



SILICON VALLEY RAPID TRANSIT CORRIDOR BART EXTENSION TO MILPITAS, SAN JOSE AND SANTA CLARA POLICY ADVISORY BOARD MEETING

Thursday, October 18, 2007

MINUTES

1. The Regular Meeting of the Silicon Valley Rapid Transit Corridor BART Extension to Milpitas, San Jose, and Santa Clara Policy Advisory Board (PAB) was called to order at 3:03 p.m. by Vice Chairperson Blalock at the City Council Chambers, Milpitas City Hall, 455 East Calaveras Boulevard, Milpitas, California.

ROLL CALL

Members Present

Tom Blalock, Vice Chairperson
Bob Franklin
Joe Kornder
Sam Liccardo
Bob Livengood
Anu Natarajan
Ken Yeager, Chairperson

Members Absent

Scott Haggerty
Gail Murray
Madison Nguyen

Alternates Present

None

Alternates Absent

James Fang
Patricia Mahan
Bob Wasserman

*Alternates do not serve unless participating as a Member.

A quorum was present.

Chairperson Yeager requested that the following item be deferred: **Agenda Item #5.A.**, Bank of America Downtown Station Entrance.

2. PUBLIC PRESENTATIONS

There were no Public Presentations.

3. Minutes of April 25, 2007

M/S/C (Blalock/Livengood) to approve the Minutes of April 25, 2007.

4. Federal EIS Update

Tom Fitzwater, Environmental Resources Planning Manager, provided a report highlighting: 1) Objectives of EIS; 2) Scoping and Opportunities for Public Comment on Scoping; 3) Project Objective; 4) Project Background, Description and Need; 5) Berryessa Extension Project and SVRT Alternatives for the City of Milpitas indicating the North of Montague Alignment, the Milpitas Station with the East and West Bus Transit Center Options; 6) City of San Jose Berryessa Station Parking Options; 7) Electrical and Communication Facilities near Mabury Road-High Voltage Substation and switching station Locations Options; 8) Maintenance Yard Options; 9) SVRT Project Alternatives that include the Alum Rock Station, Coyote Creek Alignment Options, Downtown San Jose Station Options, Diridon/Arena Station, Ventilation Structure Near Stockton Avenue Location Options; 9) City of Santa Clara Station and Maintenance Yard Project Alternative; 10) Environmental Review Process including Review Steps, Environmental Issues of Public Concern, Other Environmental Issues; and 11) Targeted Project Schedule.

Mr. Fitzwater commented that Public Scoping Meetings were held in San Jose and Milpitas and a Scoping meeting is scheduled to be held in the City of Santa Clara October 18, 2007. Mr. Fitzwater commented that topics that have were discussed include: 1) Transportation; 2) Noise and Vibration; 3) Land Use; 4) Visual Quality; and 5) Community Impact. These topics will be addressed in the EIS document. Mr. Fitzwater further commented that global warming will also be addressed.

Mr. Fitzwater noted that the EIS is a Federal Transit Administration (FTA) document not a VTA document. The EIS must be reviewed by FTA and VTA must address FTA's concerns before the document is released to the public. The projected date for public review is August-September 2008. After addressing public concerns, the projected date for the Final EIS with a Record of Decision (ROD) from the FTA is June 2009.

On order of Chairperson Yeager, there being no objection, the Committee received the Federal EIS Update.

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

5. Design Alternatives

A. Coyote Bridge Alternatives

On order of Chairperson Yeager, there being no objection, the Committee deferred the Coyote Bridge Alternatives.

B. Bank of America Downtown Station Entrance

Mark Robinson, Deputy Director Engineering and Construction, provided a report regarding Design Alternatives for the Bank of America Downtown Station Entrance highlighting: 1) Entrance Options; 2) Cost Estimates; 3) City of San of San Jose Proposal; and 4) Staff Recommendation.

Mr. Robinson noted the San Jose Station Entrance Options include: 1) Ravioli/ Firato Delicatessen Buildings, 2) Bank of America; and 3) Western Dental/ Moderne Drug Buildings. Mr. Robinson noted that the BART Downtown San Jose Station main entrance options along Santa Clara Street were addressed in the Supplemental Environmental Impact Report (SEIR) without a preferred option being selected.

Mr. Robinson commented that since that time further engineering studies were performed on 2 primary locations: 1) Western Dental/Moderne Drug; and 2) Bank of America at First and Santa Clara Streets.

Mr. Robinson commented that there are major challenges to the construction and design of an entrance in the Bank of America Building. There would be a significant cost associated with the Bank of America Building that would require significant seismic and building code retrofit work required of the 13-story structure. Mr. Robinson commented that the cost estimate for this proposed entrance is \$36 - \$46 million.

Mr. Robinson reported that the City of San Jose has expressed interest, in the Bank of America Building Entrance. This design option would provide a "Grand Gateway" for BART passengers accessing Downtown San Jose, and provide an opportunity to rehabilitate the historic Banker's Hall, and address the seismic retrofit of the building, and provide public access and visibility to a significant historic landmark building.

Mr. Robinson commented that the San Jose City Council supports the Bank of America Option and has come forward with a proposal for VTA to proceed with the design of the Bank of America Entrance in the SVRT project. The City of San Jose would provide the funding in an amount equal to the cost of developing the Western Dental Entrance option as well as be the responsible party for the property acquisition and the seismic/code improvements to the structure. Mr. Robinson commented that this option is supported by the San Jose Historic Landmark's Commission and local community and business interests in the Downtown San Jose area including First ACT Silicon Valley and the San Jose Downtown Association.

Member Natarajan inquired about the timeline for the first phase of the project. Mr. Robinson responded that the project is currently in the first phase and negotiations to acquire the property rights are ongoing. It is anticipated that a cooperative agreement between VTA and the City of San Jose outlining the timeframe and the next steps of the project will be available in early 2008.

M/S/C (Liccardo/Blalock) to approve the study of two alternative BART station entrances for the Downtown San Jose Station in the Environmental Impact Statement (EIS) and approve proceeding with the Bank of American Station Entrance Design pending the final results the environmental analysis.

Member Livengood expressed concern regarding unknown concerns that could significantly raise costs when retrofitting older structures such as the Bank of America Building. He recommended that guidelines be established to define areas of responsibility if costs escalate beyond budget due to seismic and building code retrofit issues.

6. Presentation on Warm Springs Extension (WSX) Progress Report

Kathy Mayo, Deputy Executive Manager of Transit System Development, provided a Powerpoint presentation regarding the BART Warm Springs Extension (WSX) Progress Report highlighting: 1) Project Alignment that includes the addition of 5.4 miles of new double track way, including a one mile long subway beneath Fremont Central Park; 2) Warm Spring Station at grade center platform with an overhead concourse; 3) Optional Station at Irvington (funded by City of Fremont); 4) Project Achievements; 5) Current Activities; 6) Project Schedule; 7) Project Cost Estimate; 8) Project Funding; 9) Remaining Funding Challenges; 10) “Go/No Go” Decision Point that to advertise the subway construction contract BART will need a full funding plan for a rail connection to Santa Clara County and a full funding commitment for WSX total project (\$747 million plus escalation) by April 2008; and 11) Project schedule.

Ms. Mayo commented that project achievements include: 1) 80 percent of the right-of-way has been acquired for the project, 2) CEQA clearance was completed June 2003; 3) NEPA clearance was completed in October 2006; and 4) Preliminary Engineering is 70 percent complete.

Ms. Mayo commented that Remaining Funding challenges include: 1) Alameda County Transportation Authority (ACTIA Measure B) mandates that “Funds for construction of the BART rail extension to Warm Springs in Southern Fremont may not be used until full funding for the rail connection to Santa Clara County is assured;” 2) Escalation from 2007 dollars to mid-point of construction at approximately \$35 million year adds \$143 million to the project based on 2013 opening; and 3) Timing of the funding commitment for SFO Extension Operating Surplus Funds (\$145 million).

Chairperson Yeager asked about the status of the project if the full funding commitment was not received by April 2008. Ms. Mayo responded that if the funding is not in place by April 2008, escalation costs would continue to add to the project.

Christine Monsen, Executive Director ACTIA, commented that the WSX project is a very important project and one of the largest within the Alameda County sales tax measures.

Michael T. Burns, VTA General Manager, commented that discussions at the regional level are taking place to explore the WSX funding shortfall and the SVRT Extension project. Mr. Burns commented that opportunities may arise in late 2008 to mid 2009 that may allow for satisfaction of the ACTIA obligation.

On order of Chairperson Yeager, there being no objection, the Committee received the Presentation on Warm Springs Extension (WSX) Progress Report.

7. Proposal to Create a Combined SVRT/WSX Policy Advisory Board

Carolyn M. Gonot, Chief SVRT Program Officer, reported on the Metropolitan Transportation Commission (MTC) proposal for combining the SVRTC PAB with the WSX Policy Advisory Committee highlighting: 1) Current SVRT PAB Composition; 2) Current BART to WSX Composition; and 3) Merged SVRT/WSX PAB Proposal.

Ms. Gonot commented that discussions at the regional level have recommended a merged SVRT/WSX PAB Proposal that would include:

- One ACTIA/Alameda County Congestion Management Agency (ACCMA) Board Member
- Two BART Board Members
- Two VTA Board Members
- Two MTC Commissioners (One from Santa Clara County; One from Alameda County)
- One City of Fremont Council Member
- One City of Milpitas Council Member
- One City of San Jose Council Member
- One City of Santa Clara Council Member

Ms. Gonot requested feedback from the PAB on the proposal to create a combined SVRT/WSX Policy Advisory Board.

Chairperson Yeager inquired as to whether the current composition of the Policy Advisory Boards is a duplication of information reviewed and discussed. Ms. Gonot answered in the affirmative.

Member Franklin recommended that when an issue of importance to both Policy Advisory Board arises, a dual meeting could be scheduled rather than combining the Boards.

Vice Chairperson Blalock commented that there is some merit and synergy to be derived from the proposed merger that could assist in the design phase of the project.

Michael T. Burns, General Manager commented that the projects are completely dependent on each other physically, financially, politically and in all aspects. Mr. Burns recognized the comments of Member Franklin and noted that although certain aspects of the projects may not directly interest each member of the PAB, those issues would be addressed through the method by which the meeting is structured utilizing the member's time to the best advantage. Mr. Burns expressed support for a combined SVRT/WSX Policy Advisory Board and commented that this type of forum would be significant as the project moves forward.

Member Livengood expressed concern that the proposal may require the elimination of the County's Board of Supervisors. Ms. Gonot commented that the proposal would provide that MTC Commissioners be appointed, one from Santa Clara and one from Alameda County. Member Livengood expressed concern that the proposal does not guarantee that either of the MTC Commissioners appointed to the combined PAB would be from the Board of Supervisors.

Mr. Burns commented that with the direction from the PAB the proposal of a combined SVRT/WSX Policy Advisory will be brought back to the PAB as a formal proposal. He noted that first the item must be considered by the VTA, BART, and ACTIA, Board of Directors.

On order of Chairperson Yeager, there being no objection, the Committee discussed the Proposal to Create a Combined SVRT/WSX Policy Advisory Board.

8. SVRT Program Progress Report

A. Planning Update

Carolyn M. Gonot, Chief SVRT Program Officer, provided a Planning Progress Report highlighting: 1) Station Area Planning; 2) BART Core Modifications Study; 3) Travel Forecasting; 4) Economic Impact Analysis; and 5) Financial Plan.

Station Area Planning

Ms. Gonot commented that SVRT staff is working with each of the impacted cities to develop long-term land use visions for each station area with a goal to finalize the plans by November 2007. A parking consultant team will complete a Parking Demand and Supply Analysis Study to assist VTA in the development of policy decisions for parking at the stations.

BART Core Modification Study

The BART Core Modification Study was initiated by VTA and BART in 2001 at a cost of approximately \$3.2 million. The purpose of the study is to identify BART core system improvements to support the SVRT project. Two studies have been completed: 1) BART Core Systems Impact;" and 2) "Systems Integration Modification Analysis." Coordination between VTA and BART is necessary to update the evaluation of core stations and systems due to changes in planning horizon from 2025 to 2030 and new regional land use projections. The update and analysis is scheduled for completion December 2008.

Travel Forecast

Using the FTA-approved travel forecast model, the modeling team is updating the SVRT ridership projections utilizing the 2007 ABAG projections. These projections will be used in the Federal EIS and in the BART Core Modification Study. In November 2007 sensitivity analysis based on FTA guidance will commence by the study team to define the effect of the various assumptions in the model.

Economic Impact Analysis

Ms. Gonot commented that VTA staff is conducting a study on the economic effect of the SVRT Extension at regional and local levels. The findings will be utilized in the FTA New Starts submittal. Ms. Gonot commented that staff is working on the competitive analysis portion of the study and will finalize the study December 2007.

Financial Plan

Ms. Gonot commented that in order to secure federal funding for the SVRT project, VTA must prepare financial plans and related documents for submittal to FTA. The documents must contain the most current cost estimates, planning and financial information available at the time of submission. VTA has engaged AECOM Consult, Inc. to develop a financial model to support the development of the Plan.

Ms. Gonot commented that the comprehensive financial model includes VTA capital and operating needs for transit activities. The information will be utilized as a data base for more detailed input and analysis to support the 2000 Measure A Expenditure Plan. The initial phase of the financial planning work for the Federal New Starts process is near completion.

Chairperson Yeager thanked Jack Collins, Chief Engineering and Construction Officer, for his dedication and exemplary contributions to the SVRT project and wished him success in his future endeavors.

B. Engineering Progress Report – September 2007

Jack Collins, Chief Engineering and Construction Officer, provided a report regarding the Engineering Progress Report – September 2007 highlighting: 1) 65 percent Engineering Phase initiated in January 2007 is 35 percent complete; 2) The California Transportation Commission (CTC) approved \$364 million of Transportation Congestion Relief Program (TCRP) funds for the project's Preliminary Engineering (PE) and 65 percent Engineering phases; 3) Completed sale of Warm Springs portion of Union Pacific Rail Road (UPRR) Right-of-Way to BART for \$20.1 million; 4) Architectural design themes for all stations has been presented to associated cities and stakeholders; and 5) The Santa Clara and Milpitas design themes have been approved by those cities.

Mr. Collins commented that the established implementation strategy with the City of San Jose and the building owner to utilize the historic Bank of America Building as the Downtown San Jose Station Entrance is in progress.

Chairperson Yeager inquired as to whether avenues are being addressed to make the project as environmentally green as possible. Mr. Collins commented that the project has engaged a sustainability team. Mr. Collins commented that the Sustainability Program is exploring the utilization of Photovoltaic panels on Yard and Shops buildings. Initial added capital costs would be offset by reduced operating costs in six years.

Mr. Collins commented that the Budget Summary indicates that of the total approved budget of \$651.2 million that \$342.1 million has been incurred to date (53 percent) with a balance of \$309.1 million.

Member Liccardo thanked Mr. Collins for his great service to VTA and commented that Mr. Collins leaving will be a huge loss to the Agency.

Member Liccardo asked whether it has been determined if the proposed stations would be built to Leadership In Energy and Environmental Design (LEED) standards. Mr. Collins responded that he is not certain if the stations will meet LEED standards.

Vice Chairperson Blalock commented that the Union City BART Station's retrofit will contain Photovoltaic panels.

C. FTA New Starts Activities

Ms. Gonot provided an overview of the FTA New Starts Activities highlighting: 1) Significant Activities in the last six months that include the FTA printed Notice of Intent (NOI) for the SVRT EIS in the Federal Register on September 21, 2007; 2) FTA awarded VTA two grants for the SVRT project totaling \$8.85 million that will be used to reimburse Preliminary Engineering (PE) work; 3) FTA confirmed travel demand forecasting model May 2007 for use in projecting ridership; and 4) VTA participated in the 2007 New Starts Roundtable.

Ms. Gonot noted that the FTA New Starts Activities upcoming coordination includes: 1) VTA/FTA meeting to commence review of sensitivity analysis of travel demand model; 2) VTA's participation in the 2007 New Starts Construction Roundtable; 3) FTA Program Management Oversight consultant to begin review of PE activities for PE entry; and 4) VTA in conjunction with FTA to develop the scoping report with responses to environmental coordination report.

Chairperson Yeager inquired as to whether the FTA is now more receptive to the SVRT Extension project. Ms. Gonot answered that FTA is responding to the project in a positive manner.

Michael T. Burns, General Manager, commented that change in the Administration at FTA which occurred 15 months ago has been significant and the cooperation is much improved.

On order of Chairperson Yeager, there being no objection, the Committee received the SVRT Program Progress Report.

9. Revised Silicon Valley Rapid Transit Corridor PAB 2008 Meeting Schedule

The PAB expressed concern regarding the proposed May 21, 2008 meeting date due to scheduling conflicts of certain members.

M/S/C (Blalock/Franklin) to approve the Proposed Revised Silicon Valley Rapid Transit Corridor PAB 2008 Meeting Schedule.

10. PAB Work Plan

On order of Chairperson Yeager, there being no objections, the Committee reviewed the PAB Work Plan.

11. Announcements

There we no Announcements.

12. ADJOURNMENT

On order of Chairperson Yeager, there being no objections, the meeting adjourned at 4:45 p.m.

Respectfully submitted,

Jacqueline F. Golzio, Board Assistant
VTA Board of Directors