item #9 - Approve for permanent disposition and declare as “surplus property” in accordance with applicable law the following six real estate assets:

- A. Avenue A near Alum Rock (San Jose, CA)
- B. Communications Hill at Hwy 87 (San Jose, CA)
- C. Lawrence Expressway at Moorpark Park-n-Ride (San Jose, CA)
- D. Lean @ Herlong (San Jose, CA)
- E. North 1st & St. James (San Jose, CA)
- F. Page Mill and El Camino Park-n-Ride (Palo Alto, CA)

The final disposition terms and conditions of the recommended assets will be brought to the Board for consideration and approval at such time that a transaction is proposed.

16. ANNOUNCEMENTS

Member Herrera announced the Amgen Tour of California will come through San Jose on May 20, 2010.

17. ADJOURNMENT

On order of Chairperson Pyle and there being no objection, the meeting was adjourned at 11:45 a.m.

Respectfully submitted,

Menominee L. McCarter, Board Assistant
Office of the Board Secretary