



TRANSIT PLANNING & OPERATIONS COMMITTEE

Thursday, February 15, 2006

MINUTES

1. CALL TO ORDER

The Regular Meeting of the Transit Planning and Operations (TP&O) Committee was called to order at 3:33 p.m. by Chairperson Sandoval in Conference Room B-104, Valley Transportation Authority, 3331 North First Street, San Jose, California.

ROLL CALL

Members Present

Dean Chu
Greg Perry
Dolores Sandoval, Chairperson

Members Absent

David Cortese

Alternates Present

None

Alternates Absent

Norman Kline
Jamie Matthews
Ken Yeager

*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.

4. PUBLIC PRESENTATIONS

Member Chu took his seat at 3:35 p.m. and a quorum was declared.

Jerry Grace, Interested Citizen, noted that he was unable to attend the last couple of TP&O Committee Meetings and expressed happiness in being able to attend today's Meeting.

2. ADJOURNED TO CLOSED SESSION at 3:37 p.m.

Conference with Labor Negotiators
[Government Code Section 54957.6]

Employee Organization:
Amalgamated Transit Union (ATU)

Agency Designated Representatives:
Matthew O. Tucker, Chief Operating Officer
Robert Escobar, Manager, Office of Employee Relations

RECONVENED TO OPEN SESSION at 3:55 p.m.

3. CLOSED SESSION REPORT

Conference with Labor Negotiators
[Government Code Section 54957.6]

Employee Organization:
Amalgamated Transit Union (ATU)

Agency Designated Representatives:
Matthew O. Tucker, Chief Operating Officer
Robert Escobar, Manager, Office of Employee Relations

There was no reportable action taken during Closed Session.

5. ORDERS OF THE DAY

Chairperson Sandoval requested that Agenda Item #14., Review the Fiscal Year (FY) 2006 Second Quarter Transit Operations Performance Report (July 1, 2005 – December 31, 2005) be heard after Agenda Item #15., Review the Monthly Ridership and Fare Revenue Performance.

On order of Chairperson Sandoval, there being no objection, the Committee accepted the Orders of the Day.

CONSENT AGENDA

6. **Minutes of December 15, 2005**

Chairperson Sandoval stated for the record that the Committee Members are going on blind faith in approving the Minutes of December 15, 2005, noting that the Committee Members were not in attendance.

Suzanne Gifford, General Counsel, noted that Robert's Rules of Order does not technically require that the Minutes be approved.

M/S/C (Perry/Chu) to approve the Minutes of December 15, 2005.

7. **Minutes of January 19, 2006**

M/S/C (Perry/Chu) to approve the Minutes of January 19, 2006.

8. **(Removed from the Consent Agenda and placed on the Regular Agenda.)**

Review the Monthly Legislative Report for January 2006.

REGULAR AGENDA

8. **Monthly Legislative Report for January 2006**

Kurt M. Evans, Government Affairs Manager, reported that Governor Arnold Schwarzenegger, in his State of the State Address in January 2006, unveiled a very large infrastructure bond proposal that talks about \$68 billion in general obligation bonds for various types of infrastructure to be spread out over five election cycles. The Governor also released his FY 2007 Budget in January 2006.

Mr. Evans directed attention to the chart attached to the Monthly Legislative Report for January 2006 entitled "Governor's Strategic Growth Plan: 10-Year Financing" and noted that the chart reflects how the \$222 billion would be allocated under the Strategic Growth Plan to the following types of infrastructure: 1) Transportation and Air Quality; 2) Public Schools and Universities; 3) Flood Control and Water Supply; 4) Public Safety; and 5) Courts and Other Public Services.

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

Mr. Evans directed attention to the chart entitled "Governor's Strategic Growth Plan: Election Year Proposals for General Obligation (G.O.) Bonds" that shows how the \$68 billion of general obligation bonds would be placed before the voters over the five

election cycles. He indicated that \$12 billion of the \$68 billion would go for transportation/air quality.

Mr. Evans directed attention to the matrix entitled “Governor’s Strategic Growth Plan: Transportation Infrastructure G.O. Bonds, \$12 Billion”, and noted that the matrix reflects how the proposed \$12 billion in general obligation bonds for transportation would be allocated. He indicated that the Governor’s proposal is State-driven, with very little input from local and regional agencies, and focuses on distributing the money to new programs where the projects would be determined at the State level.

Mr. Evans reported that there are now two vastly different proposals on the table for general obligation bonds. He indicated that SB 1024 (Perata) – Infrastructure Bond Measure, is a one-time bond measure, most of which would go for transportation and much of the funding would be allocated to augment existing programs.

Mr. Evans reported that in terms of the budget, the Governor is proposing to fully fund Proposition 42 in FY 2007, which would mean approximately \$1.4 to \$1.5 billion in revenues flowing to the following transportation programs: 1) Traffic Congestion Relief Program (TCRP) Projects, 2) State Transportation Improvement Program (STIP), 3) Local Streets and Roads, and 4) Public Transportation. However, in FY 2007, local streets and roads will not receive any money through Proposition 42, due to the 2002 and 2003 loan in the State Highway Account that needs to be repaid.

Mr. Evans referred to the Governor’s budget proposal and noted that the Governor is recommending to the Legislature that about \$920 million in outstanding transportation loans be repaid one year earlier, in FY 2007.

Member Chu referred to the comments contained in the Monthly Legislative Report indicating that the bond proposals would go forward in November 2006. Member Chu queried if the Governor had proposed that the bonds go forward in June 2006. Mr. Evans noted that in SB 1024, Senator Perata proposed a November 2006 election. He referred to the Governor’s original proposal and noted that the Governor made the assumption that there would be \$25 billion in general obligation bonds issued in 2006, a portion of which would be issued in June 2006. However, the Legislative process is probably not going to do what the Governor desires. The Legislature would have to approve the bonds by March 10, 2006, in order for them to appear on the June 2006 ballot.

On order of Chairperson Sandoval, there being no objection, the Monthly Legislative Report for January 2006 was reviewed.

9. Elect a Vice Chairperson for 2006

Chairperson Sandoval opened the nominations from the floor for the position of Vice Chairperson of the TP&O Committee for 2006.

Member Chu volunteered to serve as the Vice Chairperson for 2006.

M/S/C (Chu/Perry) to close the nominations and elect Member Chu as Vice Chairperson for 2006.

10. Meeting Date and Time for the Transit Planning & Operations March and April 2006 Committee Meetings

Chairperson Sandoval noted the new TP&O meeting schedule is the third Wednesday of every month at 3:30 p.m. She indicated that there were scheduling conflicts for the months of March and April 2006.

Maria Marinos, Board Secretary, reported that the TP&O Committee Members were polled for their availability on Thursday, March 23, 2006, and noted that three Member responses were received agreeing on the date of March 23, 2006. Chairperson Sandoval requested that the meeting start at 4:00 p.m.

Ms. Marinos indicated that the TP&O Committee Members were also polled for their availability during the last two weeks in the month of April 2006, and the Committee Members agreed on Monday, April 24, 2006, at 4:00 p.m. Both the March and April meetings will be held at VTA, 3331 North First Street, Conference Room B-104, San Jose. Chairperson Sandoval requested that the Board Secretary inform Member Cortese of the March and April meeting dates and time.

Chairperson Sandoval indicated that after the April 24, 2006 Meeting, the TP&O Committee will resume its regular schedule as follows: Third Wednesday of every month, 3:30 p.m., VTA, 3331 North First Street, Conference Room B-104, San Jose.

On order of Chairperson Sandoval, there being no objection, the Committee considered the Meeting Date and Time for the TP&O March and April 2006 Committee Meetings.

11. Responses to Questions on VTA Scenario Posed at the Board of Directors' Workshop Meeting of January 27, 2006

Michael T. Burns, General Manager, directed attention to the summary entitled "VTA Sales Tax Scenario Responses to Issues from the Board Workshop, January 27, 2006." He provided an overview of Section 1: Chronology – VTA Scenario, noting that it has

been a two-year process and that several Scenarios have been reviewed. The Board of Directors' Workshop Meeting held in September 2005 was the basis for the VTA Scenario, as it is today, in terms of structure. The direction of the Board of Directors was to move forward with a 30-year tax, a quarter-cent, moving BART to 2018 and Dumbarton to 2011. In December 2005, VTA updated the Scenario using new sales tax

projections, which resulted in completion of all of the projects without a Completion Plan. Mr. Burns indicated that prior to that, the City of San Jose Council came forward with Council recommendations regarding the VTA Scenario. The updated VTA Scenario was forwarded to all of the VTA Committees in January and February 2006 and VTA continues to meet with municipalities as requested. At the January 27, 2006 Board of Directors' Workshop Meeting, additional information was requested, and the Board of Directors is scheduled to act on the recommended VTA Scenario at their March 2, 2006 Meeting.

Mr. Burns directed attention to Section 2, Cost Projections, and provided a report on the following Labor Cost Assumptions in VTA Scenario: 1) Wages – 3.45%; 2) Benefits – 3.42%; 3) Inflation Rate - 3.0%; and 4) Construction Cost - 3.5%. The Labor Cost Assumptions were compared to the following Historical Cost Experience: 1) Operator Wages – 3.56%; 2) Benefits – pending; 3) Consumer Price Index – 3.0%; and 4) 10-Year Construction Cost: a) Building Cost Index – 3.05% and b) Construction Cost Index – 2.58%. Mr. Burns reported that VTA would be providing more information on the Benefit costs and the impact of the benefit costs. He indicated that VTA was also asked to look at other sales tax projections for sales tax growth.

Mr. Burns directed attention to Section 3, Summary of Scenarios, and noted that the information was requested by Board Member Kerr. He provided a summary on the following Scenarios: 1) VTA Recommended Scenario; 2) VTA Conservative Scenario; 3) No Tax Scenario with New Projects; and 4) No Tax Scenario without New Projects.

Mr. Burns directed attention to Section 4, Other Issues, “Preserve Existing Service”, and summarized the impacts on existing service associated with the following Scenarios: 1) Recommended VTA Scenario; 2) No Quarter Cent Sales Tax without New Projects; and 3) No Quarter Cent Sales Tax with New Projects.

Mr. Burns referred to the South County issue regarding the request for “Specific Project Descriptions for Expressways/Major Arterials” to be included as part of the Pavement Management line item. He indicated that VTA recommends that the Technical Advisory Committee (TAC) establishes these priorities.

Mr. Burns referred to Board Member Perry's request regarding the “Caltrain Grade Separations” and indicated that VTA looked at all of the existing grade separations from the San Mateo County line to Tamien. He reported that there are ten at-grade road

crossings and the total estimated cost to grade separate is approximately \$400 million, in 2004 dollars. Mr. Burns noted that the Caltrain grade separations are safety projects and will improve traffic flow.

Mr. Burns referred to the “Downtown East Valley (DTEV) Shorter Single Car Segment” and noted that VTA is preparing information on the shortened single car segment for the March DTEV Policy Advisory Board Meeting.

Mr. Burns referred to Section 5, Ad-Hoc Financial Stability Committee, and noted that the Committee concluded that: deficits were expected to continue; VTA needed to address increasing costs; VTA needed to address looking at new revenues from all sources, including fares, state and federal funds; and pursue a limited expansion of the sales tax base.

Member Perry left his seat at 4:29 p.m., the quorum was lost,
and a Committee of the Whole was declared.

Mr. Grace complimented Mr. Burns for a job well done in planning the January 27, 2006 Board of Directors’ Workshop Meeting and noted that he looks forward to seeing what Mr. Burns has planned for VTA.

Member Perry took his seat at 4:31 p.m. and a quorum was declared.

On order of Chairperson Sandoval, there being no objection, the Committee considered the Responses to Questions on VTA Scenario posed at the Board of Directors’ Workshop Meeting of January 27, 2006.

12. Bus Mobility Device Securement Policy

Matthew O. Tucker, Chief Operating Officer, provided a PowerPoint Presentation entitled “Bus Mobility Device Securement Policy Recommendation”. He referred to Slide 1, “Discussions/Activities to Date”, and provided an overview. He noted that staff took the Bus Mobility Device Securement Policy back to the Committee for Transit Accessibility (CTA) on February 8, 2006, to affirm the change of the Policy effective date of January 1, 2007. Mr. Tucker noted that CTA expressed concern about the training program and declined to take action on the Policy.

Mr. Tucker referred to Slide 4, “Recommended New Policy”, and noted that VTA will be requiring mandatory securement beginning January 2007. VTA wants its operators to assume responsibility for ensuring that the passenger is secured.

Mr. Tucker referred to the December 15, 2005, TP&O Meeting and noted that the Committee asked what would happen if a passenger declined securement of their mobility device. Mr. Tucker referred to Slide 5, “How will refusals be handled”, and provided an overview, highlighting: 1) Safety is VTA’s top priority; 2) VTA Transit Operations has experience in managing customer concerns; 3) VTA will not abandon a

customer; and 4) Refusals of securement will be managed on a case-by-case basis. Mr. Tucker indicated that the Bus Mobility Device Securement Task Force would stay in tact for one year to monitor the Policy after implementation.

Mr. Tucker referred to Slide 6, “Benefits and Challenges”, noting that VTA has a “safety net” in place that it will utilize to ensure the program is a success.

Mr. Tucker referred to Slide 7, “Implementation Plan (now to January 2007)”, and noted that VTA presently has an implementation plan in process until the Policy effective date of January 2007. VTA is proactively encouraging securement, conducting ongoing community awareness campaigns, and ongoing training for its operators.

Chairperson Sandoval noted the importance of safety for both VTA operators and transit riders.

Aaron Morrow, CTA Chairperson, indicated that the implementation process is a very fluent process and that safety is the number one concern. He noted that he is glad to see that VTA has safety nets in place, but the safety nets need to be worked on. Mr. Morrow noted that from a community standpoint, he is in support of the Bus Mobility Device Securement Policy.

Upon query of Mr. Grace, Chairperson Sandoval indicated that the Committee for Transit Accessibility is a VTA Advisory Committee and meets on a monthly basis. She noted that VTA has done a significant amount of public outreach to inform customers of the implementation of the Bus Mobility Device Securement Policy. Sam Lau, Deputy Director of Operations Planning & Support Services, noted that VTA has held five public meetings in December 2005, and staff also attended the Bay Area Abilities Expo in 2005 and secured various types of wheelchair mobility devices.

Mr. Burns asked that Mr. Grace provide VTA staff with his e-mail address and he would be sent the CTA Meeting schedule.

M/S/C (Perry/Chu) to approve submitting a recommendation to the Board of Directors to adopt a proposed policy to require all mobility device users, such as wheelchair and scooter users, to ride with their devices secured on VTA buses. This policy, if adopted, will have an effective date of January 1, 2007.

13. Santa Clara County Sheriff’s Department Contract with VTA

Mr. Tucker provided a PowerPoint Presentation entitled “Sheriff’s Department Contract.” He referred to Slide 2, “Existing Contract”, and noted that the existing contract consists of 19 positions, a Vandalism Abatement Team (VAT), Route Stabilization Team (RST), and Transit Patrol. He referred to Slide 3, “Five-Year Cost

Projection for Existing Contract Model”, and noted that from Fiscal Year 2005 to Fiscal Year 2006 the contract increased by 5.5%. He referred to Slide 4, “VTA - Lower Security Expenditures/Lower Service Area Crime Rates”, and noted that a study was conducted to see how VTA compared to its peers in terms of experience and activity within the service area, as well as expenditures. Mr. Tucker noted in terms of criminal activity, VTA is significantly lower than its peer transit systems. He referred to Slide 5, “FY 05 Service Area Trends”, and noted that the grid chart contained the incident categories for FY 05. Mr. Tucker indicated that one of the key findings of the study was that VTA had lesser challenges related to criminal activity on our transit system compared to our peers.

Mr. Tucker referred to Slide 6, “Recommended Staffing Model”, and noted that it contained the dedicated staffing level, but reduced the 19 positions to 12 positions. In addition to the 12 positions, VTA would get up to 3,000 annual hours of on-call support from the Sheriff’s Department. Usage of the 3,000 annual hours would vary based upon VTA’s needs at a given time.

Mr. Tucker referred to Slide 8, “Cost Comparison of Two Models”, and noted that the chart contains a comparison of the Existing Contract Model and Recommended Contract Model. Overall, VTA would accrue a cost savings of \$4.2 million over a five-year period if VTA executed the new hybrid model. Mr. Tucker noted that the existing contract expires at the end of March 2006. This type of contract model works well for a lot of transit systems in terms of the support needed. VTA is looking at trying to manage cost and making sure that it has law enforcement support that continues to provide for a safe transit system.

Chairperson Sandoval referred to the study conducted by Booz Allen Hamilton that reviewed the effectiveness of VTA’s security program. She queried if it was pre or post 9/11. Mr. Tucker noted that it was post 9/11, August 2005.

Chairperson Sandoval referred to the Board Memorandum, Table I, which contained a comparative peer analyses of FY 2004 violent and property crimes and queried about other crimes, such as a person on a mode of transportation who might be under the influence, but is neither violent nor doing graffiti. Mr. Tucker noted that Booz Allen Hamilton also collected information relative to transit activities and that staff could provide the information. Chairperson Sandoval indicated that as a transit agency, VTA is not just dealing with violent crimes or property crimes.

Chairperson Sandoval queried about the number of VTA incident calls picked up by other agencies, such as the City of San Jose Police Department and City of Milpitas Police Department.

Member Perry left the meeting at 4:51 p.m., the quorum was lost,
and a Committee of the Whole was declared.

On order of Chairperson Sandoval, there being no objection, the Committee of the Whole submitted without a recommendation to the Board of Directors to authorize the General Manager to amend and extend the agreement with the County of Santa Clara for law enforcement services provided by the Santa Clara County Sheriff's Department for a period of five years for a total amount not to exceed \$36,875,397.

OTHER ITEMS

15. Monthly Ridership and Fare Revenue Performance

Joonie Tolosa, Sr. Management Analyst, provided a PowerPoint Presentation entitled "VTA Transit Operations, January 2006 Ridership and Revenue Performance". He reported on VTA's ridership, highlighting: 1) systemwide ridership is up 4.2%; 2) bus average weekday ridership is up 2.3%; and 3) light rail average weekday ridership is up 13.1%.

Mr. Tolosa referred to Revenues & Average Fare per Boarding and noted that VTA's revenues fiscal year-to-date is up 12.5% and the average fare per boarding is up 8.5%.

On order of Chairperson Sandoval, there being no objection, the Committee of the Whole reviewed the Monthly Ridership and Fare Revenue Performance.

14. FY 2006 Second Quarter Transit Operations Performance Report (July 1, 2005 – December 31, 2005)

Mr. Tolosa reported that VTA's total system ridership through FY 2006 second quarter increased by 2.7%; bus ridership increased by 0.7%; and light rail ridership increased by 11.6%.

Mr. Tolosa referred to the Operating Expense and Revenue and noted that the total transit operating expense through second quarter of FY 2006 increased from 5.3% to \$122.1 million. VTA's farebox recovery ratio for the first six months of FY 2006 was 14.2%, an 8.4% improvement compared to FY 2005.

Mr. Tolosa referred to Key Performance Indicators and noted that both performance measures, "combined bus and light rail miles between chargeable accidents" and "percent scheduled service provided", showed decreases through the second quarter of FY 2006 compared to FY 2005, but exceeded the established goals for FY 2006. He noted an improvement in bus operators unscheduled absenteeism and bus maintenance

unscheduled absenteeism. There was a decrease in bus and light rail on-time performance.

Mr. Tolosa referred to Paratransit and noted that the Paratransit program net cost to VTA increased 4.4%. The total passenger trips through the second quarter of FY 2006 increased 4.8%.

Member Chu queried about a concerted effort/program to reduce absenteeism. Mr. Tucker indicated that VTA implemented an attendance policy in 2003 and also implemented a light-duty program to help return operators to work sooner. Member Chu noted that the decline in absenteeism was commendable.

On order of Chairperson Sandoval, there being no objection, the Committee of the Whole reviewed the FY 2006 Second Quarter Transit Operations Performance Report (July 1, 2005 – December 31, 2005).

16. Transit Service Changes

Bill Capps, Service Planning Manager, provided a PowerPoint Presentation entitled “Service Evaluation Policy from VTA’s Service Management Plan.” He referred to the Proposed Service Reductions – July 2006 and noted the service reductions on the following Bus Lines: 13, 19, 31, 33, 36, 45, 48, 49, 51, 58, 68, and 82. He indicated the most significant proposed service reduction is the deletion of Line 45, noting that Line 59 would be extended into the area.

Mr. Capps referred to the Proposed Service Enhancements – July 2006 and noted the service enhancements on Bus Lines 25, 60, 81, and on Light Rail – Mountain View to Winchester Line.

Noel Tebo, Member of VTA Citizens Advisory Committee, referred to the proposed service enhancements on the Mountain View to Winchester Light Rail Line, increasing evening service by keeping trains out in service longer. He noted that at the Citizens Advisory Committee Meeting he had recommended that VTA consider adding more evening light rail service from downtown San Jose to Campbell to better accommodate the people attending evening events in downtown San Jose. Mr. Tebo recommended that the extra evening trains on the Vasona Light Rail Line be made permanent.

Mr. Morrow, speaking on the behalf of CTA, applauded VTA for the enhanced bus service on Line 81. He noted that CTA has been complaining for years that the service to Kaiser Hospital in Santa Clara has been atrocious.

Mr. Grace noted he was very pleased with the Vasona Light Rail line in Campbell.

Chairperson Sandoval referred to the proposed service reduction on Line 82 and expressed concern regarding the 12-15 passengers who would be affected by the early morning service reduction. She requested that VTA provide adequate notice to the passengers informing them of the service reduction, so that they may inform their employers. Mr. Capps noted that VTA would be conducting a series of five community meetings throughout Santa Clara County.

Upon query of Chairperson Sandoval, Mr. Capps noted that VTA would post notices on its buses regarding the service reductions and would have VTA's Take-One Brochures on the buses as well. He noted that information on the service reductions would also be available on VTA's website. Chairperson Sandoval recommended that VTA connect with local government agencies as well.

Mr. Tucker noted that the Transit Service Change proposal would be agendaized as an action item at the March 2006 TP&O Meeting and would be forwarded to the Board of Directors in April 2006.

On order of Chairperson Sandoval, there being no objection, the Committee of the Whole reviewed the Transit Service Changes.

17. Report regarding the February 8, 2006 Committee for Transit Accessibility Meeting

There was no report regarding the February 8, 2006 Committee for Transit Accessibility Meeting.

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 Sandoval, there being no objection, the Committee of the Whole reviewed and accepted the Committee Work Plan.

20. Committee Staff Report

There was no Committee Staff Report.

21. Chairperson's Report

Chairperson Sandoval requested that the Board Secretary send notification to the TP&O Committee Members informing the Members of the March and April 2006 Meeting Schedule and to also indicate that the TP&O Meetings generally last between 90 to 120 minutes.

22. **Determine the Consent Agenda for the March 2, 2006 Board Meeting**

CONSENT: None

REGULAR: **Item #12.** Adopt a proposed policy to require all mobility device users, such as wheelchair and scooter users, to ride with their devices secured on VTA buses. This policy, if adopted, will have an effective date of January 1, 2007 and **Item #13.** Authorize the General Manager to amend and extend the agreement with the County of Santa Clara for law enforcement services provided by the Santa Clara County Sheriff's Department for a period of five years for a total amount not to exceed \$36,875,397.

23. **Announcements**

There were no Announcements.

24. **ADJOURNMENT**

On order of Chairperson Sandoval, there being no objection, the meeting was adjourned at 5:18 p.m.

Respectfully submitted,

Tracene Y. Crenshaw, Board Assistant
VTA Board of Directors