



CITIZENS ADVISORY COMMITTEE

Wednesday, March 8, 2006

MINUTES

1. CALL TO ORDER

The Regular Meeting of the Citizens Advisory Committee (CAC) was called to order at 4:36 p.m. by Chairperson Schulter in Conference Room B-104, Valley Transportation Authority (VTA), 3331 North First Street, San Jose, California.

ROLL CALL

Members Present

Don Burnett
Ellen Fletcher
Ray Hashimoto
Roberta Hughan
Luiz Mendez
Gaye Morando
Margaret Okuzumi

Members Present

Charlotte Powers
Sally Probst
Connie Rogers
Martin Schulter, Chairperson
Laura Stuchinsky
Noel Tebo

Members Absent

Stephen Blaylock, Vice Chairperson
Chris Elias
Irene Hsu

Members Absent

Patricia Sausedo

A quorum was present.

2. PUBLIC PRESENTATIONS

There were no Public Presentations.

3. Committee Staff Report

Jim Lawson, Government Affairs Manager, reported the following: 1) VTA dedicated Historic Coach #6512 in honor of Rosa Parks on February 15, 2006. The successful event was followed by a diversity celebration at River Oaks; 2) The VTA Facility Tour dates for Members to choose from are April 14 and April 28, 2006; 3) On March 2, 2006, the Board of Directors formed a subcommittee called the Project Priority and Revenue

Advisory Committee (the Measure A Committee), that will review the capital expenditure plan. The subcommittee is composed of Board Members Dean Chu, Don Gage, Liz Kniss, Dolly Sandoval, and Forrest Williams. The committee will hold several open and public meetings and is expected to conclude its task by August 2006 by providing recommendations to the full Board regarding prioritization of Measure A projects and proposed new projects; 4) The Infrastructure Bond Committee held its meetings on January 26, February 2, and March 1, 2006. The committee provided direction and developed 16 advocacy principles to guide the Board and VTA staff in promoting VTA's position regarding potential infrastructure bonds, and; 5) VTA will receive one of the Annual Freedom and Friendship "Circle of Friends" Awards from the San Jose / Silicon Valley National Association for the Advancement of Colored People (NAACP) in April 2006.

Member Okuzumi took her seat at 4:40 p.m.

Amin Surani, Sr. Transportation Engineer, stated that the River Oaks Bicycle and Pedestrian Bridge's completion is delayed for a few months due to issues with the contractor. The project is expected to be completed by April 2006, weather permitting.

Member Mendez took his seat at 4:41 p.m.

4. Chairperson's Report

Chairperson Schuler noted Member Okuzumi's request that CAC be advised of the meeting dates of other committees such as the Lifeline Transportation Committee by e-mail.

Chairperson Schuler informed the Committee that former member Diane Tripousis would not be able to come to CAC until May 2006 to discuss the Attendance Subcommittee waiver. He requested that CAC agendaize for a future meeting the discussion on whether the Committee will meet, conduct a workshop, or cancel the meeting in June 2006.

Chairperson Schuler directed attention to the Revised 2005 Draft Monitoring and Conformance Report and Conformance Findings that was distributed at the meeting.

BUSINESS REFERRED TO COMMITTEE BY THE BOARD OF DIRECTORS/GENERAL MANAGER

CONSENT AGENDA

5. Draft 2005 Monitoring and Conformance Report and Conformance Findings

On order of Chairperson Schuler, there being no objection, the Committee reviewed the Draft 2005 Monitoring and Conformance Report and Conformance Findings.

6. **Scoring Criteria for Lifeline Transportation Projects**

On order of Chairperson Schulter, there being no objection, the Committee reviewed the Scoring Criteria for Lifeline Transportation Projects.

REGULAR AGENDA

7. **Minutes of February 8, 2006**

M/S/C (Burnett/Fletcher) to approve the Minutes of February 8, 2006.

8. **Lessons Learned by 1996 Measure B Citizens' Watchdog Committee**

Chairperson Schulter welcomed Jeff Davis, Santa Clara County's Program Administrator for the 1996 Measure B Program.

Mr. Davis distributed to the Committee the Complete Text of Measure B. He discussed the lessons learned from the 1996 Measure B Citizens' Watchdog Committee. He noted that it is important that the Watchdog Committee has information on how project delivery decisions are made and follow the implementation process. Measure B was negatively impacted by the economic downturn, but with the assistance of VTA, additional revenues were identified and the entire program could now be delivered.

Mr. Davis discussed and distributed samples of the different types of reports and information that are provided to the Watchdog Committee. The 1996 Measure B Citizens' Watchdog Committee received Monthly Updates, Annual Revenue and Expenditure Plan (includes the financial plan), Semi-Annual reports, reports from VTA and County Roads Department, and tours of the various construction sites.

Member Stuchinsky took her seat at 4:51 p.m.

Mr. Davis stated that the first lesson he could impart to the 2000 Measure A Watchdog Committee is to determine how they would want to be informed and how they could make educated and informed decisions on how the program is being delivered.

The second lesson is to understand what their role is. One of the roles of the 1996 Measure B Citizens' Watchdog Committee was to conduct a financial and compliance audit of the program. In this regard, Mr. Davis commented that VTA had a clean audit every year. Mr. Davis added that the 1996 Measure B Citizens' Watchdog Committee also received staffing plan status.

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

Mr. Davis noted the importance of making sure that the public understands how the program is delivered. The 1996 Measure B Citizens' Watchdog Committee prepares an annual report to the public, a sample of which he provided. The annual report contains general information about the program and the Watchdog Committee. He noted that for the 1996 Measure B Program, status of the program was also published in the local papers.

Mr. Davis noted that early in the program, the 1996 Measure B Citizens' Watchdog Committee struggled on split decisions that were really the Board's purview such as project priority. He stated that in his opinion, it is not the Watchdog Committee's decision whether the project should go or not, but to determine if the monies were spent appropriately.

The final lesson is to maintain some level of historical memory of the program. Mr. Davis noted the importance of information sharing and appropriate orientation to new committee members. Mr. Davis noted that the term limits were problematic for the 1996 Measure B Citizens' Watchdog Committee as well as maintaining the level of interest and commitment of the members serving in the committee.

Upon inquiry of Member Probst, Mr. Davis clarified that none of the work of the 1996 Measure B Citizens' Watchdog Committee will be transferred to the 2000 Measure A Citizens' Watchdog Committee.

Member Okuzumi inquired about the frequency and duration of the meetings of the 1996 Measure B Citizens' Watchdog Committee. Mr. Davis responded that the committee met monthly in the beginning and when the program was nearing completion, it was changed to bi-monthly. Meetings were usually an hour to two hours.

Member Tebo inquired about Mr. Davis' opinion on how much time CAC Members should set aside for their role as the Watchdog Committee for Measure A. Mr. Davis responded that the task is different. He noted that given the responsibility of CAC as an advisory and a watchdog committee, he thinks that it would be more demanding.

Mr. Lawson stated that CAC has the flexibility and the ability to move things around in the work plan to ensure that time is spent wisely. He noted the possibility of creating subcommittees to assist in a smoother operation. He noted that staff takes it as its responsibility to be respectful and mindful of the Members time and keep the meeting at a reasonable length.

Mr. Lawson thanked Mr. Davis for coming to CAC for the presentation and noted that VTA has a good working relationship with Mr. Davis' Measure B Group.

Chairperson Schulter thanked Mr. Davis for his time and noted that CAC may seek his advice in the future.

On order of Chairperson Schulter, there being no objection, the Committee discussed the Lessons Learned by 1996 Measure B Citizens' Watchdog Committee.

9. **VTA Board Chairperson Cindy Chavez' 2006 Initiative, "Full Information, Full Participation"**

Mr. Lawson reviewed the following CAC ideas from the previous meeting: 1) consider sending a CAC member to the Board Meetings; 2) have a representative of the Board attend Advisory Committee meetings; 3) assign a designated Board Member to act as a Board liaison for the Committee meetings on a quarterly basis; 4) assign a CAC Member to attend other Advisory Committee meetings; 5) consider incorporating recommendations and comments on a particular item in the actual Board Memo; 6) limit items contained in CAC work plan to areas where CAC could make a difference; 7) determine strategies on fulfilling the role as Advisory to the Board as a Watchdog Committee on Measure A, and; 8) revisit VTA goals to determine relevance.

Member Tebo commented that improving the communication between the Advisory Committees and the Board is important. He also noted the importance of making the Board aware of items that CAC had specific recommendations and full discussion.

Chairperson Schulter referred to Member Tebo's comments and noted that his suggestion may be a better approach and could be done on an as-need basis.

Member Rogers commented that Member Tebo's comments makes more sense as VTA Board Members' schedules are very busy. She commented that she does not see a benefit of having a CAC member attend all the Board of Directors meetings. However, if there is an item that CAC had full discussion on and felt strongly about, a CAC member should be present at the Board Meeting to inform the Board about CAC's discussion and recommendations.

Member Powers noted the importance of putting CAC's recommendations in writing, in a form of a short memo.

Member Rogers referred to the minutes and stated that although the Board receives a copy of CAC minutes, the Board Members may not have ample time to read them. She added that reading the minutes is not the same. Member Powers added that the Board Agenda is structured in a way that the minutes come after all the items have been decided or voted on.

Member Burnett agreed with the prior comments and stated that unless CAC sends someone, the chances of getting the message or making an impact to the Board decision is slim.

Chairperson Schulter summarized the comments and noted that if CAC has an important issue that should be communicated to the Board, it will be in written form and a CAC representative would attend the Board meeting. A representative of CAC could also attend other Advisory Committee meetings only on an as-needed basis.

Member Powers reiterated that Board Workshops provide the opportunity for CAC Members to find out plan of actions that the Board will take to move forward.

Chairperson Schulter encouraged Members to attend the Board Workshops.

Upon inquiry of Chairperson Schulter regarding the thought of having a Board Liaison to Advisory Committees, Member Probst commented that the Board Members have very busy schedule and it may be “too much” to ask them to do that. However, Members Tebo and Rogers stated that it would be appropriate to invite the Board Chairperson at least once a year or once during their term of office. This will be an opportunity for the Board to know and relay their expectations from the Advisory Committees.

Chairperson Schulter suggested that instead of mandating a Board Liaison, CAC could extend an open invitation requesting them to come to CAC.

Member Mendez stated that CAC could also prepare an annual report to the Board that outlines the accomplishments for the prior year and goals for the following year. Chairperson Schulter stated that CAC would prepare that as it becomes the Oversight Committee for Measure A.

On the issue of the work plan, Mr. Lawson commented that it is a “tricky” balance as the business of the organization requires that certain items be reviewed by CAC. He suggested that if CAC wants to have a deeper discussion on a particular item, staff could work closely with CAC Chairperson to attempt achieving that goal.

Member Tebo expressed concern that time is not spent wisely when “non-controversial” items on the agenda are given about 20-30 minute presentation. Chairperson Schulter suggested that CAC allow CAC Chairperson and staff to structure the agenda to make it more efficient.

On the suggestion to revisit the goals set in 1995, Member Burnett stated that it is the Board’s responsibility to revisit the goals.

M/S/C (Mendez/Burnett) on a vote of 12 ayes, 1 no, and 0 abstention to recommend that the Board of Directors consider revisiting the goals. Member Probst opposed.

On order of Chairperson Schulter, there being no objection, the Committee discussed VTA Board Chairperson Cindy Chavez’ 2006 Initiative, “Full Information, Full Participation.”

10. Third Cycle Federal Surface Transportation Program Funds for Local Streets and Roads Rehabilitation Projects for Fiscal Years 2007 through 2009

John Sighamony, Transportation Planner, reported that for this cycle, \$16 million is available for programming the projects listed in Attachment A. In December 2005, the Board of Directors approved the programming process with two components: 85 percent for need-based targets and 15 percent for county expressways. Mr. Sighamony stated that staff proposes an exception for the City of Monte Serreno as none of their streets

qualify for federal funding. Staff further recommends that Monte Serreno's fund be transferred to the City of Los Altos Hills because they had the highest percentage of local match.

M/S/C (Burnett/Powers) to review and recommend that the VTA Board of Directors approve the programming of federal Surface Transportation Program (STP) funding for local streets and roads rehabilitation projects during federal Fiscal Years (FFY) 2007 through 2009.

11. Local Program Reserve Funds for the City of Monte Sereno's Local Streets and Roads Rehabilitation Program

M/S/C (Okuzumi/Rogers) to review and recommend that the VTA Board of Directors program \$41,000 in Local Program Reserve funds for the City of Monte Sereno's Local Streets and Roads Rehabilitation Program; and authorize the General Manager to enter into a funding agreement with the City of Monte Sereno.

12. Application Procedures and Evaluation Criteria for Community Design and Transportation Program Capital Grants

Mr. Sighamony stated that the Board approved the Community Design and Transportation (CDT) Program as its primary program for integrating transportation and land use in the Fall of 2002. The Member Agencies in Santa Clara approved the document as well.

VTA has \$8.8 million available for FY07-08 and each project sponsor may request a maximum of \$1.5 million per project with a requirement of 20 percent local match. Mr. Sighamony provided examples of eligible projects and noted eligible projects are those that are located in a core, corridor or station area defined in VTA's CDT Program, must have pedestrian and transit component, and projects may not be bike only. The eligibility evaluation processes were discussed at the Capital Improvement Program (CIP), a sub-committee of VTA's Technical Advisory Committee (TAC). The Evaluation Criteria is a point system with 10-points for CDT Program Goals, 20-points for Project Readiness, 10-points for Project Scope, 20-points for Project Benefit, 20-points for Transportation/Land Use Development, and 20-points for Community Connectivity and Access. The application process involves a call for projects, submission of project proposal, evaluation of project proposals by VTA staff and representatives from TAC, Board approval, and finally, project sponsors and VTA will enter into a funding agreement.

Member Burnett commented that some of the requirements should be separated out, projects should be evaluated based on its projected benefits, and consider quantitative criteria of population or job density within ¼ mile of the project.

Chris Augenstein, Transportation Planning Manager, responded that the CIP discussed the issue of quantitative evaluation but decided to steer away from "strictly quantitative," so as not to punish cities that do not have that kind of density. The criteria were set as close as possible to that of MTC's to provide the opportunity for unselected projects to

apply to MTC directly. The requirements were set the way they are to provide flexibility to project sponsors.

Upon inquiry of Member Mendez, Mr. Augenstein explained that the parking element included in the Project Benefit Criteria involves beautification and improved access for pedestrians and not to build parking lots. Mr. Augenstein also noted that staff could bring more prominence on bus stops.

Upon inquiry of Member Tebo, Mr. Augenstein responded that these are new criteria that were drawn from other criteria elements such as that of MTC.

Mr. Augentein clarified that the program allows for collaboration between Member Agencies as well.

Member Burnett expressed that density is valuable quantitative information that could help. Member Tebo suggested that the density could be put in as an information and not be a non-scoring element.

Mr. Augenstein noted that staff will refine the process as the program progresses.

M/S/C (Probst/Mendez) to review and recommend that the VTA Board of Directors approve the evaluation criteria and procedures for selecting projects and awarding Community Design and Transportation Program Capital Grants.

Members Stuchinsky and Okuzumi stated that in the future, it may be helpful if CAC could become involved earlier in the process and make some suggestions on the criteria and evaluation process.

Member Hashimoto left the meeting at 5:56 p.m.

13. Potential No Smoking in Bus Shelter Policy

Member Fletcher expressed concern that the bus shelters should be accessible to everyone and smoking in the bus shelters is not acceptable as it is a serious health risk. She noted that the “no smoking policy” at bus shelters should be adopted.

Member Tebo suggested extending the “no smoking policy” to the light rail stations as well.

M/S/C (Rogers/Morando) to send a memorandum to the Board of Directors that CAC recommends putting “No Smoking” signage in bus shelters and light rail stations.

14. CAC Work Plan

Member Fletcher inquired about CAC's role in Measure A as a Watchdog Committee.

Mr. Lawson responded that the item was not placed in the work plan due to the fact that the Board of Directors did not approve the Expenditure Plan at the March 2, 2006 Regular Board of Directors meeting.

Mr. Lawson referred to the Measure A Committee and stated that the meetings will be held at night. This allows the public to attend and hear the discussion on the project prioritizations. Mr. Lawson invited CAC Members to attend to ensure that their input could be heard.

Member Rogers requested that the meeting dates of the Measure A Committee be e-mailed to CAC Members.

On order of Chairperson Schulter, there being no objection, the Committee reviewed CAC Work Plan.

OTHER

15. Announcements

Member Tebo inquired about the temporary closure of the two light rail stations in Downtown San Jose due to a project and further inquired about the reason why it would take eight months to complete the project.

Member Okuzumi announced she entered a suggestion in Senator Joe Simitian's "There Oughta Be A Law Contest" and her idea of requiring public transit agencies to use California native plant in landscaping projects was selected. The bill is currently being introduced.

16. ADJOURNMENT

On order of Chairperson Schulter, there being no objection, the Meeting was adjourned at 6:13 p.m.

Respectfully submitted,

Elaine F. Baltao, Board Assistant
VTA Board of Directors