BOARD OF DIRECTORS MEETING

Thursday, May 2, 2013

5:30 PM

Board of Supervisors’ Chambers
County Government Center
70 West Hedding Street
San Jose, CA 95110

**REVISED AGENDA**

To help you better understand, follow, and participate in the meeting, the following information is provided:

- Persons wishing to address the Board of Directors on any item on the agenda or not on the agenda should complete a blue card located at the public information table and hand it to the Board Secretary staff prior to the meeting or before the item is heard.

- Speakers will be called to address the Board when their agenda item(s) arise during the meeting and are asked to limit their comments to 2 minutes. The amount of time allocated to speakers may vary at the Chairperson's discretion depending on the number of speakers and length of the agenda. If presenting handout materials, please provide 25 copies to the Board Secretary for distribution to the Board of Directors.

- The Consent Agenda items may be voted on in one motion at the beginning of the meeting under Orders of the Day. If you wish to discuss any of these items, please request the item be removed from the Consent Agenda by completing a blue card at the public information table and handing it to the Board Secretary staff prior to Orders of the Day, Agenda Item #1.2.

**Changes from previous version:**

- Agenda language updated for Agenda Item #8.4 – Light Rail Efficiency Project – Special Trackwork Procurement Contract, which reflects the recommended contractor and contract amount.
Disclosure of Campaign Contributions to Board Members (Government Code Section 84308)

In accordance with Government Code Section 84308, no VTA Board Member shall accept, solicit, or direct a contribution of more than $250 from any party, or his or her agent, or from any participant, or his or her agent, while a proceeding involving a license, permit, or other entitlement for use is pending before the agency. Any Board Member who has received a contribution within the preceding 12 months in an amount of more than $250 from a party or from any agent or participant shall disclose that fact on the record of the proceeding and shall not make, participate in making, or in any way attempt to use his or her official position to influence the decision.

A party to a proceeding before VTA shall disclose on the record of the proceeding any contribution in an amount of more than $250 made within the preceding 12 months by the party, or his or her agent, to any Board Member. No party, or his or her agent, shall make a contribution of more than $250 to any Board Member during the proceeding and for three months following the date a final decision is rendered by the agency in the proceeding. The foregoing statements are limited in their entirety by the provisions of Section 84308 and parties are urged to consult with their own legal counsel regarding the requirements of the law.

All reports for items on the open meeting agenda are available for review in the Board Secretary’s Office, 3331 North First Street, San Jose, California, (408) 321-5680, the Monday, Tuesday, and Wednesday prior to the meeting. This information is available on our website, www.vta.org, and also at the meeting. Any document distributed less than 72-hours prior to the meeting will also be made available to the public at the time of distribution. Copies of items provided by members of the public at the meeting will be made available following the meeting upon request.

In accordance with the Americans with Disabilities Act (ADA) and Title VI of the Civil Rights Act of 1964, VTA will make reasonable arrangements to ensure meaningful access to its meetings for persons who have disabilities and for persons with limited English proficiency who need translation and interpretation services. Individuals requiring ADA accommodations should notify the Board Secretary’s Office at least 48-hours prior to the meeting. Individuals requiring language assistance should notify the Board Secretary’s Office at least 72-hours prior to the meeting. The Board Secretary may be contacted at (408) 321-5680 or e-mail: board.secretary@vta.org or (408) 321-2330 (TTY only). VTA’s home page is on the web at: www.vta.org or visit us on Facebook at: www.facebook.com/scvta. (408) 321-2300: 中文 / Español / 日本語 / 한국어 / tiếng Việt / Tagalog.

NOTE: THE BOARD OF DIRECTORS MAY ACCEPT, REJECT OR MODIFY ANY ACTION RECOMMENDED ON THIS AGENDA.

70 West Hedding St., San Jose, California is served by bus lines *61, 62, 66, 181, and Light Rail. (*61 Southbound last trip is at 8:55 pm for this location.)

For trip planning information, contact our Customer Service Department at (408) 321-2300 between the hours of 6:00 a.m. to 7:00 p.m. Monday through Friday and 7:30 a.m. to 4:00 p.m. on Saturday. Schedule information is also available on our website, www.vta.org.
1. CALL TO ORDER AND ROLL CALL

1.1. ROLL CALL

1.2. Orders of the Day - approve Consent Agenda (Item #7)

2. AWARDS AND COMMENDATION

2.1. INFORMATION ITEM - Recognize Benilda Diaz, Accountant III, River Oaks Administration; Jigdol Ngawang, Coach Operator, North Division; and Hanh Lam, Transit Mechanic, Chaboya Maintenance, as Employees of the Month for May 2013.

3. CLOSED SESSION

3.1. Recess to Closed Session

A. Conference with Real Property Negotiators
   [Government Code Section 54956.8]
   Property: Fee interest in property located at the southwest corner of West San Carlos Avenue and Sunol Blvd in San Jose

   Agency Negotiator: Bijal Patel, Deputy Director, Property Development & Management

   Negotiating Parties: Michael VanEvery, Green Republic

   Under Negotiation: Possible amendment to terms and conditions of payment of existing Purchase and Sale Agreement

B. Existing Litigation - Conference with Legal Counsel
   [Government Code Section 54956.9(a)]

   Name of Case: Santa Clara Valley Transportation Authority v. U.S. REIF Mabury California, LLC, et al. (Eminent Domain) (Santa Clara Superior Court Case No.: 1-11-CV-212792)

C. Anticipated Litigation - Conference with Legal Counsel
   [Government Code Section 54956.9(c)]

   Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9

   Number of Potential Cases: 1
D. Conference with Labor Negotiators  
[Government Code Section 54957.6]

VTA Designated Representatives  
Bill Lopez, Chief Administrative Officer  
Robert L. Escobar, Deputy Director, Administrative Services  
Joseph Smith, Chief Financial Officer

Employee Organizations  
American Federation of State, County and Municipal Employees (AFSCME), Local 101  
Service Employees International Union (SEIU), Local 521  
Transportation Authority Engineers and Architects Association (TAEA), IFPTE, Local 21

E. Public Employment  
[Pursuant to Government Code Section 54957]

Title of position to be filled: General Manager

F. Public Employee Performance Evaluation  
[Government Code Section 54957]

Title: General Counsel

3.2. Reconvene to Open Session

3.3. Closed Session Report

4. PUBLIC COMMENT

This portion of the meeting is reserved for persons desiring to address the Board of Directors on any item within the Board's jurisdiction. Speakers are limited to 2 minutes. The law does not permit Board action or extended discussion of any item not on the agenda except under special circumstances. If Board action is requested, the matter can be placed on a subsequent agenda. All statements that require a response will be referred to staff for reply in writing.
5. PUBLIC HEARINGS

5.1. HEARING - NOTICE OF INTENTION TO ADOPT RESOLUTIONS OF NECESSITY

ACTION ITEM - Close Hearing and adopt Resolutions of Necessity determining that the public interest and necessity requires the acquisition of property interests from two properties owned by: (1) Nicora Avenue, L.P., a California limited partnership, located in San Jose, California; and (2) Asilomar Partners Milmont, LLC., a California limited liability company, located in Fremont, California, for the BART Silicon Valley Berryessa Extension (SVBX) Project.

Note: Motion must be approved by at least 2/3 of the Board (8 members).

Property ID/Assessor's Parcel Number/Owner

B3013 (APN 254-02-076) owned by Nicora Avenue, L.P., a California limited partnership

Property ID/Assessor's Parcel Number/Owner

B2013 (APN 519-1010-112, 113 and 114) owned by Asilomar Partners Milmont, LLC., a California limited liability company

6. REPORTS


6.3. INFORMATION ITEM - Review updates to the Fiscal Years 2014 and 2015 Recommended Biennial Budget.

6.4. General Manager Report. (Verbal Report)


6.4.B. INFORMATION ITEM - Receive an update regarding Labor Relations.

6.4.C. INFORMATION ITEM - Receive Silicon Valley Rapid Transit (SVRT) Program Update.
6.4.D. Receive updates regarding Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) activities.

6.5. Chairperson's Report. (Verbal Report)

7. CONSENT AGENDA

7.1. Approve the Board of Directors Regular Meeting Minutes of April 4, 2013.

7.2. ACTION ITEM - Authorize transfer of $20,650,000 from the Other Post Employment Benefits (OPEB) Liability Reduction Fund to the OPEB Trust Fund. (Deferred from the April 4, 2013, VTA Board of Directors’ Regular Meeting.)

7.3. ACTION ITEM - Adopt a support position for SB 628 (Beall), which expands the use of infrastructure financing districts to include the implementation of transit priority projects.

7.4. ACTION ITEM - Authorize the General Manager to purchase insurance coverage for Excess Liability, General and Auto Liability, and Public Officials Errors and Omissions Liability; Property / Boiler & Machinery; Inland Marine for Light Rail Vehicles; Inland Marine for Buses, Vans and Mobile Equipment; and Flood exposures for the annual Operations Program Insurance renewal for an amount not to exceed $3,427,577.

7.5. ACTION ITEM - Authorize the General Manager to execute a contract with Daktronics Inc. the lowest responsive and responsible bidder, for a maximum of 103 specialized dynamic LED based transit information signs, software integration of the sign interfaces, technical support, maintenance, tax, shipping, and warranty services. The contract will be for a maximum 2 year period, with a value not to exceed $750,000.

7.6. ACTION ITEM - Authorize the General Manager to submit Federal Fiscal Year 2013 grant applications and execute grant agreements with the Federal Transit Administration (FTA) for Section 5307 Urbanized Area Formula, Section 5309 Fixed Guideway, Section 5309 New Starts, Section 5337 State of Good Repair and Section 5339 Bus and Bus Facilities funds.

7.7. ACTION ITEM - Adopt the Bicycle Expenditure Program (BEP) Project List for VTP 2040.

7.8. ACTION ITEM - Approve a program of projects for the Vehicle Emissions Reductions Based at Schools (VERBS) Program.

7.9. ACTION ITEM - Amend the Local Program Reserve (LPR) programming for the Mathilda/US 101 Interchange project in Sunnyvale and the Mary Avenue Extension project in Sunnyvale to address accounting issues and return unused funds to the program.
7.10. **ACTION ITEM** - Adopt the 2012 Monitoring and Conformance Findings.

7.11. **ACTION ITEM** - Authorize the General Manager to seek approval from the California Transportation Commission (CTC) for the transfer of $18 million in Transportation Congestion Relief Program (TCRP) funds from the Caltrain South County Improvement Project to the Rail Extension to Salinas Project.

7.12. **ACTION ITEM** - Adopt the FY2014 and FY2015 Transit Service Plan and the recommended transit service changes.

7.13. **ACTION ITEM** - Authorize the General Manager to execute a contract with General Electric Transportation Systems Global Signaling LLC for an amount not to exceed $3 million for refinements and modifications of the existing Supervisory Control and Data Acquisition system used to control the light rail operating system.

7.14. **ACTION ITEM** - Authorize the General Manager to amend the Freight Railroad Relocation - Alum Rock Fish Passage construction contract with Stevens Creek Quarry Construction to accommodate scope additions in the amount of $263,500 for a new authorized amount of $1,157,700.

7.15. **ACTION ITEM** - Consider the Addendum to the 2nd Supplemental Environmental Impact Report (EIR) and approve the design changes to the BART Silicon Valley Project (“Project”), as discussed in Addendum No.4.

7.16. **ACTION ITEM** - Authorize the General Counsel to execute a contract with ICF International in an amount up to $2,000,000 for the preparation of a combined National Environmental Policy Act (NEPA)/California Environmental Quality Act (CEQA) environmental update document for a six-mile, four-station Phase II of the BART Silicon Valley Project.

7.17. **INFORMATION ITEM** - Review the Monthly Legislative History Matrix.

7.18. **INFORMATION ITEM** - Silicon Valley Express Lanes Program

   7.18.a. **INFORMATION ITEM** - Receive update on Express Lanes projects.

   7.18.b. **INFORMATION ITEM** - Receive an update on Silicon Valley Express Lanes Implementation Plan.

8. REGULAR AGENDA

Administration and Finance Committee

8.1. ACTION ITEM - Adopt a Resolution authorizing the General Manager or Chief Financial Officer to execute and deliver any and all documents, including a Remarketing Memorandum in connection with the 2000 Measure A Sales Tax Revenue Refunding Bonds, 2008 Series A, B, C and D that are required to (1) extend the liquidity facilities provided by Sumitomo Mitsui Banking Corporation as liquidity provider for 2008 Series C and D and (2) replace the liquidity facilities provided by JPMorgan Chase Bank, N.A (JPMorgan) for 2008 Series A and B with liquidity facilities provided by Sumitomo Mitsui Banking Corporation.

Congestion Management Program and Planning Committee

8.2. ACTION ITEM - Identify $17 million in local funding to advance the SR-152 New Alignment project, authorize VTA staff to submit Assembly Bill (AB) 3090 requests to the Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC), and authorize the General Manager to execute an AB 3090 Reimbursement Agreement with the CTC and/or Caltrans.

Transit Planning and Operations Committee

8.3. ACTION ITEM - Consider the Addendum to the Final Environmental Impact Report (EIR) and approve the design changes to the Santa Clara/Alum Rock Bus Rapid Transit Project (“Project”), as discussed in Addendum No.2.

8.4. ACTION ITEM - Authorize the General Manager to execute a contract with Cleveland Track Material, Inc., the lowest responsible bidder, in the amount of $1,423,550 for the Light Rail Efficiency Project - Special Trackwork procurement contract.

9. OTHER ITEMS

9.1. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

9.2. Reports from VTA Committees, Joint Powers Boards (JPB), and Regional Commissions

9.2.A. VTA Standing Committees

9.2.B. VTA Advisory Committees

9.2.C. VTA Policy Advisory Boards (PAB)

9.2.D. Joint Powers Boards and Regional Commissions
9.3. Announcements

10. ADJOURN
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief Administrative Officer, Bill Lopez

SUBJECT: Employees of the Month for May 2013.

FOR INFORMATION ONLY

BACKGROUND:

Benilda Diaz, Accountant III in Fiscal Resources at River Oaks, began her career with VTA in 1999. In her current position she supports business systems in the disbursement department by testing software updates, and resolving year-end payroll issues and union contract changes. She is recognized as a dedicated team player who takes on critical projects while performing her regular full-time assignments. Benilda is known for completing her work with the utmost of efficiency and accuracy. She is a dependable, resourceful, and hardworking employee who is truly deserving of this award. Congratulations to Benilda Diaz, Administrative Employee of the Month for May!

Jigdol Ngawang, Coach Operator at North Division, has been with VTA for over six years and is committed to delivering safe and dependable service to the public. He was recently selected to serve as a line instructor to help shape the skills and attitudes of new recruits in becoming safe and friendly operators. Jigdol is also active in the Joint Workforce Investment Program, where he serves as a mentor and inspiration to new employees. He is an exemplary representative of VTA and always delivers outstanding customer service and exceptional performance in all that he does. Congratulations to Jigdol Ngawang, Operations Employee of the Month for May!

Hanh Lam, Transit Mechanic at Chaboya Maintenance, has been with VTA for six years. In his current assignment, Hanh is responsible for complex mechanical work as well as diagnosing, maintaining and repairing VTA buses and support vehicles. He takes on the most difficult jobs with a confidence that highlights his experience. Hahn takes great pride in his work and carries out his assignments with the highest level of care and attention to detail. He is valued by fellow employees and his supervisors for having a positive attitude and has earned the respect of his entire team. Congratulations to Hahn Lam, Maintenance Employee of the Month for May!

Prepared By: Employee Relations
Memo No. 4075
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief SVRT Program Officer, Carolyn M. Gonot

SUBJECT: SVBX Resolution of Necessity

Policy-Related Action: No
Government Code Section 84308 Applies: No

Resolution

ACTION ITEM

RECOMMENDATION:

Adopt Resolutions of Necessity determining that the public interest and necessity require the acquisition of properties for the BART Silicon Valley Berryessa Extension (SVBX) Project.

BACKGROUND:

The BART Silicon Valley Program is an extension of the existing BART regional heavy rail system to Milpitas, San Jose and Santa Clara, which will be delivered through a phased approach. The first phase is the Silicon Valley Berryessa Extension (SVBX) Project, a 10-mile, two-station project, which will extend the existing BART system and provide service to the Cities of Milpitas and San Jose in Santa Clara County.

The SVBX Project will begin south of the future BART Warm Springs Station in Fremont and proceed on the WP Milpitas Corridor purchased by VTA from the Union Pacific Railroad in 2002, through Milpitas, and end in the Berryessa area of north San Jose at Las Plumas Avenue (See Project Map attached hereto). Engineering on the SVBX Project is advancing, and major utility relocations and full construction activities have begun. Full and partial property acquisitions are required from approximately 102 property owners in order to construct the SVBX Project.

These acquisitions are being pursued in accordance with state and federal law, and diligent efforts are being made to acquire them through negotiated settlement. However, negotiated settlements may not be achievable in all instances and some of the acquisitions may need to be
acquired through a timely condemnation process, particularly to ensure that the Project can stay on schedule.

A prerequisite to commencement of eminent domain proceedings by a public entity is adoption of a Resolution of Necessity (California Code Civil Procedure section 1245.220). As discussed below, staff is recommending the Board to adopt Resolutions of Necessity for 2 property acquisitions to enable commencement of eminent domain proceedings.

**DISCUSSION:**

Among the approximately 102 property acquisitions required for the Project, staff is recommending that Resolutions of Necessity be adopted for the following properties:

1. **Property owned by Nicora Avenue, L.P., a California limited partnership (B3013):**

   This property is located at 1480 Nicora Avenue in the City of San Jose. The larger parcel consists of approximately 4.593 acres and is improved with a warehouse, light industrial and office buildings.

   The proposed acquisition consists of a partial fee interest (B3013-01) of 1,134 sq. ft. that is required to construct the new BART tail tracks. The proposed acquisition is located in a corner of the larger parcel adjacent to the corridor outside the area in which the buildings on the property are located.

   The property was appraised and reviewed by a review appraiser, and VTA staff set just compensation. An offer based on the recommended appraisal was made on January 25, 2012. VTA and the owners reached an agreement to acquire the property on February 22, 2012, and the transaction proceeded to escrow. However, during the escrow period, it became apparent that the owner would not be able to remove the necessary encumbrances on title on the property, which left the parties with no choice but to proceed to the Board, seeking adoption of a Resolution of Necessity.

2. **Property owned by Asilomar Partners Milmont, LLC., a California limited liability company (B2013):**

   This property is located at 49000-49026, 49036-49050 and 49070-49090 Milmont Drive in the City of Fremont. The larger parcel consists of approximately 14.18 acres and is improved with three multi-tenant office or R&D buildings.

   The proposed acquisitions consist of a 26,217 sq. ft. partial fee acquisition (B2013-01), a 18,719 sq. ft. permanent ingress/egress easement (B2013-02), a 9,795 sq. ft. 12 month temporary construction easement (B2013-03) and a 15,344 sq. ft. utility easement (B2013-04). The partial fee acquisition is required to construct the BART systems facility, including the train control building and the power substation, which provides power to the BART corridor and facilities; the permanent ingress/egress easement is required to provide access for construction of the systems facility and subsequent permanent access to the facility and the BART corridor; the 12 month temporary...
construction easement is required for the construction of the facility; and the utility easement is needed for the installation of utilities that are needed for the systems facility, including but not limited to, electricity, water, sanitary sewer pipelines and communication cables. The acquisitions lie within a parking area and landscaped borders of the property.

The property was appraised and reviewed by a review appraiser, and VTA staff set just compensation. An offer based on the recommended appraisal was made on March 14, 2013. To date, negotiations with the owner to acquire the property have been unsuccessful even though the real estate team has diligently worked to acquire the property through negotiated settlement with the property owner. The team will continue to work with the property owner to reach a negotiated settlement even after adoption of a Resolution of Necessity.

VTA must take action to acquire the above-referenced properties through eminent domain proceedings in order to ensure that construction can timely begin and the construction schedule remains intact.

As noted above, a prerequisite to commencement of eminent domain proceedings by a public entity is adoption of a Resolution of Necessity. This statutory requirement is designed to ensure that public entities verify and confirm the validity of their intended use of the power of eminent domain. A resolution of necessity must contain a general statement of the public use for which the property is taken, a reference to the authorizing statutes, a description of property, and a declaration stating that each of the following have been found and determined to be true:

1. The public interest and necessity require the proposed project;

2. The proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

3. The property described in the resolution is necessary for the proposed project; and

4. The offer required by Section 7267.2 of the Government Code, together with the accompanying statement of the amount established as just compensation, has been made to the owner or owners of record, which offer and statement were in a format and contained the information required by Government Code Section 7267.2, or the offer has not been made because the owner cannot be located with reasonable diligence.

Further information addressing each of these items and any additional findings that must be made are included in a staff report attached hereto. The staff report also contains specific information on the properties being impacted.

**ALTERNATIVES:**

The properties that are subject to the Resolutions of Necessity before the Board are necessary for the Project and a condemnation action must be initiated in order to obtain possession of the parcels if the Project schedule is to be maintained. The Board may, in its discretion, decide not
to adopt the Resolutions of Necessity. However, this would necessitate either some delay and/or a possible redesign, which could impact the schedule and, most likely, increase the costs of the Project.

**FISCAL IMPACT:**

Appropriation for the costs associated with acquisition of these properties is included in the FY13 Adopted 2000 Measure A Transit Improvement Program Fund Capital Budget.

Prepared by: Bijal Patel
Memo No. 3887
SVBX Property Acquisition Staff Report

INTRODUCTION

This staff report is submitted for review by the Board of Directors prior to the recommended adoption of a resolution of necessity for the acquisition of property for the BART Silicon Valley Berryessa Extension (SVBX) Project.

For each property interest to be acquired, a resolution of necessity must be adopted prior to the commencement of eminent domain proceedings (Code of Civil Procedure Section 1245.220.). The statutory requirement that a public entity adopt a resolution of necessity before initiating a condemnation action “is designed to ensure that public entities will verify and confirm the validity of their intended use of the power of eminent domain prior to the application of that power in any one particular instance.” San Bernardino County Flood Control Dist. v. Grabowski (1988) 205 Cal.App.3d 885, 897.

Thus, a resolution of necessity must contain a general statement of the public use for which the property is to be taken, a reference to the statute authorizing the exercise of eminent domain, a description of the property, and a declaration stating that each of the following have been found and determined by the Board to be the case:

1. The public interest and necessity require the proposed project;
2. The proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
3. The property described in the resolution is necessary for the proposed project; and,
4. That either the offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record, or the offer has not been made because the owner cannot be located with reasonable diligence.

(Code of Civil Procedure Section 1245.230.)

Also, for those parcels to be acquired as public service public utility easements, the resolution of necessity will state that such property is being acquired pursuant to the provisions of Code of Civil Procedure Sections 1240.320, 1240.330, and 1240.350, as substitute property necessary for acquisition or exchange with regard to affected public utilities, for relocation of such utilities, or to provide utility service to the remaining property, as the case may be. For such property, the Board will be further finding and determining that the taking of said substitute property is necessary for each of the purposes specified in Sections 1240.320, 1240.330, and 1240.350.

Further, insofar as any of the property to be acquired has heretofore been dedicated to public use, the resolution of necessity will find that the acquisition of such property by VTA for the Project is for a more necessary public use to which the property has already been appropriated or is a compatible public use pursuant to Code of Civil Procedure Sections 1240.510 and 1240.610.
report provides data and information addressing each of these items. Section 1 generally describes the public use for which the property is to be taken and sets forth the statutory authority for VTA’s exercise of eminent domain. Sections 3, 4, and 5 provide facts pertinent to public interest and necessity (Finding #1) and the planning and location of the SVBX Project (Finding #2). Section 6 also contains a property data sheet and other material discussing the necessity for acquiring the specific property interests that are the subject of the resolutions of necessity (Finding #3). Section 2 provides information concerning the offers made to the property owners pursuant to Government Code Section 7267.2 (Finding #4).

This evidentiary factual record will assist the Board in determining whether the requirements of Section 1245.230 have been met, and whether the other findings specified above, as applicable, can be made. If the Board determines that all requirements have been met, and that all findings can be made, it is recommended that the Board adopt resolutions of necessity for each of the parcels listed on the Board Meeting Agenda. The resolutions of necessity scheduled to be heard by the Board are attached to this staff report.

SECTION 1

GENERAL STATEMENT OF PUBLIC USE

Each of the parcels of property that are the subject of the recommended resolutions of necessity are to be acquired for the construction of the SVBX Project, a 10-mile, two-station, first phase of the 16-mile BART Silicon Valley Program.

STATUTORY AUTHORIZATION FOR EXERCISE OF EMINENT DOMAIN

Under its enabling legislation, VTA is authorized to acquire property for mass transit purposes by eminent domain. Public Utilities Code Section 100130, which sets forth the general powers of VTA, provides in pertinent part that: “The district may take by grant, purchase, devise, or lease, or condemn in proceedings under eminent domain, or otherwise acquire, and hold and enjoy, real and personal property of every kind within or without the district necessary to the full or convenient exercise of its powers.” One of the main functions of VTA is to provide transit service. (Public Utilities Code Sections 100160, 100161.)

Public Utilities Code Section 100131 provides further authority for the taking of property by VTA through eminent domain. It states in pertinent part that: “The district may exercise the right of eminent domain to take any property necessary or convenient to the exercise of the powers granted in this part.”

In addition, the Eminent Domain Law, Code of Civil Procedure Sections 1230.010 et seq., gives entities authorized by statute the right to use eminent domain to acquire property for public use, and specifies the procedures for the exercise of that right.
SECTION 2

GOVERNMENT CODE OFFERS

The owners of the properties that are the subject of the resolutions were made an offer by VTA for the purchase of the properties unless they could not be located with reasonable diligence as required by Government Code Section 7267.2. Sections 7267.2(a), (b) and (c) state that:

(a) (1) Prior to adopting a resolution of necessity pursuant to Section 1245.230 of the Code of Civil Procedure and initiating negotiations for the acquisition of real property, the public entity shall establish an amount that it believes to be just compensation therefor, and shall make an offer to the owner or owners of record to acquire the property for the full amount so established, unless the owner cannot be located with reasonable diligence. The offer may be conditioned upon the legislative body’s ratification of the offer by execution of a contract of acquisition or adoption of a resolution of necessity or both. The amount shall not be less than the public entity’s approved appraisal of the fair market value of the property. Any increase or decrease in the fair market value of real property to be acquired prior to the date of valuation caused by the public improvement for which the property is acquired, or by the likelihood that the property would be acquired for the improvement, other than that due to physical deterioration within the reasonable control of the owner or occupant, shall be disregarded in determining the compensation for the real property.

(2) At the time of making the offer described in paragraph (1), the public entity shall provide the property owner with an informational pamphlet detailing the process of eminent domain and the property owner’s rights under the Eminent Domain Law.

(b) The public entity shall provide the owner of real property to be acquired with a written statement of, and summary of the basis for, the amount it established as just compensation. The written statement summary shall contain detail sufficient to indicate clearly the basis for the offer, including, but not limited to, all of the following information:

(1) The date of valuation, highest and best use, and applicable zoning of property.
(2) The principal transactions, reproduction or replacement cost analysis, or capitalization analysis, supporting the determination of value.

(3) If appropriate, the just compensation for the real property acquired and for damages to remaining real property shall be separately stated and shall include the calculations and narrative explanation supporting the compensation, including any offsetting benefits.

(c) Where the property involved is owner-occupied residential property and contains no more than four residential units, the homeowner shall, upon request, be allowed to review a copy of the appraisal upon which the offer is based. The public entity may, but is not required to, satisfy the written statement, summary, and review requirements of this section by providing the owner a copy of the appraisal on which the offer is based.

The property owners were presented with a written offer in an amount not less than the approved appraisal for the property, and a statement and summary of the basis of the offer, comprised of an Appraisal Summary Statement. The Appraisal Summary Statement provided the following information: name of owner; property address; parcel and APN number; locale; applicable zoning; date of valuation, present use; highest and best use; total property area; area to be acquired; type of interest to be acquired; improvements and access impacted; damages incurred and, as appropriate, separately stated with calculations and narrative explanation; total payment; and a description of the market value, reproduction or replacement cost analysis, or capitalization analysis, used to determine just compensation; and a summary of comparable sales, including the location, date of sale and sales price of properties used in the appraisal process. The dates that the offers were made to the property owners are specified on the Property Fact Sheets contained in Section 6 of this report.
SECTION 3

SVBX PROJECT OVERVIEW, PURPOSE AND NEED

Project Description

BART Silicon Valley is an extension of the existing BART regional heavy rail system to Milpitas, San Jose and Santa Clara. The 16-mile BART Silicon Valley Program will be delivered through a phased approach.

The Silicon Valley Berryessa Extension (SVBX) Project is a 10-mile, two-station, first phase of BART Silicon Valley. SVBX is being implemented in cooperation with the Federal Transit Administration’s (FTA) New Starts Program, and will be a fully operable extension of the existing BART system with service to the cities of Milpitas and San Jose in Santa Clara County.

This extension of the BART system will begin south of the future BART Warm Springs Station in Fremont and proceed on the WP Milpitas Corridor purchased by VTA from the Union Pacific Railroad in 2002, through Milpitas, and end in the Berryessa area of north San Jose at Las Plumas Avenue. Engineering on the project is advancing, construction activities have commenced.

The two SVBX stations will feature:

- Parking structures
- Bus transit centers
- Bike and pedestrian connections
- Convenient access to BART System:
  - Half-mile walk for nearly 30,000 residents
  - Less than 12-minute bike ride for 260,000
  - 15-minutes via public transit or automobiles for more than 1,007,000 local residents

Purpose of the Project

The project is intended to achieve the following objectives:

- Improve public transit service and increase ridership in this severely, and ever-increasing, congested corridor by providing expanded transit capacity and faster, convenient access to and from major Santa Clara County employment and activity centers for corridor residents and residents from throughout the Bay Area and portions of the Central Valley of California.
• Enhance regional connectivity by expanding and interconnecting BART rapid transit service with VTA light rail, Amtrak, ACE, Caltrain, and VTA bus services in Santa Clara County; improve intermodal transit hubs where rail, bus, auto, bicycle and pedestrian links meet.

• Expand transportation solutions that will be instrumental in maintaining the economic vitality and continuing development of Silicon Valley.

• Improve mobility options to employment, education, medical, and retail centers for corridor residents, in particular low-income, youth, elderly, disabled, and ethnic minority populations.

• Improve regional air quality by reducing auto emissions.

• Support local and regional land use plans and facilitate corridor cities’ efforts to direct business and residential investments in transit oriented development. More efficient growth and sustainable development patterns are necessary to reduce impacts to the local and global environmental, such as adverse climate change.

Improved transit in the BART Silicon Valley Corridor is consistent with the goals established in prior corridor studies and responds to the long-range Valley Transportation Plan 2035 (VTP 2035), adopted by VTA in January 2009. The primary goal of the long-range plan is to provide transportation facilities and services that support and enhance Santa Clara County’s high quality of life and vibrant economy.

**Need for the Project**

The SVBX Project is critical to improving mobility between the East Bay and South Bay regions of the San Francisco Bay Area, as well as between eastern Santa Clara County and San Francisco. The project corridor, including the 1-880 and 1-680 freeways, is already very congested, with roadway conditions projected to steadily worsen as Santa Clara County and the greater Bay Area continue to grow. Travelers on the roadway network experience excessive delays currently and can expect delays on the typical weekday to increase in the absence of the proposed improvements.

SVBX is the initial segment of a planned BART extension to downtown San Jose and Santa Clara. The full extension will complete a major link in a regional high-speed, high capacity transit network that will circle lower San Francisco Bay. Regional connectivity is important to the future of Silicon Valley, the high-technology and venture capital center of the nation and a major provider of biotechnology products and services.
BART is the only modal alternative that produces a better balance between transit and auto modes; significantly facilitates transit-oriented development; and moves large numbers of commuters and discretionary travelers alike quickly and reliably. Other transportation improvement alternatives to the proposed project are not adequate for addressing current and future needs. Transportation system management/baseline improvements in the form of expanded express bus services and preferential treatments for transit do not reduce travel time delays significantly. Although increased higher density, mixed-use developments around light rail stations would increase the viability of a light rail option, it is oriented to intra-county travel. Frequent station stops and at-grade running tend to slow travel speeds, and train capacity will become constrained by the maximum allowable three-car train consists. Existing commuter rail services in the corridor are also capacity constrained due to the limited service frequencies that remain when sharing trackage with freight trains. No other transit modes can match the regional connectivity provided by a BART extension and therefore they perform poorly in accommodating the rapid growth of regional travel in the San Francisco Bay Area.

SECTION 4

PROJECT PLANNING AND IMPLEMENTATION

Alternatives Analysis

A BART extension was selected as the Locally Preferred Alternative (LPA) following completion of the Major Investment Study (MIS)/Alternatives Analysis (MIS/AA) in November 2001. The study evaluated 11 alternatives for the Silicon Valley Rapid Transit Corridor, representing various modes of travel including express bus, bus rapid transit, commuter rail, diesel and electric light rail, and BART. The LPA was chosen after an extensive review process, including technical analysis, 12 public meetings, and more than 15 Community Working Group meetings.

In October 2001, the Policy Advisory Board (PAB) voted unanimously to recommend to the VTA Board that the BART on the UPRR Alignment alternative be carried forward into the EIS/EIR phase along with the FTA-required Baseline Alternative. Since the VTA-BART property negotiations were still unresolved at the time, the PAB also recommended carrying forward a BART-Compatible alternative.

On November 9, 2001, the VTA Board unanimously selected BART on the UPRR Alignment as the Preferred Investment Strategy for the Silicon Valley Rapid Transit Corridor, citing its overall ranking of “High” in comparison to the other alternatives. The Board instructed that, in addition to the BART Alternative, the Baseline (Expanded Bus) Alternative be carried forward into the environmental compliance phase to fulfill FTA project development guidelines. The Board also
approved an agreement with BART to identify the terms and conditions for implementing the Preferred Investment Strategy in concert with BART. On November 12, 2001, the BART Board also adopted the terms and conditions for the agreement.

When compared with the other alternatives, the BART Alternative offered:

- Fastest travel times to passenger destinations
- Highest ridership projections
- Greatest congestion relief
- Best access to jobs, education, medical, retail and entertainment centers throughout the Bay Area
- Regional connectivity with no transfers to the BART system
- Opportunities for transit-oriented development in conjunction with local land use planning efforts.

Station Area Planning

Station area planning for the new BART stations is an important element of the SVBX Project. VTA is working with the cities and stakeholders to develop transit-supportive station campuses, access, circulation, and land uses in the station areas that would increase transit ridership, create vibrant communities, ease the housing shortage, and promote multi-modal access to and from the stations.

The City of Milpitas has adopted a specific plan for the area surrounding the proposed BART Milpitas Station. The Milpitas Transit Sub Area Specific Plan, as adopted by the Milpitas City Council, would create mixed land uses near two VTA LRT stations and the future Milpitas BART station at Montague Expressway and Piper Drive.

Station area land use plans are guided, in part, by the Metropolitan Transportation Commission (MTC) Regional Transit Expansion Program policy, Resolution 3434, which includes provisions for transit-oriented development within a half-mile radius of transit stations.

Project Funding

The total SVBX Project cost is estimated at approximately $2.1 billion based on most current engineering cost estimates for project construction. Funding for the SVBX Project will come through multiple revenue streams including the 2000 Measure A, 1/2 cent sales tax and other local sources, the State of California and its Traffic Congestion Relief Program (TCRP), and federal grants including the New Starts Program. VTA requested $900 million in FTA New Starts funding, which it secured through execution of a full Funding Grant Agreement (FFGA) in March, 2012. The FFGA is a multi-year contractual agreement between the FTA and VTA that
formally defines the project scope, cost and schedule, and establishes the terms of the $900 million in federal financial assistance.

Engineering design

The engineering and design of BART Silicon Valley is developed in various phases of project development in conjunction with the environmental process. Engineering phases include Conceptual Engineering (10% design), Preliminary Engineering (35% design), 65% design, and Final Engineering (100% design). These design phases represent a progression of engineering throughout project development.

Conceptual Engineering and Preliminary Engineering (PE) phases occur during the development of draft and final environmental documents, and together are generally referred to as the PE phase. The 65% design phase allows for a further refinement to project definition and the design of the facilities and systems.

In December 2006, the technical PE phase was completed. The 65% engineering phase was completed in December 2008. Said engineering designs are hereby incorporated herein by reference. Final design will advance the project development to 100% completion following the selection of a Design-Build contractor as discussed in the section below.

Design-Build Contract Procurement

In May 2010, the VTA Board of Directors authorized VTA’s General Manager to pursue Design-Build as the delivery method for SVBX. The Design-Build method of project delivery involves selecting a contractor to perform both final design and construction under a single contract. Analysis of Design-Build as the delivery method for the project versus the traditional design, bid, build showed potential cost savings of $75 million, a 6 month acceleration of project delivery and reduced risks to VTA. This is VTA’s first Design-Build contract.

VTA issued the Request for Proposals (RFP) for the C700 Line, Track, Stations, and Systems (LTSS) contract in March 2011 to pre-qualified teams. The pre-qualified teams are KSG Constructors, Skanska-Shimmick-Herzog, Tutor Perini and Parsons SVBX, and Walsh/Flatiron/Comstock. On December 8, 2011, the Board awarded the C700 contract to Skanska-Shimmick-Herzog.
SECTION 5

ENVIRONMENTAL CLEARANCE AND REVIEW

Environmental Clearance

The Berryessa Extension Project is defined in the BART Silicon Valley Final Environmental Impact Statement (2010). FTA, in coordination with VTA, circulated an Environmental Impact Statement in accordance with the National Environmental Policy Act (NEPA) in 2009. The Final Environmental Impact Statement was released in March 2010. A Record of Decision was issued in June 2010.

VTA released a Draft Second Supplemental Environmental Impact Report (SEIR) in November 2010 to address proposed project changes since the certification of the last environmental document in 2007 under the California Environmental Quality Act (CEQA). The Final Second SEIR was circulated to the public in February 2011 and certified at the March 2011 VTA Board of Directors meeting.

Environmental Review Summary

Environmental impacts were discussed in detail in the following California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) documents prepared during the planning and environmental review phases of the Project. Said documents are available for the Board's review & consideration and are incorporated by reference herein. Many of these documents, and other information concerning the Project, are available through the VTA website, vta.org.

- Major Investment Study Final Report, November 2001 (NEPA)
- 2004 Final Environmental Impact Report (CEQA)
- 2007 Draft Supplemental Environmental Impact Report (CEQA)
- 2007 Final Supplemental Environmental Impact Report (CEQA)
- 2009 Draft Environmental Impact Statement (NEPA)
- 2010 Final Environmental Impact Statement (NEPA)
- 2010 Addendum to the 2007 FSEIR (CEQA)
SECTION 6

SPECIFIC PROPERTY ACQUISITIONS

Detailed property fact sheets and aerial photographs of the parcels required for this Project, are subject to the Resolutions of Necessity follows. Overall property requirements and project related costs have been minimized as much as possible. Offers were made to the owners of properties as follows: (1) B3013 -- on or about January 25, 2012; and (2) B2013 -- on or about March 14, 2013, said offer packages incorporated herein by reference. Notices of Intention to Adopt Resolution of Necessity, incorporated herein by reference, were sent to the owners of the properties on April 16, 2013.
BART SILICON VALLEY BERRYESSA EXTENSION PROJECT

PROPERTY FACT SHEET – B3013

<table>
<thead>
<tr>
<th><strong>Owner:</strong></th>
<th>Nicora Avenue, L.P., a California limited partnership</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Property Address:</strong></td>
<td>1480 Nicora Avenue</td>
</tr>
<tr>
<td><strong>Locale:</strong></td>
<td>San Jose, CA</td>
</tr>
<tr>
<td><strong>Present Use:</strong></td>
<td>Warehouse, light industrial and office buildings</td>
</tr>
<tr>
<td><strong>Total Property Area:</strong></td>
<td>4.593 acres.</td>
</tr>
<tr>
<td><strong>Area to be Acquired:</strong></td>
<td>Partial Fee Interest (B3013-01) - 1,134 sq. ft.</td>
</tr>
<tr>
<td><strong>Date of Offer:</strong></td>
<td>January 25, 2012</td>
</tr>
</tbody>
</table>

The subject property is owned by Nicora Avenue, L.P., a California limited partnership, and is located at 1480 Nicora Avenue in the City of San Jose. The larger parcel consists of approximately 4.593 acres and is currently improved with warehouse, light industrial and office buildings.

The proposed acquisition consists of a 1,134 sq. ft. partial fee acquisition (B3013-01) that is required to construct the new BART tail tracks. The proposed acquisition is located in a corner of the larger parcel adjacent to the corridor outside of the area in which the buildings on the property are located.
BART SILICON VALLEY BERRYESSA EXTENSION PROJECT

PROPERTY FACT SHEET – B2013

Owner: Asilomar Partners Milmont, LLC., a California limited liability company

Property Address: 49000-49026, 49036-49050 and 49070-49090 Milmont Drive

Locale: Fremont, CA

Present Use: Multi tenant R&D/Office Buildings

Total Property Area: 14.18 acres

Area to be Acquired: Partial fee acquisition (B2013-01) - 26,217 sq. ft.
Permanent ingress/egress easement (B2013-02) - 18,719 sq. ft.
Temporary construction easement (B2013-03) - 9,795 sq. ft for 12 months
Utility easement (B2013-04) - 15,344 sq. ft

Date of Offer: March 14, 2013

The subject property is owned by Asilomar Partners Milmont, LLC., a California limited liability company, and is located at 49000-49026, 49036-49050 and 49070-49090 Milmont Drive in the City of Fremont. The larger parcel consists of approximately 14.18 acres and is currently improved with three multi tenant office/R&D buildings.

The partial fee acquisition (B2013-01 – 26,217 sq. ft.) is required to construct the BART systems facility, including the train control building and the power substation, which provides power to the BART corridor and facilities. The permanent ingress/egress easement (B2013-02 – 18,719 sq. ft.) is required to provide access for construction of the systems facility and subsequent permanent access to the facility and the BART corridor. The 12 month temporary construction easement (B2013-03 - 9,795 sq. ft) is required for the construction of the systems facility. The utility easement (B2013-04 - 15,344 sq. ft) is required for the installation of utilities that are needed for the systems facility, including but not limited to, electricity, water, sanitary sewer pipelines and communication cables. The acquisitions lie within a parking area and landscaped borders of the property.
RESOLUTION OF NECESSITY DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF CERTAIN LAND AND DIRECTING THE FILING OF EMINENT DOMAIN PROCEEDINGS

WHEREAS, the BART Silicon Valley Berryessa Extension Project (the “Project”) is being undertaken for the purpose of easing traffic congestion, improving area-wide mobility, and otherwise furthering the public health, safety and welfare; and

WHEREAS, it is desirable and necessary for the Santa Clara Valley Transportation Authority (“VTA”) to acquire a partial fee interest in certain property more particularly described in Exhibit “A” (B2013-01), a permanent ingress egress easement interest in certain property more particularly described in Exhibit “B” (B2013-02), a temporary construction easement interest in certain property more particularly described in Exhibit “C” (B2013-03), and a utility easement interest in certain property more particularly described in Exhibit “D” (B2013-04), attached hereto and made a part hereof by this reference, as right of way for the Project and the construction thereof; and

WHEREAS, VTA is authorized to acquire the subject property and exercise the power of eminent domain pursuant to and in accordance with Article 1, Section 19 of the California Constitution, the California Eminent Domain Law, Code of Civil Procedure Sections 1230.010 et seq., and Sections 100130 and 100131 of the Public Utilities Code; and

WHEREAS, pursuant to the provisions of Section 1245.235 of the Code of Civil Procedure of the State of California, notice has been duly given to the owner(s) of the property herein, all of whom have been given a reasonable opportunity to appear and be heard before the Board of Directors of VTA at the time and place set forth in said notice, regarding the matters specified therein.

NOW, THEREFORE, IT IS FOUND, DETERMINED AND ORDERED as follows:

1. The recitals contained herein are true and correct.

2. Upon examination of the alternatives, VTA requires the Property for the Project.

3. VTA is authorized to acquire the Property and exercise the power of eminent domain pursuant to and in accordance with Article 1, Section 19 of the California Constitution, the California Eminent Domain Law, Code of Civil Procedure Sections 1230.010 et seq., and Sections 100130 and 100131 of the Public Utilities Code.
4. The public interest and necessity require the Project.

5. The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

6. A partial fee interest in property described in Exhibit “A”, a permanent ingress egress easement interest in property described in Exhibit “B”, a temporary construction easement interest in property described in Exhibit “C”, and a utility easement interest in property described in Exhibit “D”, are necessary for the Project.

7. The offer required by Section 7267.2 of the Government Code, together with the accompanying statement of the amount established as just compensation, has been made to the owner or owners of record, which offer and statement were in a format and contained the information required by Government Code Section 7267.2, or the offer has not been made because the owner cannot be located with reasonable diligence.

8. VTA has complied with all conditions and statutory requirements, including those prescribed by CEQA, NEPA, and that are necessary for approval and adoption of the Project.

9. All conditions and statutory requirements necessary to exercise the power of eminent domain (“the right to take”) to acquire the property described herein have been complied with by VTA.

10. Insofar as the property or the larger parcel of which it is a part has heretofore been appropriated for public use, the proposed use set forth herein will not unreasonably interfere with or impair the continuation of the public use as it exists or may reasonably be expected to exist in the future, and is therefore a compatible public use pursuant to Code of Civil Procedure Section 1240.510, or, as applicable, constitutes a more necessary public use to which the property is appropriated pursuant to Code of Civil Procedure Section 1240.610.

11. General Counsel or General Counsel’s duly authorized designee is hereby authorized and directed to institute and conduct to conclusion eminent domain proceedings to acquire a partial fee interest in property described in Exhibit “A”, a permanent ingress egress easement interest in property described in Exhibit “B”, a temporary construction easement interest in property described in Exhibit “C”, and a utility easement interest in property described in Exhibit “D”, and to take such actions that counsel deems advisable or necessary in connection therewith, and may deposit the probable amount of compensation and obtain an order for prejudgment possession of the subject property.
PASSED AND ADOPTED by the Santa Clara Valley Transportation Authority Board of Directors on May 2, 2013, by the following vote:

AYES: DIRECTORS:

NOES: DIRECTORS:

ABSENT: DIRECTORS:

__________________________________________
JOE PIRZYNSKI, Chairperson
Board of Directors

I HEREBY CERTIFY AND ATTEST that the foregoing resolution was duly and regularly introduced, passed and adopted by the vote of two-thirds or more of the Board of Directors of the Santa Clara Valley Transportation Authority, California, at a meeting of said Board of Directors on the date indicated, as set forth above.

Dated: ______________________  ______________________________________
SANDRA WEYMOUTH, Secretary
Board of Directors

APPROVED AS TO FORM:

__________________________________________
ROBERT FABELA
General Counsel
EXHIBIT “A”

LEGAL DESCRIPTION
APN 519-1010-113

All that certain real property situated in the City of Fremont, County of Alameda, State of California, described as follows:

Being a portion of that certain parcel of land as described in the Grant Deed to Asilomar Partners Milmont, LLC, recorded September 21, 2009 as Instrument Number 2009301304, Official Records of said County, and also being a portion of Parcel 2, as said parcel is shown on Parcel Map No. 3942, recorded on April 25, 1984 in Book 143 of Parcel Maps, at Pages 62 and 63, Official Records of said County, more particularly described as follows:

BEGINNING at the most northeasterly corner of said Parcel 2; thence along the easterly line of said parcel

1. South 21°23'00" East 375.96 feet; thence leaving said line
2. South 68°37'00" West 70.00 feet; thence
3. North 21°23'00" West 399.42 feet to the northerly line of said parcel; thence along said northerly line
4. South 62°29'22" East 49.29 feet; thence
5. North 48°37'07" East 40.00 feet to the POINT OF BEGINNING.

Containing 26,217 square feet more or less.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act. All bearings and distances are based on the North American Datum of 1983 (NAD83), Zone III, epoch 1998.5. All distances are grid distances. To convert grid distances to ground distances, multiply expressed distances by 1.00005333.

John W. Pettley, PLS 6202
My License Expires on 03/31/2014
EXHIBIT “B”

INGRESS EGRESS EASEMENT

A permanent, non-exclusive ingress/egress easement (the “Access Easement”) and incidents thereto, for the purpose of vehicular and pedestrian ingress and egress on, over, across, and through the portion of Grantor’s property described in deed recorded on September 21, 2009, as Document No. 2009301304, situated in the City of Fremont, County of Alameda, State of California, said Access Easement being described and depicted as Parcel B2013A-02 on Exhibit “1” attached hereto and made a part hereof.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.
EXHIBIT “1”

LEGAL DESCRIPTION
APN 519-1010-112
APN 519-1010-113

All that certain real property situated in the City of Fremont, County of Alameda, State of California, described as follows:

Being a portion of that certain parcel of land as described in the Grant Deed to Asilomar Partners Milmont, LLC, recorded September 21, 2009 as Instrument Number 2009301304, Official Records of said County, and also being a portion of Parcel 1 and Parcel 2, as said parcels are shown on Parcel Map No. 3942, recorded on April 25, 1984 in Book 143 of Parcel Maps, at Pages 62 and 63, Official Records of said County, more particularly described as follows:

BEGINNING at a point on the southwesterly line of said Parcel 1, from which the most westerly corner of said parcel bears North 21°23'00" West 28.28 feet; thence leaving said line

1. North 68°37'00" East 505.69 feet; thence

2. Northeasterly 2.71 feet along a curve to the left having a radius of 10.00 feet and a central angle of 15°31'43"; thence

3. North 53°05'17" East 211.39 feet to a point distant 70.00 feet measured at right angles from the easterly line of Parcel 2 as shown on said map; thence parallel to said easterly line

4. South 21°23'00" East 34.15 feet; thence leaving said parallel line

5. South 53°05'17" West 4.50 feet; thence

6. Southerly 26.00 feet along a curve to the left having a radius of 20.00 feet and a central angle of 74°28'17"; thence

7. South 21°23'00" East 122.31 feet; thence

8. Southeasterly 30.31 feet along a non-tangent curve to the left from which the radius point bears North 67°32'47" East, a radial distance of 20.52 feet, and having a central angle of 84°37'09" to a point distant 70.00 feet measured at right angles from the easterly line of said Parcel 2; thence parallel to said easterly line

9. South 21°23'00" East 24.75 feet; thence leaving said parallel line

10. Northwesterly 63.43 feet along a non-tangent curve to the right from which the radius point bears North 08°40'32" West, a radial distance of 50.21 feet, and having a central angle of 72°22'38"; thence

11. North 21°23'00" West 125.76 feet; thence

12. Westerly 27.63 feet along a curve to the left having a radius of 15.00 feet and a central angle of 105°31'43"; thence

13. South 53°05'17" West 145.65 feet; thence
14. Southwesterly 8.13 feet along a curve to the right having a radius of 30.00 feet and a central angle of 15°31'43"; thence

15. South 68°37'00" West 505.69 feet to the westerly line of said Parcel 1; thence along said westerly line

16. North 21°23'00" West 20.00 feet to the POINT OF BEGINNING.

Containing 18,719 square feet more or less.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act. All bearings and distances are based on the North American Datum of 1983 (NAD83), Zone III, epoch 1998.5. All distances are grid distances. To convert grid distances to ground distances, multiply expressed distances by 1.00005333.

John W. Pettley, PLS 6202
My License Expires on 03/31/2014
EXHIBIT “C”

TEMPORARY CONSTRUCTION EASEMENT

A Temporary Construction Easement for the construction (and other related activities incidental to construction) of the Silicon Valley Berryessa Extension Project (SVBX), under, upon, over and across that certain real property, situated in the City of Fremont, County of Alameda, State of California, and more particularly described in Exhibit “1” attached hereto and made a part hereof.

This Temporary Construction Easement will begin on or after December 1, 2012, when the property is first occupied for use for SVBX civil construction, and will continue for a duration of twelve continuous months, ending no later than June 30, 2015.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.
EXHIBIT “1”

Parcel B2013-03
8/10/2012
TCE

LEGAL DESCRIPTION
APN 519-1010-113

All that certain real property situated in the City of Fremont, County of Alameda, State of California, described as follows:

Being a portion of that certain parcel of land as described in the Grant Deed to Asilomar Partners Milmont, LLC, recorded September 21, 2009 as Instrument Number 2009301304, Official Records of said County, and also being a portion of Parcel 2, as said parcel is shown on Parcel Map No. 3942, recorded on April 25, 1984 in Book 143 of Parcel Maps, at Pages 62 and 63, Official Records of said County, more particularly described as follows:

COMMENCING at the most northeasterly corner of said Parcel 2; thence along the easterly line of said parcel South 21°23'00" East 375.96 feet to the TRUE POINT OF BEGINNING; thence continuing on said easterly line

1. South 21°23'00" East 20.00 feet; thence leaving said line
2. South 68°37'00" West 90.00 feet; thence
3. North 21°23'00" West 416.42 feet to the northerly line of said parcel; thence along said northerly line
4. North 48°37'07" East 18.27 feet; thence
5. South 62°29'22" East 4.31 feet; thence leaving said northerly line
6. South 21°23'00" East 399.42 feet; thence
7. North 68°37'00" East 70.00 feet to the TRUE POINT OF BEGINNING.

Containing 9,795 square feet more or less.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act. All bearings and distances are based on the North American Datum of 1983 (NAD83), Zone III, epoch 1998.5. All distances are grid distances. To convert grid distances to ground distances, multiply expressed distances by 1.00005333.

John W. Pettley, PLS 6202
My License Expires on 03/31/2014
A permanent, non-exclusive easement (the “Utility Easement”) to construct, build, install, repair, reconstruct, and perpetually use, maintain, and operate subsurface utility lines and such fixtures and appurtenances as Grantee deems necessary or convenient thereto (collectively, the “Utility Facilities”) on, over, under, across, and through Grantor’s property described in Grant Deed recorded on September 21, 2009, as Document No. 2009301304, said Utility Easement being described and depicted as Parcel B2013-04 on Exhibit “1” attached hereto and made a part hereof, together with the right of ingress and egress over Grantor’s property to and from the Utility Easement for the purpose of constructing, reconstructing, installing, operating, inspecting, repairing, maintaining, removing and replacing the Utility Facilities.

At no time shall Grantor, its successors or assigns, interfere with or construct permanent structures on the Utility Easement or act in such a way as to endanger the Utility Facilities.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.
EXHIBIT "1"

Parcel B2013-04
8/10/2012
UE

LEGAL DESCRIPTION
APN 519-1010-112
APN 519-1010-113

All that certain real property situated in the City of Fremont, County of Alameda, State of California, described as follows:

Being a portion of that certain parcel of land as described in the Grant Deed to Asilomar Partners Milmont, LLC, recorded September 21, 2009 as Instrument Number 2009301304, Official Records of said County, and also being a portion of Parcel 1 and Parcel 2, as said parcels are shown on Parcel Map No. 3942, recorded on April 25, 1984 in Book 143 of Parcel Maps, at Pages 62 and 63, Official Records of said County, more particularly described as follows:

BEGINNING at a point on the southwesterly line of said Parcel 1, from which the most westerly corner of said parcel bears North 21°23'00" West 28.28 feet; thence leaving said line

1. North 68°37'00" East 455.02 feet to the common line between Parcels 1 and 2 as shown on said map; thence along said common line

2. North 21°23'00" West 0.40 feet; thence leaving said line

3. North 68°37'00" East 53.47 feet; thence

4. North 53°05'17" East 193.08 feet; thence

5. South 21°24'00" East 51.69 feet; thence

6. North 68°37'00" East 17.51 feet to a point distant 70.00 feet measured at right angles from the easterly line of said Parcel 2; thence parallel to said easterly line

7. South 21°23'00" East 20.00 feet; thence leaving said parallel line

8. South 68°37'00" West 37.50 feet; thence

9. North 21°24'00" West 45.38 feet; thence

10. South 53°05'17" West 169.50 feet; thence

11. South 68°37'00" West 56.20 feet; thence

12. South 21°23'00" East 0.40 feet; thence

13. South 68°37'00" West 455.02 feet to the westerly line of said Parcel 1; thence along said westerly line

14. North 21°23'00" West 20.00 feet to the POINT OF BEGINNING.

Containing 15,344 square feet more or less.
This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act. All bearings and distances are based on the North American Datum of 1983 (NAD83), Zone III, epoch 1998.5. All distances are grid distances. To convert grid distances to ground distances, multiply expressed distances by 1.00005333.

John W. Pettley, PLS 6202
My License Expires on 03/31/2014
Property ID: B3013

RESOLUTION OF NECESSITY DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF CERTAIN LAND AND DIRECTING THE FILING OF EMINENT DOMAIN PROCEEDINGS

WHEREAS, the BART Silicon Valley Berryessa Extension Project (the “Project”) is being undertaken for the purpose of easing traffic congestion, improving area-wide mobility, and otherwise furthering the public health, safety and welfare; and

WHEREAS, it is desirable and necessary for the Santa Clara Valley Transportation Authority (“VTA”) to acquire a partial fee interest in certain property more particularly described in Exhibit “A” (B3013-01), attached hereto and made a part hereof by this reference, as right of way for the Project and the construction thereof; and

WHEREAS, VTA is authorized to acquire the subject property and exercise the power of eminent domain pursuant to and in accordance with Article 1, Section 19 of the California Constitution, the California Eminent Domain Law, Code of Civil Procedure Sections 1230.010 et seq., and Sections 100130 and 100131 of the Public Utilities Code; and

WHEREAS, pursuant to the provisions of Section 1245.235 of the Code of Civil Procedure of the State of California, notice has been duly given to the owner(s) of the property herein, all of whom have been given a reasonable opportunity to appear and be heard before the Board of Directors of VTA at the time and place set forth in said notice, regarding the matters specified therein.

NOW, THEREFORE, IT IS FOUND, DETERMINED AND ORDERED as follows:

1. The recitals contained herein are true and correct.

2. Upon examination of the alternatives, VTA requires the property for the Project.

3. VTA is authorized to acquire the property and exercise the power of eminent domain pursuant to and in accordance with Article 1, Section 19 of the California Constitution, the California Eminent Domain Law, Code of Civil Procedure Sections 1230.010 et seq., and Sections 100130 and 100131 of the Public Utilities Code.

4. The public interest and necessity require the Project.

5. The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

6. A partial fee interest in property described in Exhibit “A” is necessary for the Project.
7. The offer required by Section 7267.2 of the Government Code, together with the accompanying statement of the amount established as just compensation, has been made to the owner or owners of record, which offer and statement were in a format and contained the information required by Government Code Section 7267.2, or the offer has not been made because the owner cannot be located with reasonable diligence.

8. VTA has complied with all conditions and statutory requirements, including those prescribed by CEQA, NEPA, and that are necessary for approval and adoption of the Project.

9. All conditions and statutory requirements necessary to exercise the power of eminent domain ("the right to take") to acquire the property described herein have been complied with by VTA.

10. Insofar as the property or the larger parcel of which it is a part has heretofore been appropriated for public use, the proposed use set forth herein will not unreasonably interfere with or impair the continuation of the public use as it exists or may reasonably be expected to exist in the future, and is therefore a compatible public use pursuant to Code of Civil Procedure Section 1240.510, or, as applicable, constitutes a more necessary public use to which the property is appropriated pursuant to Code of Civil Procedure Section 1240.610.

11. General Counsel or General Counsel’s duly authorized designee is hereby authorized and directed to institute and conduct to conclusion eminent domain proceedings to acquire a partial fee interest in property described in Exhibit “A”, and to take such actions that counsel deems advisable or necessary in connection therewith, and may deposit the probable amount of compensation and obtain an order for prejudgment possession of the subject property.

PASSED AND ADOPTED by the Santa Clara Valley Transportation Authority Board of Directors on May 2, 2013, by the following vote:

AYES: DIRECTORS:

NOES: DIRECTORS:

ABSENT: DIRECTORS:

________________________________________
JOE PIRZYNSKI, Chairperson
Board of Directors
I HEREBY CERTIFY AND ATTEST that the foregoing resolution was duly and regularly introduced, passed and adopted by the vote of two-thirds or more of the Board of Directors of the Santa Clara Valley Transportation Authority, California, at a meeting of said Board of Directors on the date indicated, as set forth above.

Dated: ______________________

SANDRA WEYMOUTH, Secretary
Board of Directors

APPROVED AS TO FORM:

__________________________________________
ROBERT FABELA
General Counsel
EXHIBIT "A"

Parcel B3013-1
2/17/2011
FEE

LEGAL DESCRIPTION
APN 254-02-076

All that certain real property situated in the City of San Jose, County of Santa Clara, State of California, described as follows:

Being a portion of that certain parcel of land designated as Parcel A, as said Parcel is described in the Grant Deed to Nicora Avenue, L.P. recorded February 24, 2006 under Recorder's Series No. 18818740, Official Records of said County, being more particularly described as follows;

BEGINNING at a point in the general southerly line of said Parcel A, said point also being the northwesterly terminus of that certain course described as North 39°15'00" West 84.29 feet in said Grant Deed to Nicora Avenue L.P. (the bearing of North 38°19'31" West being taken for the purpose of this description);

1. Thence North 14°02'51" West 135.92 feet along the westerly line of said Parcel A;
2. Thence leaving last said line, North 68°53'42" East 1.82 feet to the beginning of a non-tangent curve concave easterly and having a radius of 2406.37 feet (a radial line of said curve through said point bearing South 73°01'20" West);
3. Thence southerly 174.70 feet along said curve through a central angle of 04°09'35" to said general southerly line of Parcel A;
4. Thence North 38°18'31" West 41.52 feet along last said line to the POINT OF BEGINNING.

Containing 1,134 square feet more or less.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act. All bearings and distances are based on the North American Datum of 1983 (NAD83), Zone III, epoch 1998.5. All distances are grid distances. To convert grid distances to ground distances, multiply expressed distances by 1.00005335.

[Signature]
Feb 17, 2011

Dan S. Scott III, PLS 7840
My License Expires on 12/31/2012
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief Financial Officer, Joseph T. Smith

SUBJECT: Fiscal Years 2014 and 2015 Recommended Biennial Budget Update

FOR INFORMATION ONLY

The Draft Recommended Biennial Budget for Fiscal Years 2014 and 2015 was presented to the Board of Directors at the April 19, 2013 Board Workshop as the beginning of the public process designed to create discussion and receive input on the budget. The Workshop provided staff with the opportunity to present the Board an overview of the Draft Recommended Budget, respond to questions, and gather input for items requiring additional research. This memo updates the status of the budget process and any proposed changes to the Draft Recommended Budget.

Budget Process

In addition to the Board Workshop, staff will present the Draft Recommended Budget at the following community meetings.

<table>
<thead>
<tr>
<th>Location</th>
<th>Served By</th>
<th>Date</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Santa Clara County Government Center</td>
<td>Light Rail Bus Lines 61, 62, 66 &amp; 181</td>
<td>Wednesday, May 1, 2013</td>
<td>6:00 pm</td>
</tr>
<tr>
<td>Conference Room 157 70 West Hedding Street, San Jose</td>
<td></td>
<td></td>
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<tr>
<td>Mountain View City Hall Council Chambers</td>
<td>Light Rail Bus Lines 22, 35 &amp; 522</td>
<td>Monday, May 6, 2013</td>
<td>6:00 pm</td>
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<tr>
<td>500 Castro Street, Mountain View</td>
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<td>Morgan Hill Community &amp; Cultural Center Madrone Room 17000 Monterey Road, Morgan Hill</td>
<td>Bus Line 68</td>
<td>Tuesday, May 7, 2013</td>
<td>6:00 pm</td>
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</tbody>
</table>

The Draft Recommended Budget will also be presented at a joint Advisory Committee Budget Workshop on Wednesday, May 8, 2013 at 4:00 pm in the VTA Auditorium at River Oaks. In accordance with VTA Administrative Code, the proposed budget, containing appropriations for both operations and capital, will be reviewed by the Administration & Finance Committee at
their May 23, 2013 meeting and the Final Recommended Budget will be submitted to the Board for adoption on June 6, 2013.

**Proposed Changes**

There are no proposed changes identified at this time. Any changes identified as a result of community meetings or other stakeholder input will be reflected in the Final Recommended Budget presented to the Administration & Finance Committee on May 23 and to the Board on June 6.

Prepared By: Carol Lawson, Fiscal Resources Manager
Memo No. 4089
FOR INFORMATION ONLY

BACKGROUND:

In January of 1995 the Santa Clara Valley Transportation Authority was established to administer the region’s public transit system, assuming the responsibility, authority, staff, and infrastructure from the Santa Clara County government. As a part of that transition, the VTA also merged with the Congestion Management Agency for Santa Clara County. The enabling legislation creating VTA provided for the transition of employees from Santa Clara County to VTA, including a requirement that the bargaining units representing the County employees would continue to represent the employees with VTA.

The bargaining units representing 95% of VTA’s employees are the Amalgamated Transit Union, District 265 (ATU); Service Employees International Union, Local 521 (SEIU); Transit Authority Engineers and Architects, affiliated with the International Federation of Professional and Technical Engineers (TAEA); Local 21; American Federation of State, County and Municipal Employees, Local 101 (AFSCME). Management and certain administrative employees are not represented, comprising less than 5% of the workforce.

The purpose of today's presentation is to provide the Board of Directors an overview of the historical and current relationship between VTA and the bargaining units representing VTA’s unionized employees.

VTA Collective Bargaining Groups:

There are four bargaining groups representing VTA employees, and a small group of non-represented employees. There are a total of 2,002 VTA employees as of March 27, 2013. Of these employees 95% are represented by Collective Bargaining Agreements (CBA’s). The four employee bargaining groups are:

1. Amalgamated Transit Union (ATU) Local 265: ATU is VTA’s largest union, with 1.372
employees covered under their CBA. ATU represents Transportation Operators (bus and light rail) and Maintenance staff as well as other front line personnel such as Dispatchers and Information Service Representatives.

2. Service Employees International Union (SEIU) Local 521: SEIU covers 260 employees under their CBA and represents Paraprofessional, Administrative and technical staff.

3. American Federation of State County and Municipal Employees (AFSCME) Local 101, AFL-CIO: AFSCME covers 216 employees through their bargaining agreement and represents first level management and supervisors as well as agency analysts.

4. Transportation Authority Engineers and Architects Association (TAEA) Local 21: TAEA covers 37 employees through their CBA and represents technical and professional staff which primarily includes architects and engineers.

The remaining 117 employees not represented by a bargaining group include VTA Management and certain administrative employees.

**VTA Employment:**

Since its inception VTA’s employment levels have remained somewhat stable, with some fluctuations reflecting changes to service policies and regional economics. VTA had its highest employee headcount in Fiscal Year 2002 (July 2001) when it had 2,863 employees. Since that time the number of agency employees has fluctuated as follows:

- Fiscal Year 1996 (July 1995) - 1,959
- Fiscal Year 2002 (July 2001) - 2,863
- March 2013 - 2,002

The total number of VTA employees has grown only slightly, by about 2.2% (43 employees) since VTA was formed in 1995. With respect to its planning, engineering, and construction functions, VTA’s business model for the delivery of capital projects utilizes contract workers for specialized skill-sets and temporary services. This model has allowed VTA to maintain a stable administrative workforce despite the fluctuations of project workloads.

**VTA Lay-Offs:**

In response to declining budgets during economic recessions over the last decade it has at times become necessary to lay-off VTA employees, with the most significant employee lay-offs taking place in 2002. Management and labor have worked collaboratively to ensure compliance with collective bargaining agreements and to facilitate the lay-off process, as well as the re-hire process.

Lay-offs by bargaining group include:

- **ATU**
  - 2002-2004 - 176 employees
  - 2005-2010 - 32 employees
• **SEIU**
  
  2002-2004 - 24 employees
  2005-2010 - 7 employees

• **TAEA**
  
  2002-2004 - 1 employee
  2005-2010 - none

• **AFSCME**
  
  2002-2004 - 37 employees
  2005-2010 - 1 employee

• **Non-Represented**
  
  2002-2004 - 5 employees
  2005-2010 - none

**Negotiated Agreements:**

There have been approximately seven (7) negotiated CBA’s since 1995 between VTA and its employee bargaining groups. During that time the average annual salaries for all groups increased by approximately 2.51%.

Significant VTA negotiation milestones occurred in 2009 and 2011 which achieved ongoing cost savings through increased employee benefit contributions and reductions to operational costs. Examples include:

**2009**

- TAEA/AFSCME/SEIU agreed to labor cost savings through flexing certain work rules, from wage freezes and through participation in a Furlough program which required up to 12 days of unpaid leave per year.

- ATU agrees to extend the term of their collective bargaining agreement, to defer negotiated wage increases, to increase medical contributions, and to suspend certain attendance incentives. Additional required savings were obtained through layoffs.

**2011**

- The Furlough agreements ended, and current and new employees increased their contributions towards pension costs.

- New employees began to pay full employee pension share in January 2013.

- Established a voluntary defined retiree medical contribution program for new employees hired after January 1, 2012.
VTA bargaining units have been preparing and scheduling negotiations for 2013 successor agreements.

**California Public Employees’ Pension Reform Act (PEPRA - AB340):**

AB 340 mandated comprehensive pension reform through the enactment of the California Employees’ Pension Reform Action (PEPRA). PEPRA applies to all public employers and pension plans with some exceptions and went into effect January 1, 2013. VTA has fully complied with PEPRA. A discussion regarding PEPRA will be scheduled at a future Board meeting.

Prepared By: Robert Escobar and David Terrazas
Memo No. 4063
VTA Labor Relations Update
Board Workshop
April 19, 2013
Santa Clara Valley Transportation Authority (VTA)

**VTA Background:**
- Santa Clara Valley Transportation Authority was formed in January 1995
- Merged with the Congestion Management Agency for Santa Clara County.
- Transition of employees from Santa Clara County to VTA.
- Existing Bargaining units also transitioned
VTA Bargaining Groups

Four (4) Agency Bargaining Groups as well as other non-represented employees.
- ATU, AFSCME, SEIU and TAEA.

Currently 2,002 VTA employees.

95% are represented by a Union
VTA Bargaining Groups

- Amalgamated Transit Union (ATU) Local 265
  - Transportation Operations and Maintenance Staff - 1,402 Employees
- American Federation of State County and Municipal Employees (AFSCME) Local 101, AFL-CIO
  - First Level Supervisors and Management - 218 Employees
- Service Employees International Union (SEIU) Local 521
  - Paraprofessional and Administrative Staff - 258 Employees
- Transportation Authority Engineers and Architects Association (TAEA) Local 21
  - Technical and Professional Staff - 37 Employees
VTA Employment Snapshot

Represented Employees

Agency Employees

- Fiscal Year 1996 (July 1995): 1,959
- Fiscal Year 2002 (July 2001): 2,863
- Fiscal Year 2013/2014 (March 2013): 2,002

- The total number of VTA employees has grown by about 2.2% (43 employees) since VTA was formed in 1995.

- VTA’s business supports the utilization of specialized skill-sets and state of the art technology.
VTA Lay Offs

In light of budgetary shortfalls and the need to reduce VTA’s operating budget lay-offs became necessary with the most significant taking place in 2002.

Lay-offs by bargaining group include:

- **ATU**
  - 2002-2004 - 176 employees
  - 2005-2010 - 32 employees

- **SEIU**
  - 2002-2004 - 24 employees
  - 2005-2010 - 7 employees
VTA Lay Off’s (cont’d)

- **TAEA**
  - 2002-2004 - 1 employee
  - 2005-2010 - none

- **AFSCME**
  - 2002-2004 - 37 employees
  - 2005-2010 - 1 employee

- **Non-Represented**
  - 2002-2004 - 5 employees
  - 2005-2010 - none
Negotiated Agreements

There have been seven (7) negotiated Agreements with each bargaining unit since 1995.

- Significant negotiation outcomes occurred in 2009/11 and 2011/13 Agreements.
  - Obtained cost savings through increased employee benefit contributions.
Negotiation Outcomes

2009

- TAEA/AFSCME/SEIU agreed to labor cost savings, wage freezes and participation in a Furlough Program which required up to 12 days of unpaid leave per year. This is equivalent to a 4.6% wage reduction.

- ATU agreed to extend the term of their collective bargaining agreement, defer wages, increase medical contributions and suspend Attendance Incentive Program. Additional required savings obtained through layoffs.
Negotiation Outcomes

2011

- Furlough period sunset and existing and new employees increased contributions towards pension costs.
  - New employees pay full 7% of employee share in January 2013.
- Established a voluntary defined retiree medical contribution program for new employees hired after January 1, 2012.
# Negotiated General Wage Increases 2007-2012

<table>
<thead>
<tr>
<th>Employee Group/Year</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>Totals</th>
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<tbody>
<tr>
<td>ATU</td>
<td>2.25%</td>
<td>3%</td>
<td>1.5%</td>
<td>0</td>
<td>1.5</td>
<td>3</td>
<td>11.25%</td>
</tr>
<tr>
<td>SEIU</td>
<td>3%</td>
<td>3%</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>* 3</td>
<td>12.0%</td>
</tr>
<tr>
<td>TAEA</td>
<td>3%</td>
<td>2%</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>* 3</td>
<td>11.0%</td>
</tr>
<tr>
<td>AFSCME</td>
<td>3%</td>
<td>2.5%</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>* 3</td>
<td>11.5%</td>
</tr>
<tr>
<td>Non-Represented</td>
<td>3%</td>
<td>3%</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>* 3</td>
<td>12.0%</td>
</tr>
</tbody>
</table>

*Note:  Average Salary % Increase from 1995 to date has been approximately 2.51% per year

* Employees Contributed 3% toward Pension Benefit.*
Moving Forward

California Public Employees’ Pension Reform Act (PEPRA – AB340)

  - Benefit Cost Sharing
  - Pension Formula Changes
  - ‘Anti-spiking’ provisions

PEPRA discussion to be scheduled at a future Board meeting.
FOR INFORMATION ONLY

Significant BART Silicon Valley activities and progress during April 2013 include:

Berryessa Extension Project Construction Activities
The following are activities that progressed during the previous month.

Project-wide
- MCI relocation anticipated to be completed, with tie-in scheduled for the weekend of April 20, 2013
- Third-party utility relocations continued throughout the alignment.

Milpitas
- Piper Drive closure remained in effect to support project work activities
- City of Milpitas 66-inch storm drain installation continued
- City of Milpitas 12-inch and 18-inch water line relocation continued
- UPRR Shoofly (temporary track relocation) excavation and rail installation was completed along Piper Dr.
- UPRR trains are now operating on the shoofly
- Work is under way to relocate PG&E high pressure gas lines in the area of Capitol Avenue
- Air Products nitrogen line relocation is anticipated to begin mid-April 2013
- Trenching across Montague Expressway at night for utility relocations is anticipated to begin in late April (traffic control associated)
- Work is anticipated to begin in the Parc Metro area to establish temporary construction easement fencing for activities associated with T-wall installation.

San Jose
- Preparations for the installation of the 66-inch water line
- Sound barrier relocation activities occurred in preparation of building demolition at 1565 Marbury Road
- Hostetter Road median demolition began
- Pouring of the Berryessa Station Way Bridge deck began in mid-April
- Upcoming storm drain work is anticipated to begin.

**VTA and BART Coordination**

Staff from both agencies have agreed that VTA would purchase tamping and stabilizing machines, which will be utilized for Berryessa Extension track installation. Tamping and stabilizing are measures taken to ensure the track is stabilized and aligned, reducing mechanical strain applied to the rails by passing trains.

Initially, the equipment was planned to be leased by the SSH joint-venture specifically for use on the Berryessa Extension Project. However, it was determined that BART was in need of the equipment for future use, and a purchase agreement would produce a cost savings that will be split between both agencies. An implementation letter is currently being drafted for the purchase agreement.

**Corridor Preparation Activities**

*Mission Warren Area Improvements*
- Retaining wall installations have been completed on Mission Blvd., with the textured facade under construction
- Pile driving is underway for the UPRR and BART bridges
- Deep Soil Mix (DSM) retaining wall construction is 90 percent complete, and is anticipated to be completed by the end of April
- Utility relocations at the Truck-Transfer Handling site are on-going, with completion anticipated in three to four weeks
- Warm Springs Yard track reconstruction is on-going.

*Kato Road Grade Separation*
- The storm drain pump station is complete and operational
- UPRR and BART bridges have been completed
- The roadway is constructed and opened to traffic
- Landscaping work is on-going
- All remaining work is anticipated to be completed by early June.

**Residential Noise Insulation Program (RNIP)**

The Group 1 construction bid package for noise insulation improvements is anticipated to be brought to the Board for authorization in the near-term. A lowest responsible bid has been determined. However, staff is evaluating the availability of specified mechanical products based
on requirements of the Federal Transit Administration. Group 1 residences are located closest to the first major construction activities that will take place near the future Berryessa Station.

Design packages continue to move forward for Groups 2 through 4 of the program. Design has been completed by the consultant for Group 2 residences. Group 3 residences remain at the 65 percent design phase, and Group 4 residences have all completed the assessment phase.

One-year Milestone Celebration and Kato Road Grade Separation Ribbon Cutting
VTA’s milestone event occurred on Friday, April 5, marking one year of construction since the project’s groundbreaking. The event included tours of the project area and a ribbon-cutting celebration for the reopening of Kato Road. Several key elected officials and dignitaries spoke at the celebration: Board Chairperson Joe Pirzynski; Congressman Mike Honda; Assemblyman Jim Beall; Assemblyman Bob Wieckowski; BART Board member Tom Blalock; Fremont Mayor Bill Harrison; FTA Region 9 Deputy Regional Administrator Ed Carranza and VTA General Manager Michael Burns.

Following the celebration, BART Silicon Valley Community Outreach staff held a Thank You gathering for more than 200 nearby residents of the adjacent neighborhood, which patiently endured several months of construction and the closure of Kato Road during the completion of the grade separation project.

Communications and Outreach
Outreach to support project construction activities included:

- 4 traffic advisories
- 2 press releases
- 3 construction updates
- Updated construction and event photo gallery
- Extensive media coverage
  - 109 mentions on local news
  - 18 articles and feature stories
- Santa Clara Chamber of Commerce Presentation (April 2, 2013)
- One Year Milestone and Kato Road Ribbon Cutting celebration (April 5, 2013)
- Kato Road Community Appreciation event (April 5, 2013)
- Berryessa Business Association meeting (April 18, 2013)

Prepared By: Kevin Kurimoto
Memo No. 3985
Chairperson Pirzynski welcomed Chuck Page, Alternate Board Member, who replaced Evan Low as Alternate Board Member representing the West Valley Cities, Group 3.

1. CALL TO ORDER AND ROLL CALL

The Regular Meeting of the Santa Clara Valley Transportation Authority’s (VTA) Board of Directors was called to order by Chairperson Pirzynski at 5:31 p.m. in the Board of Supervisors’ Chambers, County Government Center, 70 West Hedding Street, San José, California.

1.1. ROLL CALL

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Margaret Abe-Koga</td>
<td>Board Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Xavier Campos</td>
<td>Board Member</td>
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</tr>
<tr>
<td>Larry Carr</td>
<td>Alternate Board Member</td>
<td>Present</td>
</tr>
<tr>
<td>David Cortese</td>
<td>Board Member</td>
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<tr>
<td>Jose Esteves</td>
<td>Board Member</td>
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<tr>
<td>Rose Herrera</td>
<td>Board Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Ash Kalra</td>
<td>Vice Chairperson</td>
<td>Present</td>
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<tr>
<td>Johnny Khamis</td>
<td>Alternate Board Member</td>
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<tr>
<td>Sam Liccardo</td>
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<tr>
<td>Jamie Matthews</td>
<td>Board Member</td>
<td>Present</td>
</tr>
<tr>
<td>Chuck Page</td>
<td>Alternate Board Member</td>
<td>Present</td>
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<tr>
<td>Joe Pirzynski</td>
<td>Chairperson</td>
<td>Present</td>
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<tr>
<td>Gail A. Price</td>
<td>Alternate Board Member</td>
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<td>Donald Rocha</td>
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<td>David Whittum</td>
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<tr>
<td>Perry Woodward</td>
<td>Board Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Ken Yeager</td>
<td>Board Member</td>
<td>Present</td>
</tr>
</tbody>
</table>

* Alternates do not serve unless participating as a Member.

A quorum was present.

Chairperson Pirzynski noted the agenda was revised and the following items were revised and are in the Board Member’s reading folders and public table: Agenda Item #7.3. Accept staff’s findings on the Habitat Conservation Plan & One Bay Area Grant Program and not move forward with a nexus study; and Agenda Item #8.3. Authorize the General Manager to execute a contract with Advanced Digital Solutions International Inc, (ADSI), in the amount of $707,952.70. ADSII was the lowest responsible bidder for the procurement of new network switches in five of the six geographically defined sections of the Light Rail service area regulated by VTA’s Supervisory Control and Data Acquisition (SCADA) system.
Chairperson Pirzynski noted staff’s request to move the following Item from the Regular Agenda to the Consent Agenda: **Agenda Item #8.3.** Authorize the General Manager to execute a contract with Advanced Digital Solutions International Inc, (ADSII), in the amount of $707,952.70. ADSII was the lowest responsible bidder for the procurement of new network switches in five of the six geographically defined sections of the Light Rail service area regulated by VTA’s Supervisory Control and Data Acquisition (SCADA) system.

Board Member Yeager arrived at the meeting and took his seat at 5:32 p.m.

Chairperson Pirzynski noted staff’s request to remove the following four properties from **Agenda Item #5.1.** BART Silicon Valley Berryessa Extension (SVBX) Project Resolution of Necessity: 1) B3049 (APN 254-02-056) owned by Ecolab Inc., a Delaware corporation, formerly known as Economics Laboratory Inc., a Delaware corporation; 2) B3050 (APNs 254-02-065 and 254-02-072) owned by Storage Pro of San Jose, LLC, a California limited liability company; 3) B3059 (APNs 254-03-032 and 254-03-043) owned by P.S. Business Parks, L.P., a California limited partnership; and 4) B3001 (APNs 254-02-039 and 254-02-040) owned by Inland American/Stephens (Las Plumas) Ventures, LLC, a Delaware limited liability company.

Alternate Board Member Khamis arrived at the meeting and took his seat at 5:33 p.m.

Chairperson Pirzynski stated that VTA’s Board of Directors Regular Meeting would adjourn in memory of Rosario Enriquez and Raul Apostol, former VTA Employees.

Chairperson Pirzynski and VTA’s Board Members extended their condolences to the families of Rosario Enriquez and Raul Apostol.

Board Member Cortese requested the following Item be deferred: **Agenda Item #7.16.**


Michael T. Burns, General Manager, noted Board Member Liccardo’s request to move the following Item from the Consent Agenda to the Regular Agenda: **Agenda Item #7.3.** Accept staff’s findings on the Habitat Conservation Plan & One Bay Area Grant Program and not move forward with a nexus study.

Mr. Burns disclosed a conflict with the following Item and recused himself from **Agenda Item #7.5.** Authorize the General Counsel to approve an eligible list of consultants to provide environmental support services for transit, highway and facility projects as funds become available for each project. The list would be valid for a five-year period.

1.2. **Orders of the Day**

**M/S/C (Cortese/Price)** to accept the Orders of the Day, and approve the Consent Agenda, as amended.

2. **AWARDS AND COMMENDATION**

2.1 **Employees of the Month for April and Supervisor of the Second Quarter for 2013**

Chairperson Pirzynski recognized Jane Shinn, Management Analyst, River Oaks Administration, Congestion Management Division; and Norman Spaulding, Transit Radio Dispatcher, Guadalupe Operations Control Center as Employees of the Month for April 2013.
Board Member Liccardo arrived at the meeting at 5:40 p.m.

Chairperson Pirzynski recognized Lisa Vickery, Transit Division Supervisor, Cerone Division Operations, as supervisor for the Second quarter of 2013.

John Correa, Jr., Janitor, River Oaks Maintenance, was unable to attend.

2.2 Recognition of 2012 and Introduction of 2013 Advisory Committee Chairpersons

Chairperson Pirzynski and Vice Chairperson Kalra thanked the 2012 Advisory Committee Chairpersons for their service, commitment, and dedicated leadership:

- Bicycle & Pedestrian Advisory (BPAC) Chairperson Paul Goldstein;
- Citizens Advisory (CAC) Clinton Brownley;
- Committee for Transit Accessibility Aaron Morrow;
- Policy Advisory Committee (PAC) Megan Satterlee;
- Technical Advisory (TAC) Dan Collen.

Vice Chairperson Kalra introduced the new Advisory Committee Chairpersons for 2013:

- BPAC: Paul Goldstein;
- CAC: Clinton Brownley;
- CTA: Aaron Morrow;
- PAC: Gail A. Price;

On order of Chairperson Pirzynski and there being no objection, the Board recognized and thanked the individuals who served as Advisory Committee Chairpersons for 2012, and welcomed those serving in that capacity for 2013.

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

3. CLOSED SESSION

3.1. Recessed to Closed Session at 5:44 p.m.

A. Conference with Real Property Negotiators
[Government Code Section 54956.8]

Property: Portion of common area of condominium complex known as the “Muirfield Estates”, located at 1 - 72 Muirfield Court, San Jose (APNs 484-50-001 through 072)

Agency Negotiator: Bijal Patel, Deputy Director, Property Development & Management

Negotiating Parties: Michael Hardy, Angius & Hardy LLP, on behalf of the Muirfield Estates Homeowners Association

Under Negotiation: Price and terms of payment
B. Anticipated Litigation - Conference with Legal Counsel
   [Government Code Section 54956.9(b)]

   Significant exposure to litigation, pursuant to subdivision (b) of Government
   Code Section 54956.9

   Number of Cases: 1

   Facts and Circumstances: Challenge to grant funding by Amalgamated
   Transit Union, AFL-CIO

C. Anticipated Litigation - Conference with Legal Counsel
   [Government Code Section 54956.9(c)]

   Initiation of litigation pursuant to subdivision (c) of Government Code Section
   54956.9

   Number of Potential Cases: 1

D. Existing Litigation - Conference with Legal Counsel
   [Government Code Section 54956.9(a)]

   Name of Case: Baljinder Rai vs. Santa Clara Valley Transportation
   Authority, et al., Civil Case Number CV-04344-PSG United States District
   Court (USDC)

E. Conference with Labor Negotiators
   [Government Code Section 54957.6]

   VTA Designated Representatives
   Bill Lopez, Chief Administrative Officer
   Robert L. Escobar, Deputy Director, Administrative Services
   Joseph Smith, Chief Financial Officer

   Employee Organizations
   American Federation of State, County and Municipal Employees (AFSCME),
   Local 101
   Service Employees International Union (SEIU), Local 521
   Transportation Authority Engineers and Architects Association (TAEA),
   IFPTE, Local 21

F. Public Employment
   [Pursuant to Government Code Section 54957]

   Title of position to be filled: General Manager

G. Public Employee Performance Evaluation
   [Government Code Section 54957]

   Title: General Counsel

   Board Member Campos left the meeting at 6:24 p.m.
3.2. Reconvened to Open Session at 6:52 p.m.

3.3. Closed Session Report

A. Conference with Real Property Negotiators
   [Government Code Section 54956.8]

   Property: Portion of common area of condominium complex known as the
   “Muirfield Estates”, located at 1 - 72 Muirfield Court, San Jose (APNs 484-
   50-001 through 072)

   Agency Negotiator: Bijal Patel, Deputy Director, Property Development &
   Management

   Negotiating Parties: Michael Hardy, Angius & Hardy LLP, on behalf of the
   Muirfield Estates Homeowners Association

   Under Negotiation: Price and terms of payment

   Robert Fabela, General Counsel, reported that no reportable action was taken
   during Closed Session.

B. Anticipated Litigation - Conference with Legal Counsel
   [Government Code Section 54956.9(b)]

   Significant exposure to litigation, pursuant to subdivision (b) of Government
   Code Section 54956.9

   Number of Cases: 1

   Facts and Circumstances: Challenge to grant funding by Amalgamated
   Transit Union, AFL-CIO

   Mr. Fabela reported that no reportable action was taken during Closed
   Session.

C. Anticipated Litigation - Conference with Legal Counsel
   [Government Code Section 54956.9(c)]

   Initiation of litigation pursuant to subdivision (c) of Government Code Section
   54956.9

   Number of Potential Cases: 1

   Mr. Fabela reported that no reportable action was taken during Closed
   Session.

D. Existing Litigation - Conference with Legal Counsel
   [Government Code Section 54956.9(a)]

   Name of Case: Baljinder Rai vs. Santa Clara Valley Transportation
   Authority, et al., Civil Case Number CV-04344-PSG United States District
   Court (USDC)
Mr. Fabela reported that no reportable action was taken during Closed Session.

E. Conference with Labor Negotiators
   [Government Code Section 54957.6]
   
   VTA Designated Representatives
   Bill Lopez, Chief Administrative Officer
   Robert L. Escobar, Deputy Director, Administrative Services
   Joseph Smith, Chief Financial Officer
   
   Employee Organizations
   American Federation of State, County and Municipal Employees (AFSCME), Local 101
   Service Employees International Union (SEIU), Local 521
   Transportation Authority Engineers and Architects Association (TAEA), IFPTE, Local 21
   
   Chairperson Pirzynski reported that no reportable action was taken during Closed Session.

F. Public Employment
   [Pursuant to Government Code Section 54957]
   
   Title of position to be filled: General Manager
   
   Chairperson Pirzynski reported that no reportable action was taken during Closed Session.

G. Public Employee Performance Evaluation
   [Government Code Section 54957]
   
   Title: General Counsel
   
   Chairperson Pirzynski reported that no reportable action was taken during Closed Session.

4. PUBLIC COMMENT

Roland Lebrun, Interested Citizen, commented on the following: 1) the need for better transit connectivity due to the residential project in the Santa Teresa area in South San Jose; b) expressed concern regarding the lack of available parking at the Chenoweth and Blossom Hill Light Rail stations.; and c) suggested VTA utilize the “Keep Valley Green” wrap used for the hybrid buses on the light rail vehicles.

Michael Ludwig, Interested Citizen, referenced Closed Session Agenda Item #3.1.C. Anticipated Litigation - Conference with Legal Counsel, noting his concern that the closed session language was vague.

Eugene Bradley, Silicon Valley Transit Users, noted: a) requested a written response to his suggestion to deploy new express bus vehicles to Line 180/181; and 2) requested a written response regarding the policy and procedures for bus operators when the vehicle is running late.
Omar Chatty, Interested Citizen, expressed appreciation and thanked staff for their diligent work at the 101/129 Project Meeting. He queried about any updates regarding Caltrain Safety Improvements and urged the Board to support no tolls and proceed with conventional highways.

5. PUBLIC HEARINGS

5.1. BART Silicon Valley Berryessa Extension (SVBX) Project Resolution of Necessity

Chairperson Pirzynski reiterated that the following properties have been removed from the agenda under Orders of the Day, and therefore will not be considered for the Resolutions of Necessity for certain property interests in San Jose, California for the BART Silicon Valley Berryessa Extension (SVBX) Project:

- B3049 (APN 254-02-056) owned by Ecolab Inc., a Delaware corporation, formerly known as Economics Laboratory Inc., a Delaware corporation
- B3050 (APNs 254-02-065 and 254-02-072) owned by Storage Pro of San Jose, LLC, a California limited liability company
- B3059 (APNs 254-03-032 and 254-03-043) owned by P.S. Business Parks, L.P., a California limited partnership
- B3001 (APNs 254-02-039 and 254-02-040) owned by Inland American/Stephens (Las Plumas) Ventures, LLC, a Delaware limited liability company

Bijal Patel, Deputy Director, Property Development and Management, provided a PowerPoint presentation highlighting the Resolution of Necessity (RON) Hearing for the BART Silicon Valley Berryessa Extension (SVBX) Project: 1) Project Map; 2) Status of Acquisition Activities; 3) Key Board Findings; 4) RON Hearing Properties; 5) Overview of the following three properties: Limar Realty Corp., #2, a California corporation, Hoffman Investment Company, a limited partnership, and Union Bank, a California corporation; and 6) SVBX Project acquisitions and needs.

Chairperson Pirzynski declared the Hearing formally open and invited property owners or their representatives to address VTA’s Board of Directors.

M/S/C (Matthews/Price) to Close the Public Hearing.

M/S/C (Matthews/Liccardo) to adopt Resolutions of Necessity Nos. 2013.04.06, 2013.04.07, and 2013.04.08 determining that the public interest and necessity requires the acquisition of property interests from seven properties owned by: (1) Limar Realty Corp., #2, a California Corporation, located in Milpitas, California; (2) Hoffman Investment Company, a limited partnership, located in Milpitas, California; (3) Union Bank, a California corporation, located in Milpitas, California; (4) Ecolab Inc., a Delaware corporation, formerly known as Economics Laboratory Inc., a Delaware corporation, located in San Jose, California; (5) Storage Pro of San Jose, LLC, a California limited liability company, located in San Jose, California; (6) P.S. Business Parks, L.P., a California limited partnership, located in San Jose, California; and (7) Inland American/Stephens (Las Plumas) Ventures, LLC, a Delaware limited liability company.
company, located in San Jose, California, for the BART Silicon Valley Berryessa Extension (SVBX) Project. **Motion approved by 11 Members.**

Resolution No. 2013.04.06  
**Property ID/Assessor’s Parcel Number/Owner**  
B2222A (APN 086-28-041) owned by Limar Realty Corp., #2, a California Corporation

Resolution No. 2013.04.07  
**Property ID/Assessor’s Parcel Number/Owner**  
B2223A (APN 086-28-035) owned by Hoffman Investment Company, a limited partnership

Resolution No. 2013.04.08  
**Property ID/Assessor’s Parcel Number/Owner**  
B2224A (APN 086-28-040) owned by Union Bank, a California corporation

(Item removed from Board Agenda)  
**Property ID/Assessor’s Parcel Number/Owner**  
B3049 (APN 254-02-056) owned by Ecolab Inc., a Delaware corporation, formerly known as Economics Laboratory Inc., a Delaware corporation

(Item removed from Board Agenda)  
**Property ID/Assessor’s Parcel Number/Owner**  
B3050 (APNs 254-02-065 and 254-02-072) owned by Storage Pro of San Jose, LLC, a California limited liability company

(Item removed from Board Agenda)  
**Property ID/Assessor’s Parcel Number/Owner**  
B3059 (APNs 254-03-032 and 254-03-043) owned by P.S. Business Parks, L.P., a California limited partnership

(Item removed from Board Agenda)  
**Property ID/Assessor’s Parcel Number/Owner**  
B3001 (APNs 254-02-039 and 254-02-040) owned by Inland American/Stephens (Las Plumas) Ventures, LLC, a Delaware limited liability company

6. **REPORTS**

6.1. **Citizens Advisory Committee (CAC) Chairperson’s Report**

There was no Citizens Advisory Committee (CAC) Chairperson’s Report.

6.2. **Policy Advisory Committee (PAC) Chairperson’s Report**

Gail A. Price, PAC Chairperson, provided a report on the March 14, 2013 Policy Advisory Committee (PAC) meeting, highlighting: 1) Recommended that VTA’s Board of Directors approve the programming of FY 2013/14 Transportation Fund for Clean Air (TFCA) Program Manager fund to various projects; 2) Recommended VTA’s Board of Directors amend the FY 2013 Congestion
Management Program Fund Operating Budget by $128,000 for iTEAM operations; 3) Recommended to VTA’s Board of Directors that a Habitat Conservation Plan (HCP) criterion placed on transportation funding programs is inappropriate from a technical point of view; and 4) Received updates on Caltrain and the Silicon Valley Express Lanes Implementation Plan.

6.3. General Manager’s Report

Mr. Burns provided a report, highlighting:

- Friday, April 5, 2013, BART Silicon Valley One Year Milestone Celebration Tour and Ribbon Cutting Event for the Kato Road Grade Separation;
- VTA’s overall system-wide ridership positive results with an increase of 2.8%, average weekday bus ridership up 2%, and average weekday light rail ridership up 5.5%;
- Clipper ridership at 26% penetration rate;
- Santa Clara County unemployment rate of 7.4% as of February 2013;
- Wednesday, March 20, 2013 marked the 1st year of operation for State Route (SR) 237 Express Lanes Project in Milpitas;
- The California Transportation Foundation (CTF) selected VTA’s SR 237 Express Lanes Project as Project of the Year based on the positive difference it made in California transportation in 2012;
- Installation of a new bus bench on March 13, 2013 near the intersection of California Street and Escuela Avenue in Mountain View in memory of Mr. William Ware, a regular VTA rider who’s life ended tragically by a car accident while waiting for his bus to arrive on June 21, 2012;
- VTA partnering with Caltrans, the Santa Clara Valley Water District, City of San Jose, and other partners from across the county, in the “Great American Litter Pick Up” event scheduled on Saturday, April 20, 2013 in honor of Earth Day;
- Update on Power Purchase Agreement with Bloom Energy Corporation for a fuel cell technology and maintenance contract at VTA's Guadalupe Division. Based on recent events, staff has determined that the scenarios are risky and recommended that VTA’s Board of Directors not to move forward at this time.

Board Member Rocha expressed his appreciation for the update, noting the importance to move toward clean energy. Board Member Rocha requested staff provide the Board of Directors with an analysis regarding a solar power purchase that includes details on environmental benefits, potential risks, and options.

Mr. Burns responded that staff will provide the requested information.

Public Comment

Mr. Bradley expressed appreciation and thanked staff for the bus service in downtown Cupertino.
6.3.A. **BART Silicon Valley Program Update**

Carolyn Gonot, Chief SVRT Program Officer, reminded VTA’s Board of Directors of the BART Silicon Valley Milestone Celebration and tour scheduled on Friday, April 5, 2013.


**On order of Chairperson Pirzynski** and there being no objection, the Silicon Valley Rapid Transit (SVRT) Program Update was received.

6.3.B. **Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) Activities**

There were no reports from the Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC) Activities.

6.4. **Chairperson’s Report**

Chairperson Pirzynski reminded VTA’s Board Members of the Board Workshop scheduled on Friday, April 19, 2013, at 8:30 a.m. held in the Board of Supervisors Chambers at the County Government Center, 70 West Hedding Street.

Chairperson Pirzynski encouraged the Board Members to subscribe to VTA’s electronic packets by contacting the Office of the Board Secretary at: board.secretary@vta.org.

**Public Comment**

Mr. Ludwig expressed support of Agenda Item #6.5. General Counsel – Fiduciary Training, noting the importance to ensure that the Board Members are apprised of their role and responsibilities.

6.5. **General Counsel - Fiduciary Training**

Robert Fabela, General Counsel, provided a brief overview of the presentation entitled, “Fiduciary Duties, Ethics, and Conflicts for VTA Board Members,” highlighting: 1) What is a Fiduciary; 2) Purpose of Fiduciary Training; 3) VTA Mission; 4) Board Responsibility to Carry Out This Mission; 5) Areas of Fiduciary Responsibility; and 6) Duty to the Region as a Whole.

Mr. Fabela noted the importance for VTA’s Board of Directors to be loyal to VTA’s Regional Mission, while making decisions that are in the best interest of VTA and region, subordinating the interests of individual Directors or local jurisdictions.

Alternate Board Member Whittum arrived at the meeting at 7:34 p.m.

Mr. Fabela stated that VTA’s Board of Directors must act in the best interest of all stakeholders on behalf of VTA as a whole.
6.5.A. Review the VTA Board Member Fiduciary Duties and Code of Ethics

Mr. Fabela commented on the Code of Ethics portion of the presentation, highlighting: 1) VTA Code of Ethics – Administrative Code, Chapter 2, Article VII; 2) Purpose of Code of Ethics; Notable Ethical Restrictions; 3) Procedures if Financial Conflict Arises; 4) Consequences of Ethical Violations; and 5) Questions about Ethical Duties.

Mr. Fabela noted the importance to report potential violations to VTA’s General Auditor or General Counsel. He advised the Board of Directors to contact General Counsel if there is any uncertainty about possible ethical conflicts, noting that VTA’s General Counsel is not the Board Members personal attorney.

6.5.B. Review Government Code Section 84308 pertaining to Campaign Contribution Disqualifications

Mr. Fabela commented on the Government Code Section 84308 pertaining to Campaign Contribution Disqualifications portion of the presentation, highlighting: 1) What is Section 84308 – Prohibits the acceptance of campaign contributions of over $250 by a Board Member who make a decision in which the contributor has a financial interest; 2) Timing of Contribution; 3) Types of Decisions Covered; and 4) Board Member’s Options.

Mr. Fabela commented on the following two Board Member’s Options:

- Disqualification – disclose the fact on the record or disqualify themselves from participating in the decision; and
- Return the contribution, which must be completed within 30 days from knowledge and would allow the Board Member to participate.

Upon query from Board Members, Mr. Fabela referenced the types of decisions covered in Government Code Section 84308 pertaining to Campaign Contribution Disqualifications, noting the statutory exceptions.

7. CONSENT AGENDA

7.1. Board of Directors Regular Meeting Minutes of March 7, 2013

M/S/C (Cortese/Price) to approve the Board of Directors Regular Meeting Minutes of March 7, 2013.

7.2. HMH Engineers

M/S/C (Cortese/Price) to rescind the approval of item 7.5 from the March Board agenda, renew the motion to approve, and approve the following action: Authorize the General Manager to negotiate and execute a time and materials contract with HMH Engineers with an amount not to exceed $400,000 for a term of three years to perform Engineering Design Services, including construction support and close-out activities; and further authorize the General Manager to negotiate and execute the necessary design and construction agreements with
Caltrans for implementation of the Combined Landscaping and Maintenance Project.

7.4. **Bill Positions: AB 8 and SB 11**

M/S/C (Cortese/Price) to adopt support positions for AB 8 (Perea) and SB 11 (Pavley), both of which seek to reauthorize the Carl Moyer Memorial Air Quality Standards Attainment Program, as well as three other state air quality programs initially established under legislation enacted in 2007.

Michael T. Burns, General Manager, recused himself from Agenda Item #7.5. On-Call Environmental Consultant Support.

7.5. **On-Call Environmental Consultant Support**

M/S/C (Cortese/Price) to authorize the General Counsel to approve an eligible list of consultants to provide environmental support services for transit, highway and facility projects as funds become available for each project. The list would be valid for a five-year period. Michael T. Burns, General Manager, recused.

7.6. **SR 237 Express Lanes – Electronic Toll Maintenance**

M/S/C (Cortese/Price) to authorize the General Manager to execute a contract amendment with TransCore in an amount not to exceed $471,324, for a new total contract amount of $3,373,313, to perform three (3) one-year contracts for Electronic Toll Systems maintenance services for the SR 237 Express Lanes project.

7.7. **Master Agreement with Caltrans for the Implementation and Operation of the Innovative Delivery Team Program (iTEAM)**

M/S/C (Cortese/Price) to amend the FY2013 Congestion Management Program Fund Operating Budget by $128,000 for iTEAM operations; authorize the General Manager to: 1) enter in a Master Agreement with Caltrans for the implementation and operation of the Innovative Delivery Team Program; and 2) execute Annual Workplans and Funding Agreements for the iTEAM.

7.8. **2013 Transportation Fund for Clean Air (TFCA) Program Manager Fund**

M/S/C (Cortese/Price) to approve the programming of FY 2013/14 Transportation Fund for Clean Air Program Manager (TFCA 40%) funds to projects.

7.9. **Hayward Maintenance Complex Funding Contribution**

M/S/C (Cortese/Price) to reauthorize the General Manager to execute an agreement between VTA and the Bay Area Rapid Transit (BART) District for the purchase of property and the design and construction work for the Hayward Maintenance Complex project, including a fixed cost of $125.3 million for design and construction plus the actual cost of property acquisition and relocation estimated to be between $55 million and $60 million.

7.10. **Contract Extension with El Paseo for Provision of ACE Shuttle Services**

M/S/C (Cortese/Price) to authorize the General Manager to amend the agreement with El Paseo Limousine (El Paseo) for the Altamont Commuter Express (ACE)
Shuttle Program, extending the agreement two years through December 31, 2015 for an amount not to exceed $3,140,000.00.

7.11. **Monthly Legislative History Matrix**

M/S/C (Cortese/Price) to review the Monthly Legislative History Matrix.

7.12. **Actuarial Valuation of VTA’s Other Post-Employment Benefits (OPEB) as of July 1, 2012**

M/S/C (Cortese/Price) to receive the Actuarial Valuation of VTA’s Other Post-Employment Benefits as of July 1, 2012.

7.13. **Programmed Project Monitoring – Quarterly Report**

M/S/C (Cortese/Price) to receive the Programmed Projects Quarterly Monitoring Report for October-December 2012.

7.14. **Bicycle Expenditure Program Project Status Semi-Annual Update (Funding & Delivery)**

M/S/C (Cortese/Price) to receive report on the Semi-Annual Update of Bicycle Expenditure Program (BEP) projects.

7.15. **SR 152 Trade Corridor Update**

M/S/C (Cortese/Price) to receive the SR152 Trade Corridor update.

7.16. **(Deferred to the May 2, 2013 Board of Directors Regular Meeting.)**


7.17. **Transit Service Changes – April 1, 2013**

M/S/C (Cortese/Price) to review the Transit Service Changes for April 1, 2013.

8.3. **Supervisory Control and Data Acquisition (SCADA) System Network Upgrade**

M/S/C (Cortese/Price) to authorize the General Manager to execute a contract with Advanced Digital Solutions International Inc., (ADSII), in the amount of $707,952.70. ADSII was the lowest responsible bidder for the procurement of new network switches in five of the six geographically defined sections of the Light Rail service area regulated by VTA’s Supervisory Control and Data Acquisition (SCADA) system.

8. **REGULAR AGENDA**

8.1. **Construction Contractor Prequalification Program**

Tom Smith, Contracts and Materials Manager, provided a brief overview and explained the basis for the amendments to the Construction Contractor Prequalification Program recommendations.

Mr. Smith referenced the request of Board Member Cortese at the March 21, 2013 Administration and Finance (A&F) Committee meeting regarding the creation of a database on the Subcontractors, noting staff will prepare an annual report
summarizing the prequalification status of subcontractors under VTA’s contracts for distribution to VTA’s Board of Directors.

Upon query from Board Member Rocha, Mr. Burns explained the justification for the recommendations, noting that two of the recommendations were administrative.

M/S/C (Matthews/Cortese) to amend the current Construction Contractor Prequalification Program in the following ways: 1) Discontinue the requirement to prequalify subcontractors; 2) Redefine the composition of the appeals panel; 3) And increase the dollar value of contracts requiring prequalification from $1,150,000 to $1,500,000.

8.2. Reallocation of Other Post-Employment Benefits (OPEB) Liability Reduction Fund to OPEB Trust Fund

Ali Hudda, Deputy Director of Accounting, provided a brief overview of the staff report, noting that the transferring of the funds to the OPEB Trust Fund will provide the following: 1) increases assets within the OPEB Trust Fund; 2) reduces the unfunded accrued actuarial OPEB liability; 3) enhances VTA’s financial position; 4) decreases the annual required contribution for the OPEB by approximately $2 million per year; 5) results in significant savings; 6) expected to earn 7% per year in the OPEB Trust Fund; and 7) a financially prudent decision and adheres to VTA’s fiduciary governance practices.

Board Member Kalra referenced the April 19, 2013, VTA Board of Directors Workshop Meeting, noting the importance for the Board Members to have the opportunity to discuss the OPEB Liability Reduction Fund, the OPEB Trust Fund, as well as VTA’s entire budget at the study session.

Board Member Kalra requested that the April 19, 2013 Board of Directors Workshop discussion include the following: 1) all the reserve funds; 2) options on what to do with the $2 million savings; 3) the health of the fund; and 4) comparison of VTA’s percentage of funded OPEB versus other agencies.

Alternate Board Member Khamis expressed concern regarding delaying the action and noted the importance of paying down unfunded liabilities.

Board Member Liccardo requested the Administration and Finance (A&F) Committee discuss the possibility of changing the governance structure of the OPEB to avoid any perceived conflict of interest.

Board Member Liccardo left his seat at 8:07 p.m.

Alternate Board Member Price requested that the study session discussion include the range of potential income from transferring the funds to the OPEB Trust Fund.

M/S/C (Kalra/Rocha) on a vote of 9 ayes to 1 no to defer action and recommend moving the item to the April 19, 2013 VTA Board of Directors Workshop Meeting for discussion. Alternate Board Member Khamis opposed.

The Agenda was taken out of order.

Board Member Liccardo took his seat at 8:10 p.m.
7.3. **Habitat Conservation Plan and One Bay Area Grant Program**

Board Member Liccardo registered a dissenting vote and commented that it is a short sided attitude to state that there is no nexus between the HCP and OBAG Programs. He stated his concerns, noting the importance of the Habitat Conservation Plan (HCP) being consistent with the Sustainable Communities Strategies (SCS).

Board Member Liccardo indicated that he would like to engage a nexus study now to determine if there is a nexus between the Habitat Conservation Plan (HCP) and One Bay Area Grant (OBAG) Program.

**M/S/F (Matthews/Cortese)** on a vote of 6 ayes to 3 noes to accept staff’s findings on the Habitat Conservation Plan & One Bay Area Grant Program and not move forward with a nexus study. Board Member Liccardo and Alternate Board Members Khamis and Carr opposed.

**NOTE:** M/S/F MEANS MOTION SECONDED AND FAILED.

### 9. OTHER ITEMS

#### 9.1. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

Alternate Board Member Khamis requested staff look into the possibility of providing an option to City of San Jose employees to voluntarily sign up for the ECO Pass program.

#### 9.2. Reports from VTA Committees, Joint Powers Boards (JPB), and Regional Commissions.

**9.2.A. VTA Standing Committees**

- Administration and Finance Committee (A&F) – March 21, 2013 Minutes were accepted as contained in the Agenda Packet.
- Congestion Management Program and Planning Committee (CMPP) – March 21, 2013 Minutes were accepted as contained in the Agenda Packet.
- Transit Planning and Operations Committee (TP&O) – March 21, 2013 Minutes were accepted as contained in the Agenda Packet.
- Audit Committee – There was no report.
- Silicon Valley Rapid Transit Program Working Committee – March 4, 2013 Minutes were accepted as contained in the Agenda Packet.

**9.2.B. VTA Advisory Committees**

- Committee for Transit Accessibility (CTA) – There was no report.
- Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) – March 13, 2013 Minutes were accepted as contained in the Agenda Packet.
• Bicycle & Pedestrian Advisory Committee (BPAC) – There was no report.
• Technical Advisory Committee (TAC) – March 14, 2013 Minutes were accepted as contained in the Agenda Packet.
• Policy Advisory Committee (PAC) – March 14, 2013 Minutes were accepted as contained in the Agenda Packet.

9.2.C. VTA Policy Advisory Boards (PAB)
• Diridon Station Joint Policy Advisory Board – March 15, 2013 Minutes were accepted as contained in the Agenda Packet.
• Downtown East Valley PAB - March 7, 2013 Minutes were accepted as contained in the Agenda Packet.
• El Camino Real Rapid Transit PAB – March 13, 2013 Cancellation Notice was accepted as contained in the Agenda Packet.
• Silicon Valley Rapid Transit Corridor and BART Warm Springs Extension PAB – There was no report.

9.2.D. Joint Powers Boards and Regional Commissions
• Peninsula Corridor JPB - April 4, 2013 Meeting Summary Notes were accepted as contained on the dais.
• Capitol Corridor JPB – There was no report.
• Dumbarton Rail Corridor Policy Committee – There was no report.
• Metropolitan Transportation Commission (MTC) - March 27, 2013 Meeting Summary Notes were accepted as contained on the dais.
• Sunol Smart Carpool Lane Joint Powers Authority – There was no report.
• SR 152 Mobility Partnership – There was no report.

9.3. ANNOUNCEMENTS
There were no Announcements.

10. ADJOURNMENT
On order of Chairperson Pirzynski and there being no objection, the meeting was adjourned in memory of Rosario Enriquez and Raul Apostol, former VTA Employees, at 8:14 p.m.

Respectfully submitted,

Michelle M. Garza, Board Assistant
VTA Office of the Board Secretary
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief Financial Officer, Joseph T. Smith

SUBJECT: Reallocation of Other Post Employment Benefits (OPEB) Liability Reduction Fund to OPEB Trust Fund

Policy-Related Action: Yes  Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Authorize transfer of $20,650,000 from the Other Post Employment Benefits (OPEB) Liability Reduction Fund to the OPEB Trust Fund.

BACKGROUND:

VTA provides retiree health care as a post-employment benefit to its employees as provided for in the collective bargaining agreements and the resolution of benefits for non-represented employees. These benefits are known as Other Post Employment Benefits (OPEB) and are administered through an OPEB Trust established by the Board. As part of the FY 12 and FY 13 budget approval process, the Board authorized setting up a fund in the amount of $20,650,000 to reduce the unfunded OPEB liability.

DISCUSSION:

OPEB Trust unfunded liabilities may be reduced by buying down the liabilities which are accomplished through paying employees a sum of money in exchange for their making an irrevocable decision to relinquish all claims to the defined benefit that was promised as a condition of employment. Alternatively, the unfunded liability may be reduced by transferring additional monies into the Fund to improve its funded status.

VTA staff worked with an actuary to analyze the possibility of buying down the liability. This approach presented many challenges because the determination of the payout amounts are dependent on many assumptions such as participation rates, age distribution of the individuals who may elect to participate, etc. To date, there is very little experience among other public
plans pursuing such buyout strategies. Staff believes that the buyout program has many risks and
does not recommend that approach for the following reasons:

- Without other plan experience to draw from, it is extremely difficult to predict parameters
  like participation rates, which make developing cost savings estimates difficult.
- There is a high potential for adverse-selection: members who choose to opt-out could be
  those who have access to coverage through other means (including spousal coverage) or
  who have expectations of low medical costs due to above average health.
- If the healthier members were to elect to opt-out of the OPEB plan and VTA’s medical
  programs, it could cause problems with respect to renewal costs for remaining members,
  which could also affect active premiums.

A transfer of $20.65 Million to the OPEB Trust will increase assets from 168.4 Million as of
June 30 2012 to 189.05 Million and decrease the unfunded accrued actuarial liability from 91.1
Million to 70.4 million. The funded ratio will increase from 64.9% to 72.8%

FISCAL IMPACT:

There is no fiscal impact on the FY 13 VTA Transit Fund Operating Budget. Funds in the
amount of $20,650,000 have been set aside reduce OPEB liability and will be transferred to the
OPEB Trust to accomplish that objective. The annual required contribution for OPEB is
expected to decrease by approximately $2 million per year for FY 14 and subsequent fiscal
years. The required contribution for Fy 14 is expected to be approximately $14.2 million

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Administration and Finance Committee, at its meeting on March 21, 2013, forwarded the
report to the Board of Directors without further comments.

Prepared by: Ali Hudda, Deputy Director of Accounting
Memo No. 4030
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief External Affairs Officer, Greta Helm

SUBJECT: Bill Position - SB 628

Policy-Related Action: Yes
Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Adopt a support position for SB 628 (Beall), which expands the use of infrastructure financing districts to include the implementation of transit priority projects.

BACKGROUND:

Enacted in 2011, SB 310 (Hancock) established incentives to encourage developers to undertake so-called “transit priority projects.” Under the provisions of this bill, a project must meet 12 requirements to qualify as a transit priority project. These requirements include the following:

- The project is located within one-half mile of a public transit station, and within a zone in which buildings of three stories or more are authorized.
- The project provides on-site bicycle parking and storage.
- Car-sharing is provided onsite. Alternatively, the developer may pay a fee to the city or county to cover the cost of providing car-sharing at an offsite location near the project.
- The project provides unbundled parking to residents.
- 20 percent of developed housing units must be affordable. Alternatively, the developer may pay a fee commensurate with the associated costs to a local affordable housing fund.
- 10-year public transit passes are provided to all units as part of the rent or condo fees if such passes are available from the local public transit agency.
- Open space is provided onsite. Alternatively, the developer may pay into a local open space fund.

Also under current law, cities and counties, subject to two-thirds voter approval, can set up
infrastructure financing districts (IFDs) to issue bonds backed by property tax increment revenues to fund community-scale public works projects, such as roadways, public transit, water and sewer systems, flood control improvements, child care facilities, libraries, parks, and solid waste facilities. To repay the bonds, IFDs can divert the property tax revenues generated by rising property value assessments within the designated area of the district from other local governments, except for schools and community colleges, for up to 30 years, but only if the other local governments agree to the diversion.

SB 628, which is being sponsored by the Bay Area Rapid Transit District (BART) and the California Transit Association, expands the use of IFDs to include the implementation of transit priority projects. In addition, the bill allows an IFD to be established and bonds issued for this purpose without the requirement for an election to be held.

When they existed, redevelopment agencies were required to set aside 20 percent of their property tax increment revenues to increase the supply of low- and moderate-income housing. In addition, if a redevelopment project destroyed affordable housing, local officials were required to pay relocation assistance to the residents and replace the affordable housing. IFDs, on the other hand, do not need to set aside property tax increment revenues for affordable housing.

SB 628 requires a city or county that utilizes an IFD to implement a transit priority project to set aside 20 percent of those revenues for the purpose of increasing, improving and preserving the supply of lower- and moderate-income housing available within the boundaries of the district, similar to the requirements that used to apply to redevelopment agencies.

**DISCUSSION:**

Typically, the public sector’s investment in heavy rail, light rail and bus service is part of a broader strategy to improve air quality, reduce traffic congestion, promote compact development, and create more livable communities. When communities encourage public transit agencies to build rail and bus systems, but then fail to promote higher-density development around their stations, the loss is social, as well as physical. One reason that communities do not encourage more density around transit stations is the lack of fiscal incentives to pay for the public works needed to support the new residents and businesses. SB 628 is intended to encourage transit-oriented development by allowing cities and counties to utilize property tax increment financing to implement transit priority projects.

SB 628 is very similar to AB 1221, AB 338 and AB 485, all of which were authored by former Assembly Member Fiona Ma from San Francisco and sponsored by BART. However, those three bills either did not make it through the legislative process, or were vetoed by Govs. Arnold Schwarzenegger and Jerry Brown. The Board of Directors supported them, and we recommend that the Board do likewise with SB 628.

**ALTERNATIVES:**

The Board of Directors could decide to adopt a position for SB 628 that is different from the one being recommended, or could opt to take no position on this bill at this time.
FISCAL IMPACT:

There is no financial impact associated with this recommendation.

STANDING COMMITTEE RECOMMENDATION:

The Administration and Finance Committee considered this item on April 18, 2013, and recommended that it be placed on the Consent Agenda for the May 2, 2013, Board of Directors meeting. There was no discussion of this item at the Administration and Finance Committee meeting.

Prepared by: Kurt Evans
Memo No. 4061
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief Administrative Officer, Bill Lopez

SUBJECT: 2013/14 Annual Renewal of Operations Insurance Coverage

Policy-Related Action: No
Government Code Section 84308 Applies: Yes

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to purchase insurance coverage for Excess Liability, General and Auto Liability, and Public Officials Errors and Omissions Liability; Property / Boiler & Machinery; Inland Marine for Light Rail Vehicles; Inland Marine for Buses, Vans and Mobile Equipment; and Flood exposures for the annual Operations Program Insurance renewal for an amount not to exceed $3,427,577.

BACKGROUND:

VTA’s annual Property and Casualty insurance coverage renews with the beginning of the Fiscal Year on July 1, 2013. Each Spring VTA’s contract insurance broker, which is currently Alliant Insurance Services, structures VTA’s insurance program by requesting competing premium estimates from various carriers in the insurance market. Carriers that are approached for bids are selected on the basis of their historical premium rates, coverage criteria, and underwriting background. In addition, carriers are required to have experience with public agencies, adequate financial reserves, and a rating by A.M. Best Company of Excellent or better.

Insurers will require VTA to review premium quotes and commit to the purchase of the policies only during a two to three week period immediately prior to the July 1, 2013 inception date. Staff recommends Board Authority to purchase the insurance at this time in order to have the policies in place immediately upon expiration of the current policies, to avoid being uninsured for any period of time.
DISCUSSION:

As explained above, premium quotes are not yet available for VTA’s July 1, 2013 renewal. The $3,427,577 authority requested represents VTA’s brokerage firm’s estimate of premium cost, based on their knowledge of the current market and experience with the renewals of other public entity clients. VTA’s net expense for last year’s operating insurance was $2,719,631.

For the July 1, 2013/2014 renewal term, VTA directed the broker to obtain premium estimates for the same program structure as purchased last year, with the exception of increasing the liability coverage for Public Liability and Property Damage claims from $50 million to $100 million. The increase to $100 million is consistent with the coverage of comparable transportation properties (bus and light rail), and is recommended to protect VTA’s financial resources and assets. Risk Management staff research reveals judgments and settlements for public agencies in California that greatly exceed the current coverage of $50 million. The estimated cost range for the additional $50 million in coverage is $175,000 to $300,000. The recommended authority includes the high end of this estimate.

The overall recommended program includes General Liability, Auto Liability, Public Officials’ Errors and Omissions Liability and Property coverage for all VTA buildings, Buses, Light Rail Vehicles, and specialized mobile equipment. The estimated total program cost is $3,427,577.

The premium estimates for the proposed policies include a 15.0% increased across all lines of coverage. The increase can be attributed to three significant claims that the carrier paid in the prior fiscal year and an overall continued tightening of the insurance market. The insurance cost estimates are as follows: General/Automobile/Public Officials Errors & Omissions Liability ($397,771), Excess Liability ($1,434,251), Catastrophe Liability ($699,008), Property/Boiler & Machinery ($97,632), Buses ($388,716), Light Rail Vehicles ($348,483), and Flood Insurance ($61,716) for VTA sites with flood exposure (River Oaks and Cerone Division).

VTA is fully self-insured for Worker’s Compensation and therefore purchases no insurance for this exposure. Excess coverage was explored and cost is estimated at $640,000 with a self-insured retention at $1,000,000. A review of claims history determined that based on VTA’s historical workers compensation performance this coverage is unwarranted and not recommended at this time.

The results of the insurance marketing and final purchase pricing will be reported to the Administration & Finance Committee as an Information Item at its September 2013 meeting. See Attachment “A” for details.

ALTERNATIVES:

The Board can reject this approach and direct staff to solicit different levels of coverage. Staff has considered higher deductibles, but no changes are recommended at this time because the increased risk resulted in only modest savings in insurance cost. For example, the broker estimated the cost for increasing the deductible on the Light Rail Vehicles from $250,000 to $500,000 would only result in a premium savings of $22,000.
SMALL BUSINESS ENTERPRISE (SBE) PARTICIPATION:

Based on the limited scope of work and no subcontracting opportunities, No Specific Goal has been established for this contract. The contractor is encouraged to make reasonable efforts to utilize SBEs in its procurement of ancillary services and products associated with the performance of this contract.

FISCAL IMPACT:

This action will authorize up to $3,427,577 for the FY 14 Operations Insurance coverage. Appropriation for this expenditure is included in the FY 14 proposed VTA Transit Fund Operating Budget.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Administration and Finance Committee reviewed this item at their April 18, 2013 meeting. The Committee recommended that this item be placed on the Consent Agenda for the May 2, 2013, VTA Board of Directors meeting.

Prepared by: Steven P Keller, Risk Manager
Memo No. 3862
### FY 2013/14 Operations Insurance Program Renewal

#### Current (2012/13)

<table>
<thead>
<tr>
<th>Coverage</th>
<th>Carrier</th>
<th>Annual Premium</th>
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</thead>
<tbody>
<tr>
<td><strong>Excess Liability</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1st Layer: $5,000,000 Total Limit</td>
<td>Princeton E&amp;S (A+ XV)</td>
<td>$345,888</td>
</tr>
<tr>
<td>- $2,000,000 Limit excess of SIR</td>
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<td></td>
</tr>
<tr>
<td>- $3,000,000 Self Insured Retention (SIR)</td>
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<tr>
<td>- Certified Terrorism included</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2nd Layer: $25,000,000 Total Limit</td>
<td>Lloyds of London (A XV)</td>
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<tr>
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<tr>
<td>3rd Layer: $50,000,000 Total Limit</td>
<td>Allied World (AWAC) A XV</td>
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<tr>
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<tr>
<td>- General Liability; Auto Liability;</td>
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<tr>
<td>Discrimination, humiliation or wrongful</td>
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<tr>
<td>termination of the Insured’s employees</td>
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<tr>
<td>- Certified &amp; Non-Certified Terrorism</td>
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<tr>
<td>- Public Officials Errors and Omissions</td>
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<tr>
<td><strong>Property, Boiler &amp; Machinery (B&amp;M)</strong></td>
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<tr>
<td>- $70,000,000 Total Limits</td>
<td>Travelers Property</td>
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<td>- $100,000 Deductible</td>
<td>Casualty Company (A+ XV)</td>
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<td>- $10,000 Deductible B&amp;M</td>
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<td>- Includes Certified Terrorism</td>
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<tr>
<td>**Inland Marine – Buses, Vans, Mobile</td>
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<tr>
<td>Equipment</td>
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</tr>
<tr>
<td>- $50,000,000 Maximum Loss Limit</td>
<td>Travelers Property</td>
<td>$338,014</td>
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<tr>
<td>- $335,000 Standard Bus ($100k ded)</td>
<td>Casualty Company (A+ XV)</td>
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<tr>
<td>- $525,000 Articulated Bus ($100k ded)</td>
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<tr>
<td>- $166,605 Community Buses ($75k ded)</td>
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<tr>
<td>- $650,000 Hybrid Buses ($150k ded)</td>
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<td>- Maintenance Trucks ($25k ded)</td>
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<tr>
<td>2nd Layer: $25,000,000 Total Limit</td>
<td>TBD</td>
<td>$699,008</td>
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<tr>
<td>- $20,000,000 Limit excess of $5,000,000</td>
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<tr>
<td>3rd Layer: increase to $100,000,000 Total</td>
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<td>$97,632</td>
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<td>Limit</td>
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<td>- $75,000,000 excess of $25,000,000</td>
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<tr>
<td><strong>Property, Boiler &amp; Machinery (B&amp;M)</strong></td>
<td>TBD</td>
<td>$388,716</td>
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<td>- $70,000,000 Total Limits</td>
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## FY 2013/14 Operations Insurance Program Renewal

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<tr>
<th>Coverage</th>
<th>Carrier</th>
<th>Annual Premium</th>
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</thead>
<tbody>
<tr>
<td>Inland Marine – Light Rail Vehicles and Historical Trolleys</td>
<td>Travelers Property Casualty Company (A+ XV)</td>
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<tr>
<td>- $50,000,000 Maximum Loss Limit</td>
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<td></td>
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<tr>
<td>- $3,750,000 Limit each Light Rail Vehicle</td>
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<tr>
<td>- $500,000 Limit each Trolley</td>
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<tr>
<td>- $250,000 Ded – Light Rail Cars</td>
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<tr>
<td>- $100,000 Ded – Trolley</td>
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<td></td>
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<tr>
<td>Flood (Primary Layer)</td>
<td>National Flood Insurance Program (rating: N/A)</td>
<td>$53,666</td>
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<tr>
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<tr>
<td>- $5,000 Deductible</td>
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<tr>
<td>- Specified Locations: River Oaks and Cerone Division</td>
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<td></td>
</tr>
<tr>
<td>Workers’ Compensation – Excess</td>
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<td></td>
</tr>
<tr>
<td>Total Premiums (2012-13)</td>
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<td>$2,719,631</td>
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</table>

### Projected (2013/14)

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<tbody>
<tr>
<td>Inland Marine – Light Rail Vehicles and Historical Trolleys</td>
<td>TBD</td>
<td>$348,483</td>
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<td>None</td>
<td></td>
</tr>
<tr>
<td>Total Premiums (2013-14)</td>
<td></td>
<td>$3,427,577</td>
</tr>
</tbody>
</table>
Attachment B

RISK MANAGEMENT DEPARTMENT
2013/14 Annual Renewal of Operations Insurance Coverage

Alliant Insurance Services
100 Pine Street, 11th Floor
San Francisco, CA  94111-5101
Phone:    (415) 403-1441
Fax:      (415) 874-4810
Contact: Robert Leong, Vice President
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief Administrative Officer, Bill Lopez

SUBJECT: Authorize Authority to Enter into Electronic Sign Procurement Contract

Policy-Related Action: No
Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to execute a contract with Daktronics Inc. the lowest responsive and responsible bidder, for a maximum of 103 specialized dynamic LED based transit information signs, software integration of the sign interfaces, technical support, maintenance, tax, shipping, and warranty services. The contract will be for a maximum 2 year period, with a value not to exceed $750,000.

BACKGROUND:

In February 2013 VTA issued a comprehensive Invitation for Bid (IFB) to solicit bids for specialized dynamic LED based transit information signs, which will provide riders with information regarding the projected arrivals and departures of buses and light rail vehicles. The intent of the IFB is to procure the signs for installation at VTA facilities, including existing bus shelters, transit centers, light rail boarding platforms, and VTA offices.

The following three firms responded to the IFB by the stated deadline and met all other procurement regulations and IFB requirements: Daktronics, Data Display USA, and Luminator. Two firms, AEKOM and Optec, declined to bid on this opportunity.

DISCUSSION:

VTA developed an Invitation for Bid (IFB) with the objectives of maximizing cost savings, achieving VTA's rigid technical requirements, and meeting VTA's timeline. The IFB was advertised in local media and on the VTA's website on February 15, 2013. In addition, the IFB announcement was sent directly to multiple transit sign providers.
There were a total of three firms responding to the IFB. Representatives from one major firm attended the pre-proposal conference held in March 2013. Proposals were submitted and opened on March 22, 2013. Of the three firms that submitted proposals, Daktronics’ $550,000 bid for the signs and $200,000 estimate for software integration, for a total of $750,000, was declared the lowest responsive bid. The next lowest responsive bid for hardware and estimate for software integration totaled $1,100,000. The engineer's estimate for this project was $1,100,000. In addition to submitting the lowest responsive bid, Daktronics has had a positive working relationship with VTA in the past, including smaller purchases of transit signs for Light Rail platforms.

Staff recommends authorization for the General Manager to execute a contract with Daktronics, the lowest responsive bidder, for specialized dynamic LED based transit information signs, as well as software integration, over the next 2 years for a total spending authorization of $750,000.

**ALTERNATIVES:**

The Board could choose not to authorize the contract, which would delay the implementation of the bus shelter information signs, and put the MTC / RM 2 and FTA grant funding at risk.

**FISCAL IMPACT:**

This action will authorize up to $750,000 for the procurement of specialized dynamic LED based transit information signs, integration, and support. Appropriation for this expenditure is included in the FY13 Adopted VTA Transit Fund Capital Budget. This contract is funded by MTC Regional Measure II (RM2) and FTA Grant funds.

**STANDING COMMITTEE DISCUSSION / RECOMMENDATION:**

The Administration and Finance Committee considered this item at their April 19, 2013 meeting. Board Member Esteves asked about the vendor Daktronics and their reliability, product quality, and whether they produce any other LED products such as building lighting. Staff responded that VTA currently uses Daktronics signs on Light Rail platforms, and noted that VTA has a positive experience with Daktronics. The current platform signs have exceeded their reliability ratings and the signs to be purchased with this contract are expected to be of equal or better reliability and quality.

The Administration and Finance Committee recommended that this item be placed on the Consent Agenda for the May 2, 2013, VTA Board of Directors meeting.

**SMALL BUSINESS ENTERPRISE (SBE) PARTICIPATION:**

No specific goal has been established for these task order contracts due to the lack of SBE firms available to perform scope of work. Contractors are encouraged to make reasonable efforts to utilize SBEs in their procurement of ancillary services and products associated with the performance of the contracts.

Prepared by: Richard Bertalan
Memo No. 4013
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: FY’13 Federal Transit Administration Formula Grants

Policy-Related Action: No
Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to submit Federal Fiscal Year 2013 grant applications and execute grant agreements with the Federal Transit Administration (FTA) for Section 5307 Urbanized Area Formula, Section 5309 Fixed Guideway, Section 5309 New Starts, Section 5337 State of Good Repair, and Section 5339 Bus and Bus Facilities funds.

BACKGROUND:

The new Federal Transportation Act “Moving Ahead for Progress in the 21st Century” (MAP-21) was signed by President Obama on July 6, 2012 and provides $105 billion for federal, state and local roadways as well as public transit. MAP-21 replaces the previous legislation known as Safe Accountable, Flexible, Efficient Transportation Equity Act: A legacy for Users (SAFETEA-LU). Nationally, MAP-21 provides $8.5 billion in FFY 12/13 and $8.6 billion in FFY 13/14 for transportation. This is a 1.3% increase over FFY 11/12 for public transit.

DISCUSSION:

A summary of VTA’s proposed grant projects for FFY 2013 is provided below. For the FTA formula programs, which include the Section 5307 Urbanized Area (UZA) Formula Program, the Section 5309 Fixed Guideway program, the Section 5309 New Starts, the Section 5337 State of Good Repair, and the Section 5339 Bus and Bus Facilities amounts shown are based on the anticipated FFY 2013 appropriations for these programs.

FTA Section 5307 Urbanized Area Formula Grant Program
VTA proposes to use $31,902,845 towards Preventive Maintenance costs and $3,124,202 for
ADA Operating Set Aside to help meet its operating needs in FY 2013. The remaining funds $357,540 will go to ADA Bus Stop Improvements to meet the 1% Section 5307 enhancement requirement. See Table 1 for a complete listing of projects and programmed amounts.

**FTA Section 5309 Fixed Guideway and New Starts Grant Program**
Under the Section 5309 Program, Fixed Guideway funds in the amount of $12,963,855 and New Starts funds in the amount of $150,000,000 are anticipated to be available to VTA in FFY 2013. See Table 1 for a complete listing of projects and programmed amounts.

**FTA Section 5337 State of Good Repair and Section 5339 Bus and Bus Facilities Program**
Under the Section 5337, VTA proposes to use $2,601,175 for Preventative Maintenance and remaining $705,379 towards Rail Replacement Program. VTA also proposes to use Section 5339 funds in the amount of $2,911,272 for Bus Replacement Program.

**Surface Transportation Program (STP)**
VTA was successful in receiving STP funds in the amount of $4,651,740 from Metropolitan Transportation Commission (MTC) and is proposing to use these funds for Preventative Maintenance. These funds will be transferred by the Federal Highway Administration (FHWA) to FTA’s Section 5307 program.

**Other Federal Funds**
VTA received $2,300,064 in Congestion Management and Air Quality (CMAQ) Funds for transit signal priority projects and $18,540,000 in Public Transportation Account (PTA) funds for Capitol Expressway Light Rail Phase - I. See Table 1 for complete list of projects. These funds will be transferred by the Federal Highway Administration (FHWA) to FTA’s Section 5307 program.
Table 1
FFY 2013 Federal Transit Grant Program Summary

<table>
<thead>
<tr>
<th>GRANT PROGRAM</th>
<th>FEDERAL</th>
<th>LOCAL</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FTA Section 5307</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Preventive Maintenance</td>
<td>$31,902,845</td>
<td>$7,975,711</td>
<td>$39,878,556</td>
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<tr>
<td>ADA Operating Set Aside</td>
<td>$3,124,202</td>
<td>$781,051</td>
<td>$3,905,253</td>
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<tr>
<td>ADA Bus Stop Improvements</td>
<td>$357,540</td>
<td>$89,385</td>
<td>$446,925</td>
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<tr>
<td><strong>Subtotal Section 5307</strong></td>
<td>$35,384,587</td>
<td>$8,846,147</td>
<td>$44,230,734</td>
</tr>
<tr>
<td><strong>FTA Section 5309</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bus Replacement</td>
<td>$7,390,000</td>
<td>$1,847,500</td>
<td>$9,237,500</td>
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<tr>
<td>Rail Replacement Program</td>
<td>$957,204</td>
<td>$239,301</td>
<td>$1,196,505</td>
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<tr>
<td>SVBX Berryessa Extension</td>
<td>$150,000,000</td>
<td>$238,336,995</td>
<td>$388,336,995</td>
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<tr>
<td><strong>Subtotal Section 5309</strong></td>
<td>$158,347,204</td>
<td>$240,423,796</td>
<td>$398,771,000</td>
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<tr>
<td><strong>FTA Section 5337 and FTA Section 5339</strong></td>
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<td></td>
<td></td>
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<tr>
<td>Rail Replacement 5337</td>
<td>$705,379</td>
<td>$176,345</td>
<td>$881,724</td>
</tr>
<tr>
<td>Preventative Maintenance 5337</td>
<td>$2,601,175</td>
<td>$650,294</td>
<td>$3,251,469</td>
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<tr>
<td>Bus Replacement 5339</td>
<td>$2,911,272</td>
<td>$727,818</td>
<td>$3,639,090</td>
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<tr>
<td><strong>Subtotal Subsection 5337 and 5339</strong></td>
<td>$6,217,826</td>
<td>$1,554,457</td>
<td>$7,772,283</td>
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<tr>
<td><strong>Other Federal Funds</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Transit Signal Priority</td>
<td>$2,300,064</td>
<td>$297,998</td>
<td>$2,598,062</td>
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<tr>
<td>Capitol Expressway Light Rail</td>
<td>$18,540,000</td>
<td>$2,402,054</td>
<td>$20,942,054</td>
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<tr>
<td>Preventive Maintenance</td>
<td>$4,651,740</td>
<td>$602,683</td>
<td>$5,254,423</td>
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<tr>
<td><strong>Subtotal Subsection other funds</strong></td>
<td>$25,491,804</td>
<td>$3,302,735</td>
<td>$28,794,539</td>
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<tr>
<td><strong>FY 2013 FTA Grant Program</strong></td>
<td>$225,441,421</td>
<td>$254,127,135</td>
<td>$479,568,556</td>
</tr>
</tbody>
</table>

**ALTERNATIVES:**

The VTA Board may select other projects.

**FISCAL IMPACT:**

These funds are included in the FY13 Adopted 2000 Measure A Transit Improvement Program Capital Budget and FY13 Adopted VTA Transit Fund Operating and Capital Budgets.
STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Administration and Finance Committee approved this item at their April 18, 2013 meeting and recommended that this item be placed on the Consent Agenda for the May 2, 2013, Board of Directors meeting.

Prepared by: Supinderjit Kaur
Memo No. 4066
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: Bicycle Expenditure Program Project List for VTP 2040

Policy-Related Action: No  Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Adopt the Bicycle Expenditure Program (BEP) Project List for VTP 2040.

BACKGROUND:

VTA is in the process of developing the Valley Transportation Plan (VTP) 2040, the update to VTA's long-range transportation plan for Santa Clara County. VTP 2040 is updated approximately every four years. It addresses all the surface transportation modes and facilities in Santa Clara County: transit, state highways, county expressways, local streets and roads (LSR) and bicycle facilities.

Concurrently, staff is revising the Bicycle Expenditure Program (BEP) which was created by the VTA Board of Directors (Board) in August 2000 to identify and dedicate a funding stream to help implement the Countywide Bicycle Plan. The BEP project list is revised in conjunction with the VTP and becomes the Bicycle Element of the VTP. The BEP project list in VTP 2035 included 81 projects within the financial constraint of $160 million of BEP funds.

The BEP is governed by a set of policies adopted by the Board including procedures describing project list development and the BEP Evaluation Criteria to be used when scoring potential BEP projects for the VTP. In March 2013, the revised BEP Policies and Evaluation Criteria were approved by the Board. A new feature of the BEP is the division of the project list into short-term and long-term categories.
**DISCUSSION:**

The process for developing the BEP Project List involves two main steps: 1) Developing a master list of projects, and 2) Constraining the master list to the financial constraints of the VTP. The VTP 2040 BEP financial constraint is $300 million, a significant increase over the $160 million allocation in VTP 2035. However, as long as Category 1 totals less than $300 million, projects in Category 2 can exceed the financial constraint. In addition, some of these projects may receive funding during the current One Bay Area Grant (OBAG) funding cycle, and the total cost to complete the project may be less than presented in the attachments.

**Step 1: Developing a Master List of Projects**

VTA issued a VTP 2040 Call-for-Projects in early 2011 for all program areas, including the bicycle program. In December 2012, VTA issued a supplementary Call-for-Projects for only bicycle and pedestrian projects, and received additional projects. BEP Policy states that BEP projects: 1) must be bicycle-related (though the project can also benefit pedestrians), and 2) must have regional or countywide significance. Nine projects were pedestrian-only projects and were not evaluated for the BEP. Between these two Call-for-Projects, a total of 155 projects were submitted for consideration for the BEP and constitute the master list. The total cost of these 155 projects is $808 million.

Board policy states that projects that have received BEP funding do not need to be evaluated, while new projects must be evaluated by a BEP Evaluation Committee using the Board-adopted BEP Evaluation Criteria. Accordingly, 15 projects were grandfathered and will be included on the BEP Project List without being scored. Another project was added to this list since it will be 100% locally funded. These projects totaled $77 million and are the first 16 projects listed in Attachment A. The 139 remaining projects were evaluated in Step 2 described below.

**Step 2: Project Evaluation and Ranking**

Step 2 involved applying the Board-adopted evaluation criteria to the 139 projects by the BEP Evaluation Committee. Committee participation is voluntary, and was composed of five BPAC members, three TAC members or their designees, and two VTA staff. In advance of the evaluation meeting, each committee member was assigned between 35 and 55 projects, with the caveat that no one was assigned projects in his/her own jurisdiction. The committee members submitted their scores to staff.

On March 6, 2013, the committee met to conduct the evaluation and discuss the scores. The committee first discussed the projects that were borderline in meeting either the bicycle benefit or the regional or countywide significance screening criteria described above. It was decided to apply the Evaluation Criteria to all projects and to let the resulting score determine the project's placement in the BEP.

The committee was then presented with all the scores for each of the criteria for the 139 projects. The committee discussed the variations among scores, if any, and the overall process; some members revised their scores for some of the criteria. Subsequently staff calculated the average score for each individual criterion for each project and then the projects were ranked by total score. The committee reconvened on March 15 to discuss the preliminary rankings and results.
Based on this discussion, some members reconsidered their scores and subsequently VTA staff also revised scores based on more correct information pertaining to Communities of Concern, Project Readiness and Gap Closure.

Per the BEP policies, the projects were divided into two categories: Category 1- greater than or equal to 50 points and Category 2- between 35 and 50 points. The summary of the BEP Evaluation is presented below in Table 1. The recommend final BEP project list by jurisdiction is presented in Attachment A.

<table>
<thead>
<tr>
<th>Table 1 Preliminary BEP Scoring Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td># of projects</td>
</tr>
<tr>
<td>Total Cost (million)</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Projects submitted</td>
</tr>
<tr>
<td>Projects grandfathered</td>
</tr>
<tr>
<td>Projects scored</td>
</tr>
<tr>
<td>Category 1- Projects ≥ 50 points and grandfathered projects</td>
</tr>
<tr>
<td>Category 2- Projects ≥ 35 and &lt; 50 points</td>
</tr>
<tr>
<td>Projects below 35 points</td>
</tr>
</tbody>
</table>

Category 1 Projects will receive priority funding consideration in BEP and VTA funding programs. Category 2 Projects are eligible to compete for BEP and other funds, but will not receive priority funding consideration. Per BEP Policies, special circumstances may warrant new projects to be amended into the BEP mid-cycle. Off-year amendments to the BEP project list will be subject to:

- Justification of the special circumstances;
- The same technical and financial analysis required during VTP updates;
- The financial constraints of the BEP;
- Scoring and minimum score required of all BEP projects;
- The review and approval by the VTA BPAC and the VTA Board of Directors.

**ALTERNATIVES:**

The Board may reject the entire project list or add or delete projects from the list.

**FISCAL IMPACT:**

There is no fiscal impact as a result of this action.

**ADVISORY COMMITTEES DISCUSSION/RECOMMENDATION:**

The BPAC heard this item at their April 10, 2013 meeting. There was discussion about how agencies could find out how their projects could have scored better. Member Wadler asked if the Committee would receive a presentation on how to improve the process for the next VTP update.
Staff responded that first, the BPAC BEP subcommittee would address it then bring it to the full committee. The committee unanimously recommended that the Board of Directors adopt the BEP Project List for VTP 2040.

The TAC received this item at its April 11, 2013 meeting. Some members asked whether projects in Category 2 could still apply for BEP funding, and staff said yes. Some members asked whether projects that received less than 35 points could apply for BEP funding. Staff replied that these projects could either ask for an off-year amendment per Board-adopted BEP Policies or apply for future OBAG-style funding, but would not receive priority funding consideration. Member Servin asked that future BEP procedures prioritize projects that improve interregional connectivity such as between San Jose and Morgan Hill. The committee unanimously recommended that the Board of Directors adopt the BEP Project List for VTP 2040.

The PAC received this item at its April 11, 2013 meeting. Councilman Miller asked if Category 2 projects were prioritized, and staff responded no, they were all equal. Councilman Miller asked how often the BEP Project list was created, and staff responded approximately every four years in conjunction with the VTP. The committee unanimously recommended that the Board of Directors adopt the BEP Project List for VTP 2040.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Congestion Management Program and Planning Committee received this item at its April 18, 2013 meeting. There was no committee discussion on this item. The committee recommended that this item be placed on the consent agenda for the May 2, 2013, VTA Board of Directors meeting.

Prepared by: Michelle DeRobertis
Memo No. 3896
## Revised APPENDIX A - VTP 2040 BEP Projects by Jurisdiction

<table>
<thead>
<tr>
<th>AGENCY</th>
<th>PROJECT NAME</th>
<th>COST (million)</th>
<th>RUNNING TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>CA</td>
<td>G01 Portals Project: Bike Lanes on Campbell Avenue at SR 17</td>
<td>$4.2</td>
<td>$4</td>
</tr>
<tr>
<td>GI</td>
<td>G02 Western Ronan Channel SCWVD Service Road Trail</td>
<td>$2.9</td>
<td>$7</td>
</tr>
<tr>
<td>GI</td>
<td>G03 Lions Creek SCVWD Service Road Trail: West of Kern Ave. between Kern and Day</td>
<td>$2.0</td>
<td>$9</td>
</tr>
<tr>
<td>GI</td>
<td>G04 Lions Creek SCVWD Service Road Trail: West of Santa Teresa Blvd.</td>
<td>$0.6</td>
<td>$10</td>
</tr>
<tr>
<td>PA</td>
<td>G05 Bicycle Boulevards Network Project</td>
<td>$5.8</td>
<td>$16</td>
</tr>
<tr>
<td>SC</td>
<td>G11 San Tomas Aquino Creek Spur Trail- Phase 2 from El Camino Real to Homestead Rd</td>
<td>$4.0</td>
<td>$20</td>
</tr>
<tr>
<td>SCC</td>
<td>G12 Expressway and Santa Teresa Corridor Bike Detection (Foothill/Montague/Capitol)</td>
<td>$1.0</td>
<td>$21</td>
</tr>
<tr>
<td>SJD</td>
<td>G06 Park Ave/San Fernando St. San Antonio Bikeway</td>
<td>$0.3</td>
<td>$21</td>
</tr>
<tr>
<td>SJD</td>
<td>G07 Hedding St. Bikeway: from Park Av to 17th St.</td>
<td>$0.3</td>
<td>$21</td>
</tr>
<tr>
<td>SJD</td>
<td>G08 North San Jose Bike and Ped Improvements</td>
<td>$35.0</td>
<td>$56</td>
</tr>
<tr>
<td>SJP</td>
<td>G09 Guadalupe River Trail (I-880 to the Bay Trail) and Tasman UC</td>
<td>$0.0</td>
<td>$56</td>
</tr>
<tr>
<td>SJP</td>
<td>G10 Los Gatos Creek Trail Reach 5b and 5c Underxing and Trail (Azuerais Ave from s/o W. San Carlos Ave. to Park Ave./Montgomery Ave.)</td>
<td>$5.8</td>
<td>$62</td>
</tr>
<tr>
<td>SU</td>
<td>G13 Hendy Ave Bike Lanes, from Sunnyvale Ave to Fair Oaks Ave</td>
<td>$0.0</td>
<td>$62</td>
</tr>
<tr>
<td>SU</td>
<td>G14 Mathilda Ave. Bike Lanes: US 101 to El Camino Real</td>
<td>$4.1</td>
<td>$66</td>
</tr>
<tr>
<td>SU</td>
<td>G15 Mary Ave. Bike Lanes Fremont to Maude</td>
<td>$1.4</td>
<td>$67</td>
</tr>
<tr>
<td>VTA</td>
<td>G16 Santa Clara Caltrain Station Undercrossing Extension</td>
<td>$9.3</td>
<td>$77</td>
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<tr>
<td>CA</td>
<td>5 Hamilton Avenue Median Bicycle and Pedestrian Enhancements from Bascom to Leigh</td>
<td>50.2</td>
<td>$78</td>
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<tr>
<td>CU</td>
<td>2 Miller Ave Bike Lanes from Steven Creek Blvd to Calle de Barcelona</td>
<td>51.0</td>
<td>$79</td>
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<tr>
<td>GI</td>
<td>2 Northern Uvas Creek SCVWD Service Road Trail AKA Gilroy Gardens Extension Trail</td>
<td>50.0</td>
<td>$81</td>
</tr>
<tr>
<td>LAH</td>
<td>1 El Monte Rd. from Stonebrook to Voorhees Segment 4</td>
<td>50.0</td>
<td>$81</td>
</tr>
<tr>
<td>LAH</td>
<td>3 Fremont Road pathway from Concepcion Rd to Arastradero Rd</td>
<td>64.0</td>
<td>$82</td>
</tr>
<tr>
<td>PA</td>
<td>2 US 101/Adobe Creek Ped/Bicycle Grade separation</td>
<td>64.0</td>
<td>$92</td>
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<tr>
<td>SC</td>
<td>01 Scott Blvd. Bike Lanes: Central to Monroe St.</td>
<td>53.8</td>
<td>$92</td>
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<tr>
<td>SC</td>
<td>03 Calabazas Creek Trail: From S.R. 237 to Calabasas Blvd with ABC Over Hwy101 and Central Expressway</td>
<td>50.2</td>
<td>$106</td>
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<tr>
<td>SC</td>
<td>06 Lafayette St. Bike Lanes: Agnew Rd. to Reed St.</td>
<td>53.5</td>
<td>$107</td>
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<tr>
<td>SC</td>
<td>09 Pruneridge Ave. Bike Lanes: Pomeroy Ave. to Winchester Blvd.</td>
<td>50.0</td>
<td>$108</td>
</tr>
</tbody>
</table>

**Notes:**

1. Grandfahered projects were not scored, see memo.
2. Projects with $0 cost are fully funded, but not completed. They will request no BEP funds.
<table>
<thead>
<tr>
<th>AGENCY</th>
<th>Project #</th>
<th>Project Name</th>
<th>Score /1/</th>
<th>Cost (million)</th>
<th>Running Total</th>
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</thead>
<tbody>
<tr>
<td>SC</td>
<td>10</td>
<td>Bowers Ave./Kiely Blvd. Bike Lanes: Cabrillo Ave. to Stevens Creek Blvd.</td>
<td>52.9</td>
<td>$1.0</td>
<td>$109</td>
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<tr>
<td>SC</td>
<td>11</td>
<td>Saratoga Ave Bike Lanes from Los Padres Blvd to San Tomas Expwy</td>
<td>53.1</td>
<td>$0.2</td>
<td>$109</td>
</tr>
<tr>
<td>SC</td>
<td>12</td>
<td>Saratoga Creek Trail from Cabrillo Ave. to Forbes Ave. and 2 undercrossings (at Kiely and Homestead)</td>
<td>52.5</td>
<td>$2.7</td>
<td>$112</td>
</tr>
<tr>
<td>SC</td>
<td>13</td>
<td>Lick Mill Blvd. Bike Lanes from Tasman Dr to Hope Dr</td>
<td>55.5</td>
<td>$0.2</td>
<td>$112</td>
</tr>
<tr>
<td>SC</td>
<td>14</td>
<td>Mission College Blvd Bike Lanes from Mission College Blvd to Wildwood Ave (city limits)</td>
<td>50.5</td>
<td>$0.2</td>
<td>$112</td>
</tr>
<tr>
<td>SC</td>
<td>15</td>
<td>Benton St. Bike Lanes: Lawrence Expwy to San Tomas Expwy</td>
<td>52.5</td>
<td>$0.5</td>
<td>$113</td>
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<tr>
<td>SCC</td>
<td>1</td>
<td>McKean Rd Shoulder Improvements (Harry Rd to Bailey Ave)</td>
<td>55.0</td>
<td>$7.4</td>
<td>$120</td>
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<tr>
<td>SCC</td>
<td>2</td>
<td>Doyle Rd Bicycle and Pedestrian Trail Connection</td>
<td>61.0</td>
<td>$0.5</td>
<td>$121</td>
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<tr>
<td>SCC</td>
<td>3</td>
<td>Oregon Expwy/Page Mill Rd: I-280 Interchange Modification</td>
<td>59.0</td>
<td>$1.4</td>
<td>$122</td>
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<tr>
<td>SCC</td>
<td>4</td>
<td>Santa Teresa Blvd. Bicycle Delineation and shoulder widening</td>
<td>52.0</td>
<td>$0.6</td>
<td>$123</td>
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<td>SCC</td>
<td>5</td>
<td>Popular Bicycle Rural Roads Improvements</td>
<td>53.0</td>
<td>$1.0</td>
<td>$124</td>
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<tr>
<td>SCC</td>
<td>1</td>
<td>Los Gatos Creek Trail – Lark Ave to Blossom Hill Dr.</td>
<td>54.0</td>
<td>$1.8</td>
<td>$126</td>
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<tr>
<td>SJD</td>
<td>02</td>
<td>Monroe Bikeway: Newhall St to Hwy 17 POC at Daniel Way / Westfield Ave.</td>
<td>67.0</td>
<td>$0.3</td>
<td>$126</td>
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<tr>
<td>SJD</td>
<td>03</td>
<td>Blossom Hill: Calero Bikeways-at Coleman Rd to Palmia Dr at Cottle Rd</td>
<td>55.0</td>
<td>$0.4</td>
<td>$126</td>
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<tr>
<td>SJD</td>
<td>04</td>
<td>Brokaw - Coleman Airport Bikeway</td>
<td>69.0</td>
<td>$1.2</td>
<td>$127</td>
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<td>SJD</td>
<td>05</td>
<td>Capitol Ave./Capitol Expwy. Bikeway from Penitencia Creek Rd/Trail to Quimby Rd</td>
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<td>$0.3</td>
<td>$128</td>
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<td>06</td>
<td>Charcot Bikeway: from Orchard Pkwy to Hwy 880</td>
<td>60.0</td>
<td>$0.5</td>
<td>$128</td>
</tr>
<tr>
<td>SJD</td>
<td>07</td>
<td>Hwy 237 Bikeway on &amp; off-road from Gt America Parkway to Zanker</td>
<td>70.0</td>
<td>$0.5</td>
<td>$129</td>
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<td>SJD</td>
<td>08</td>
<td>Newhall St. Bike/Ped Overcrossing over Caltrain tracks</td>
<td>65.0</td>
<td>$8.1</td>
<td>$137</td>
</tr>
<tr>
<td>SJD</td>
<td>12</td>
<td>Bird Ave. Bicycle and Pedestrian Corridor</td>
<td>61.0</td>
<td>$3.5</td>
<td>$140</td>
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<tr>
<td>SJD</td>
<td>13</td>
<td>Auzerais Ave. Bicycle and Pedestrian Improvements from Sunol St. to Race St.</td>
<td>52.0</td>
<td>$2.2</td>
<td>$143</td>
</tr>
<tr>
<td>SJD</td>
<td>14</td>
<td>Highway 87 Trail Connection- multi-use path from Unified Way through Currntr LRT &amp; P&amp;R to Carol Dr/Hwy 87</td>
<td>58.0</td>
<td>$1.9</td>
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<tr>
<td>SJD</td>
<td>15</td>
<td>Havana Dr/ Holly Hill Drive Bike/Ped Bridge at US 101</td>
<td>56.0</td>
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<tr>
<td>SJD</td>
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<td>Blossom Hill Rd./ Silver Creek Valley Rd. Multiuse Path</td>
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<tr>
<td>SJD</td>
<td>17</td>
<td>Branham Lane Bikeway from Camden Rd to Monterey Rd</td>
<td>53.0</td>
<td>$2.4</td>
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<tr>
<td>SJD</td>
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<td>Cottle Road multi-use path from Hospital Parkway to Poughkeepsie Rd.</td>
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<td>SJD</td>
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<td>Airport Blvd-Guadalupe River Trail Bike &amp; Ped connection</td>
<td>55.0</td>
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<tr>
<td>SJP</td>
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<td>Los Gatos Creek Trail (Reach 5d (from Park Ave./Montgomery Ave. to Santa Clara Ave.): Diridon Station Segment</td>
<td>54.0</td>
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</table>

Notes:
1. Grandfathered projects were not scored, see memo.
2. Projects with $0 cost are fully funded, but not completed. They will request no BEP funds.
<table>
<thead>
<tr>
<th>AGENCY</th>
<th>PROJECT NAME</th>
<th>SCORE /1/</th>
<th>COST (million)</th>
<th>RUNNING TOTAL</th>
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<tbody>
<tr>
<td>SU 01</td>
<td>Bernardo Ave. Caltrain Undercrossing</td>
<td>62.0</td>
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<td>Maude Ave. Bike Lanes: Mathilda to Wolfe</td>
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<td>Lakewood/Sandia Drive Bike Lanes</td>
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<td>Belleville Way Bike Lanes from Fremont to Homestead plus bike detection</td>
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<tr>
<td>SU 06</td>
<td>Bernardo Ave Bike Lanes from El Camino Real to Evelyn and new bike detection</td>
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<tr>
<td>SU 07</td>
<td>Bernardo Ave Bike Lanes from Remington to Homestead plus bike detection</td>
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<td>California Ave Bike Lanes from Mary to Fair Oaks and new bike detection</td>
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<tr>
<td>SU 09</td>
<td>El Camino Real Bike Lanes from west city limits to east city limits plus bike detection at 13 intersections</td>
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<tr>
<td>SU 12</td>
<td>Fair Oaks Ave Bike Lanes from Old San Francisco Rd to Ahwanee Ave plus bike detection and medians</td>
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<td>SU 14</td>
<td>Java Drive Bike Lanes via road diet from Mathilda to Crossman Ave plus bike detection</td>
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<td>Moffett Park Area East Channel Trail and West Channel Trail</td>
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<tr>
<td>SU 16</td>
<td>Sunnyvale Stevens Creek Trail and Structures from Dale/Heatherstone to Homestead Rd. (2.5 mi bike path, 4 structures and 1.2 mi bike lane)</td>
<td>64.0</td>
<td>$20.0</td>
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<tr>
<td>SU 17</td>
<td>Tasman Dr Bike Lanes via road diet from Fair Oaks Ave. to Reamwood Dr. plus bike detection</td>
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<td>VTA 2</td>
<td>Capitol Expressway Pedestrian /Bicycle Crossing at Eastridge Transit Center</td>
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**Subtotal- number of projects in Category : 170**

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<tr>
<th>PROJECTS IN CATEGORY : 2</th>
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<tbody>
<tr>
<td>CA 1 Los Gatos Creek Trail Expansion on West Side (Hamilton to Campbell)</td>
</tr>
<tr>
<td>CA 3 San Tomas Aquino Creek Trail: Westmont High School to Virginia</td>
</tr>
<tr>
<td>CA 4 Hacienda Ave. Bike Lanes: Winchester to San Tomas Aquino Rd.</td>
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<tr>
<td>CU 1 McClellan Bike Lanes from Foothill Blvd to Byrne Ave</td>
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<tr>
<td>CU 3 Saratoga Creek Trail extension next to</td>
</tr>
<tr>
<td>CU 4 Stevens Creek Trail Crossing at Stevens Creek Blvd</td>
</tr>
<tr>
<td>CU 5 UPRR Bike/Ped Bridge crossing from Stevens Creek Blvd to Snyder-Hammond House /Rancho San Antonio Park</td>
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<tr>
<td>GI 1 Gilroy Sports Park Trail</td>
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</table>

**Notes:**

1. Grandfathered projects were not scored, see memo.
2. Projects with $0 cost are fully funded, but not completed. They will request no BEP funds.
<table>
<thead>
<tr>
<th>AGENCY</th>
<th>project #</th>
<th>PROJECT NAME</th>
<th>SCORE /1/</th>
<th>COST (million)</th>
<th>RUNNING TOTAL</th>
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<tbody>
<tr>
<td></td>
<td>GI 3</td>
<td>Lions Creek Trail West Gap Closure</td>
<td>40.0</td>
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<tr>
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<td>LA 1</td>
<td>Miramonte Ave. Bikeway Improvement</td>
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<tr>
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<td>LA 2</td>
<td>Stevens Creek Link Trail</td>
<td>45.0</td>
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<td></td>
<td>LAH 2</td>
<td>Hale Creek Path connecting to El Monte Road</td>
<td>35.0</td>
<td>$0.5</td>
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<tr>
<td></td>
<td>LG 1</td>
<td>Los Gatos Creek Trail Connector to SR 9</td>
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<td>MH 3</td>
<td>Main Ave. Bike Lanes: Butterfield Blvd to Condit Rd.</td>
<td>36.0</td>
<td>$0.2</td>
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<tr>
<td></td>
<td>MH 5</td>
<td>Sobrato High School Bike Access Improvements: bike path southeast from Burnett Av to Coyote Creek Trail</td>
<td>41.0</td>
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<td>$31</td>
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<td></td>
<td>MH 6</td>
<td>West Little Liagas Creek Trail: Main Ave. to Spring Ave.</td>
<td>36.0</td>
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<td>$32</td>
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<tr>
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<td>MI 1</td>
<td>Montague Expwy Bike/Ped Overcrossing</td>
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<td></td>
<td>MI 3</td>
<td>So. Milpitas Blvd. from Calaveras Blvd to Montague Expressway Bicycle Path &amp; Sidewalk on east side (1.5 miles)</td>
<td>45.0</td>
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<tr>
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<td>MI 4</td>
<td>Berryessa Creek Trail (Reach 4 - 6) from Hillview Dr to San Jose City limits</td>
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<tr>
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<td>MV 1</td>
<td>Permanente Creek Trail: Old Middlefield Way to Rock Street</td>
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<tr>
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<tr>
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<td>MV 3</td>
<td>Permanente Creek Trail Grade Separation at Charleston Rd. and modification to UC at Amphitheatre Rd</td>
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<td>MV 6</td>
<td>Stevens Creek Trail/Middlefield Rd. North Side Access</td>
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<td>MV 7</td>
<td>Stevens Creek Trail/Landels School Trailhead</td>
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<td>$110</td>
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<tr>
<td></td>
<td>PA 1</td>
<td>California Ave. Caltrain Undercrossing: ADA Retrofit/Reconstruction</td>
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<td>South Palo Alto Caltrain Pedestrian/Bicycle Grade Separation</td>
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<td>PA 7</td>
<td>Palo Alto Transit Center/University Avenue Undercrossing</td>
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<td>SA 1</td>
<td>Blue Hills School RR Crossing Safety Project</td>
<td>35.0</td>
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<td>SA 2</td>
<td>Joe's Trail from Saratoga-Sunnyvale Rd. to Prospect Rd.</td>
<td>45.0</td>
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<tr>
<td></td>
<td>SC 02</td>
<td>Tasman Dr. Bike Lanes: Calabazas Creek to Guadalupe River</td>
<td>48.1</td>
<td>$0.6</td>
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<tr>
<td></td>
<td>SC 04</td>
<td>Hetch-Hetchy Trail: Calabazas Creek to Lick Mill Blvd.</td>
<td>45.5</td>
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<td>Lafayette St. Bike Lanes: Calle de Luna to Yerba Buena Way</td>
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<td>De La Cruz Blvd. Bike Lanes: Central Expwy. to Brokaw Rd.</td>
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<td>SC 08</td>
<td>Benton St. Bike Lanes: Monroe St. to Railroad Ave.</td>
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<tr>
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<td>SC 16</td>
<td>San Tomas Aquino Creek Trail Underpass at 49er Stadium</td>
<td>44.7</td>
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<tr>
<td></td>
<td>SCC 6</td>
<td>Fitzgerald Ave Bicycle Shoulder widening from Santa Teresa Blvd to Monterey Hwy</td>
<td>39.0</td>
<td>$2.4</td>
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</tbody>
</table>

Notes:
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Monday, April 15, 2013
<table>
<thead>
<tr>
<th>AGENCY</th>
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<th>RUNNING TOTAL</th>
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<tbody>
<tr>
<td>SCC</td>
<td>7</td>
<td>Watsonville Road shoulders from Santa Teresa Blvd to S.R. 152</td>
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<td>Coyote Creek Trail: Metcalf Rd to Malagueria Ave.</td>
<td>37.2</td>
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<td>Olive Ave. Bike Lanes: Mathilda to Fair Oaks</td>
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<tr>
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<td>Fair Oaks / Tasman East Channel Trail from Greenbelt to Tasman Dr</td>
<td>48.3</td>
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<tr>
<td>SU</td>
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<td>Fair Oaks Junction Trail from Arques Ave to Wolfe Rd along East Channel Trail</td>
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<td>VTA</td>
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<td>Capitol Caltrain Station Undercrossing</td>
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**Subtotal - number of projects in Category:** 51

**PROJECTS IN CATEGORY : Scored below 35 points**

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<th>Project Number</th>
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<tbody>
<tr>
<td>CA</td>
<td>2</td>
<td>Widen Los Gatos Creek Trail on East Side (Camden to Campbell)</td>
<td>27.0</td>
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<td>$0</td>
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<tr>
<td>CA</td>
<td>6</td>
<td>Downtown Bike and Ped Enhancements from Railway Ave to Campbell/Fourth St.</td>
<td>28.4</td>
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<tr>
<td>CU</td>
<td>6</td>
<td>Stevens Creek Trail Corridor trail from McClellan Ranch Preserve to Linda Vista Park</td>
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<td>$3</td>
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<tr>
<td>MH</td>
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<td>Butterfield Linear Park Bike/Ped Improvements: San Pedro Ave. to Tennant Ave.</td>
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<tr>
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<td>Madrone Pkwy. Bike Lanes: from Monterey Rd to Cochrane Rd.</td>
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<td>Llagas Rd. Bike Lanes: Monterey Rd to Enderson Ct.</td>
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<td>MH</td>
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<td>Tilton Bike Lane Improvements from Monterey Rd to Hale Ave</td>
<td>26.0</td>
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<td>West Little Llagas Creek Trail:Phase 5-Spring Ave. to Ciolino Ave.</td>
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<td>MV</td>
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<td>Hetch-Hetchy Trail: Middlefield Road to Shoreline Blvd.</td>
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<td>San Francisquito Reach Trail - U.S. 101 to El Camino Real</td>
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<td>Matadero Creek Undercrossing at U.S. 101 Upgrade</td>
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<td>9</td>
<td>High Street One-Way to Two-Way Conversion</td>
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<td>Guadalupe River Trail (Virginia Street to Chynoweth Avenue)</td>
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<td>$32.8</td>
<td>$49</td>
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**Notes:**

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<table>
<thead>
<tr>
<th>AGENCY</th>
<th>project #</th>
<th>PROJECT NAME</th>
<th>SCORE /1/</th>
<th>COST (million)</th>
<th>RUNNING TOTAL</th>
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<tbody>
<tr>
<td>SJP</td>
<td>03</td>
<td>Edenvale Bike/Ped Overcrossing of US 101 from Branham to Embedded and Bike Trails (US 101 &amp; Coyote Creek)</td>
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<td>Five Wounds Trail: Watson Park to Williams St. Park - Alum Rock BART Station Segment</td>
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<td>Almaden Expwy. Bicycle and Pedestrian Overcrossing along Guadalupe River Trail alignment</td>
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<td>Penitencia Creek Trail (Dorel Drive to Alum Rock Park)</td>
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<td>Thompson Creek Trail: Quinby Rd to County Limit</td>
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<td>SJP</td>
<td>13</td>
<td>Lower Silver Creek Trail (Coyote Crk to Thompson Creek Trail)</td>
<td></td>
<td>$32.8</td>
<td>$164</td>
</tr>
<tr>
<td>SJP</td>
<td>14</td>
<td>Highway 87 Bikeway (Curtner Extension and system safety enhancements)</td>
<td></td>
<td>$16.4</td>
<td>$181</td>
</tr>
<tr>
<td>SJP</td>
<td>15</td>
<td>Calero Creek Trail from Harry Road to Bay Area Ridge Trail (pave existing unpaved trail 1.2 miles + 2 bridges over creeks)</td>
<td></td>
<td>$13.1</td>
<td>$194</td>
</tr>
<tr>
<td>SJP</td>
<td>16</td>
<td>Guadalupe Creek Trail (Almaden Expressway to Quicksilver Mines County Park)</td>
<td></td>
<td>$16.4</td>
<td>$210</td>
</tr>
<tr>
<td>SJP</td>
<td>17</td>
<td>Guadalupe Creek Trail (W. side Expressway to Lake Almaden) w/b Coleman Road Undercrossing (west side of lake)</td>
<td></td>
<td>$10.9</td>
<td>$221</td>
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<tr>
<td>SJP</td>
<td>18</td>
<td>San Francisco Bay Trail-San Jose (San Tomas Aquino Trail to Coyote Creek Trail)</td>
<td></td>
<td>$43.7</td>
<td>$265</td>
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<tr>
<td>SJP</td>
<td>19</td>
<td>Canoas Trail from Hwy 87 bikeway to Hwy 85 Light Rail</td>
<td></td>
<td>$5.5</td>
<td>$270</td>
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<tr>
<td>SJP</td>
<td>20</td>
<td>Component Trail (Lower Guadalupe River to North First Street Light Rail)</td>
<td></td>
<td>$5.5</td>
<td>$276</td>
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<tr>
<td>SJP</td>
<td>21</td>
<td>Lake Cunningham Trail (Lower Silver Crk to Thompson Crk)</td>
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<td>$7.6</td>
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<tr>
<td>SJP</td>
<td>22</td>
<td>Five Wounds Trail (I-280-Berryessa)</td>
<td></td>
<td>$32.8</td>
<td>$316</td>
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<tr>
<td>SJP</td>
<td>23</td>
<td>Fisher Creek Trail and Bridge (Coyote Creek Trail to Coyote Valley / Bay Area Ridge Trail)</td>
<td></td>
<td>$21.9</td>
<td>$338</td>
</tr>
<tr>
<td>SJP</td>
<td>24</td>
<td>Three Creeks Trail East- ROW Acquisition from Guadalupe River to Coyote Creek</td>
<td>33.0</td>
<td>$20.0</td>
<td>$358</td>
</tr>
<tr>
<td>SJP</td>
<td>26</td>
<td>Hetch-Hetchy Trail to Guadalupe River Trail Connection</td>
<td>29.0</td>
<td>$1.4</td>
<td>$359</td>
</tr>
</tbody>
</table>

**Subtotal- number of projects in Category : Scored below 35 points** 34

**Notes:**
1. Grandfathered projects were not scored, see memo.
2. Projects with $0 cost are fully funded, but not completed. They will request no BEP funds.
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: Vehicle Emissions Reductions Based at Schools (VERBS) Cycle 2 Projects

Policy-Related Action: No  Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Approve a program of projects for the Vehicle Emissions Reductions Based at Schools (VERBS) Program.

BACKGROUND:

The VTA Board of Directors established the Vehicle Emissions Reductions Based at Schools (VERBS) grant program on September 2, 2010. VERBS seeks to provide Federal Congestion Mitigation Air Quality (CMAQ) grants to projects and programs that will encourage parents, teachers and students to reduce auto emissions by walking, bicycling, skating, carpooling or taking transit and from school.

By Board adopted policy, half of the funding is for infrastructure projects which will make physical changes to streets, sidewalks and paths to make it attractive, safe, or even just possible for people not to drive. The other half of the funds are for programs that will encourage and educate people to use non-polluting modes for their daily trips to and from schools.

Eligible applicants who may compete for VERBS funding include the County, the Cities and Towns of Santa Clara and the VTA. The VTA Board selected the first set of projects in 2011. Several infrastructure projects are completed or soon to open.
DISCUSSION:

On November 19, 2012, VTA staff issued a second call for projects. Applications were initially due on February 22, 2013, but it was extended to March 1, 2013 at the request of multiple applicants. VTA staff held an informational workshop for potential applicants on December 14, 2012. A total of $5,380,000 was available. A total of 15 projects, collectively requesting more than $12 million, were submitted. Both the infrastructure category and the non-infrastructure category were oversubscribed.

The projects were reviewed by VTA staff, then scored and ranked by the Capital Improvement Program Working Group's Scoring Committee based on the VTA Board of Directors' adopted scoring criteria, shown in Attachment A. The scoring committee was comprised of volunteers from the cities of Campbell, Palo Alto, Santa Clara, San Jose and Santa Clara County. Of the 15 submittals, VTA staff recommends 7 for funding, as shown in the ranked list in Attachment B.

ALTERNATIVES:

The Board may approve alternative projects.

FISCAL IMPACT:

VTA, in its capacity as the Congestion Management Agency for Santa Clara County serves solely as the prioritizing body. No funds flow to or from VTA.

ADVISORY COMMITTEE DISCUSSION/RECOMMENDATION:

The Bicycle & Pedestrian Advisory Committee (BPAC) considered this item at the April 10, 2013 meeting and unanimously recommended it to the full Board for approval.

The Technical Advisory Committee (TAC) considered this item at the April 11, 2013 meeting and unanimously recommended it to the full Board for approval.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Congestion Management Program & Planning Committee (CMPP) approved this item at the April 18, 2013 meeting and unanimously recommended it to the full Board for approval.

Prepared by: Celeste Fiore
Memo No. 4015
ATTACHMENT A
Evaluation Criteria and Procedures
Santa Clara County Vehicle Emissions Reductions Based at Schools
(VERBS)

PROJECT EVALUATION

A project must obtain an overall minimum score of 50 out of 100 points to be eligible for funding. Receipt of at least 50 points does not guarantee funding. Each project will be screened to ensure that it has all of the screening criteria (pass/fail). If the project passes, then it will be scored.

SCREENING CRITERIA

(1) Clearly identified project Purpose, Need and desired Outcomes
(2) Proposed method to evaluate the reduction in criteria pollutants and congestion
(3) Consultation and Letters of Support for projects from school officials, as well as school-based associations, local traffic engineers, local elected officials, law enforcement agencies, and other relevant community stakeholders.

SCORING CRITERIA

NON-INFRASTRUCTURE IMPROVEMENTS SCORING

<p>| | | | | | | | | |</p>
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<tr>
<td>1. Identification &amp; justification for the proposed project</td>
<td><strong>High:</strong> Project clearly identifies a significant problem and proposes an appropriate and effective solution. <em>Up to 25 pts</em></td>
<td>25</td>
<td></td>
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<td></td>
<td><strong>Medium:</strong> Project identifies a moderate problem and proposes an appropriate solution. <em>Up to 16 pts</em></td>
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<td></td>
<td><strong>Low:</strong> Project identifies a problem and proposes a solution. <em>Up to 8 pts</em></td>
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<tr>
<td>2. New or increased number of students/schools/school grades anticipated to participate</td>
<td><strong>High:</strong> Project will significantly increase the number of students participating in the program. <em>Up to 20 pts</em></td>
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<td></td>
<td><strong>Medium:</strong> Project will moderately increase the number of students participating in the program. <em>Up to 13 pts</em></td>
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<td></td>
<td><strong>Low:</strong> Project will increase the number of students participating in the program. <em>Up to 6 pts</em></td>
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<tr>
<td>3. Air Quality Improvements</td>
<td><strong>High:</strong> Project significantly improves air quality. <em>Up to 20 pts</em></td>
<td>20</td>
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<td></td>
<td><strong>Medium:</strong> Project moderately improves air quality. <em>Up to 13 pts</em></td>
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<tr>
<td></td>
<td><strong>Low:</strong> Project improves air quality. <em>Up to 6 pts</em></td>
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<tr>
<td>4. Multi-Agency Collaboration</td>
<td>Project is jointly implemented by two or more legal entities.</td>
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</tr>
<tr>
<td>5. Local Match</td>
<td><strong>High:</strong> Project can commit ≥30% of the total project cost from non-federal sources. <em>Up to 10 pts</em></td>
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<td></td>
<td><strong>Medium:</strong> Project can commit 20% to 29% of total project cost from non-federal sources. <em>Up to 6 pts</em></td>
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</tr>
<tr>
<td></td>
<td><strong>Low:</strong> Project can commit 13% to 19% of total project cost from non-federal sources. <em>Up to 3 pts</em></td>
<td></td>
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</tr>
<tr>
<td>6. Innovative public outreach/education</td>
<td>Project is innovative; has potential to be replicated elsewhere.</td>
<td>10</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>7. Project Readiness</td>
<td><strong>High:</strong> Project will be ready to start in three months from E-76. <strong>10 pts</strong></td>
<td>10</td>
<td></td>
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<tr>
<td></td>
<td><strong>Medium:</strong> Project will be ready to start in six months from E-76. <strong>6 pts</strong></td>
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<tr>
<td></td>
<td><strong>Low:</strong> Project will be ready to start in nine months from E-76. <strong>3 pts</strong></td>
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</tr>
</tbody>
</table>
## INFRASTRUCTURE IMPROVEMENTS SCORING

### 1. Gap Closure
- Project proposes a shorter bicycle or pedestrian route. Score 2 points for each 0.10 mile shorter distance. **Up to 15 pts**

### 2. Access to/from school
- **High**: Project will significantly improve access to a school. Project will be within 1/3 mile in actual walking/biking distance from a school. **Up to 20 pts**
- **Medium**: Project will moderately improve access to a school. Project will be within 2/3 mile in actual walking/biking distance from a school. **Up to 13 pts**
- **Low**: Project will improve upon limited existing access. Project will be 1 mile in actual walking/biking distance from a school. **Up to 6 pts**

### 3. Safety
- **High**: Project will significantly improve a demonstrated safety issue with a proven or demonstrated countermeasure. **Up to 15 pts**
- **Medium**: Project will moderately improve a situation with some safety issues (e.g., some reported collisions, conflicts, near-misses, or evidence of high vehicle traffic volume or speed). **Up to 10 pts**
- **Low**: Project will improve safety, even though there are no known problems. Project will reduce exposure/risk of conflicts between motor-vehicles and bike/pedestrians. **Up to 5 pts**

### 4. Air Quality Improvements
- **High**: Project will significantly improve air quality. **Up to 20 pts**
- **Medium**: Project will moderately improve air quality. **Up to 13 pts**
- **Low**: Project will improve air quality. **Up to 6 pts**

### 5. Community of Concern
- Project is in a **Community of Concern**, which identifies transportation needs and potential social impacts on minority and low-income communities. **5 pts**

### 6. Local Plan(s)
- Is the project in a local, county or community-based plan, such as adopted Bicycle Plans, General Plans, Capital Improvement programs, Specific Plans, Park/Trail Master Plans? **5 pts**

### 7. Local Match
- **High**: Project can commit ≥30% of the total project cost from non-federal sources. **Up to 10 pts**
- **Medium**: Project can commit 20% to 29% of total project cost from non-federal sources. **Up to 6 pts**
- **Low**: Project can commit 13% to 19% of total project cost from non-federal sources. **Up to 3 pts**

### 8. Project Readiness
- **High**: NEPA, Design and ROW complete. **10 pts**
- **Medium**: NEPA complete and ROW complete. **6 pts**
- **Low**: ROW complete. **3 pts**
## INFRASTRUCTURE CATEGORY

<table>
<thead>
<tr>
<th>Agency</th>
<th>Application Name</th>
<th>Requested Amount</th>
<th>Recommended Amount</th>
<th>Cumulative Amount</th>
<th>Rank</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Palo Alto</td>
<td>Arastradero Road Schoolscape-Multiuse Trail</td>
<td>$ 1,000,000</td>
<td>$ 1,000,000</td>
<td>$ 1,000,000</td>
<td>1</td>
<td>71</td>
</tr>
<tr>
<td>Mountain View</td>
<td>Mtn Vw Complete Sts &amp; Road Diet-Castro St: El Camino Real to Miramonte</td>
<td>$ 840,000</td>
<td>$ 840,000</td>
<td>$ 1,840,000</td>
<td>2</td>
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<tr>
<td>Campbell</td>
<td>Virginia Ave Sidewalk</td>
<td>$ 708,240</td>
<td>$ 708,240</td>
<td>$ 2,548,240</td>
<td>3</td>
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**Funds Cut Off**

<table>
<thead>
<tr>
<th>Agency</th>
<th>Application Name</th>
<th>Requested Amount</th>
<th>Recommended Amount</th>
<th>Cumulative Amount</th>
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<tbody>
<tr>
<td>Campbell</td>
<td>Campbell Citywide School Sidewalks</td>
<td>$ 841,035</td>
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<tr>
<td>County</td>
<td>San Martin/Gwinn School Pedestrian Improvements</td>
<td>$ 500,000</td>
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<td>5</td>
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<td>Campbell</td>
<td>Harriet Ave Sidewalk</td>
<td>$ 708,240</td>
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<tr>
<td>Los Altos</td>
<td>Safe Routes to School (SR2S)</td>
<td>$ 1,250,000</td>
<td>$ -</td>
<td>-</td>
<td>7</td>
<td>52</td>
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<tr>
<td>Los Altos Hills</td>
<td>W Fremont Rd Bike/Ped Path Phase II</td>
<td>$ 900,000</td>
<td>$ -</td>
<td>-</td>
<td>8</td>
<td>47</td>
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<tr>
<td>Santa Clara</td>
<td>Safe Routes to School (SR2S) ADA Curb Ramp Project</td>
<td>$ 505,000</td>
<td>$ -</td>
<td>-</td>
<td>9</td>
<td>45</td>
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<tr>
<td>Gilroy</td>
<td>Gilroy VERBS GECA High School Access</td>
<td>$ 818,000</td>
<td>$ -</td>
<td>-</td>
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### Grant $ Available

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<tr>
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<th>Requested Amount</th>
<th>Recommended Amount</th>
<th>Cumulative Amount</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>$ 2,693,000</td>
<td>$ 2,548,240</td>
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### Grant $ Recommended

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<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td></td>
<td>$ 2,548,240</td>
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### (Over)/Under

<table>
<thead>
<tr>
<th></th>
<th>Amount available to non-infrastructure category</th>
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<tr>
<td></td>
<td>$ 144,760</td>
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## NON-INFRASTRUCTURE CATEGORY

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<th>Agency</th>
<th>Application Name</th>
<th>Requested Amount</th>
<th>Recommended Amount</th>
<th>Cumulative Amount</th>
<th>Rank</th>
<th>Score</th>
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</thead>
<tbody>
<tr>
<td>San Jose</td>
<td>SJ Walk 'N' Roll Phase II</td>
<td>$ 1,000,000</td>
<td>$ 1,000,000</td>
<td>$ 1,000,000</td>
<td>1</td>
<td>84</td>
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<tr>
<td>Mountain View</td>
<td>Mtn View Non-Infrastructure Safe Routes to School (SR2S)</td>
<td>$ 500,000</td>
<td>$ 500,000</td>
<td>$ 1,500,000</td>
<td>2</td>
<td>82</td>
</tr>
<tr>
<td>Santa Clara</td>
<td>Santa Clara Non-Infrastructure Phase II</td>
<td>$ 500,000</td>
<td>$ 500,000</td>
<td>$ 2,000,000</td>
<td>3</td>
<td>71</td>
</tr>
<tr>
<td>County</td>
<td>Strengthening Safe Routes to School (SR2S) for SC County</td>
<td>$ 1,000,000</td>
<td>$ 837,760</td>
<td>$ 2,837,760</td>
<td>4</td>
<td>64</td>
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</table>

**Funds Cut Off**

<table>
<thead>
<tr>
<th>Agency</th>
<th>Application Name</th>
<th>Requested Amount</th>
<th>Recommended Amount</th>
<th>Cumulative Amount</th>
<th>Rank</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>San Jose</td>
<td>SR2S Public Awareness/Media Campaign for SC &amp; San Mateo County</td>
<td>$ 1,000,000</td>
<td>$ -</td>
<td>-</td>
<td>5</td>
<td>49</td>
</tr>
<tr>
<td>SVBC/VTA</td>
<td>SVBC Countywide Encouragement/Outreach Support</td>
<td>$ 500,000</td>
<td>$ -</td>
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<td>6</td>
<td>41</td>
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### Grant $ Available

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<td>$ 2,693,000</td>
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### Overage from Infrastructure

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### Grant $ Recommended

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ATTACHMENT C - 2013 VERBS CYCLE 2 PROJECTS

RECOMMENDED INFRASTRUCTURE PROJECTS

Palo Alto – Arastradero Road Schoolscape-Multiuse Trail
Project proposes a reconstruction of the sidewalk along the south side of Arastradero Road between the Hetch Hetchy-Los Altos Pathway and Miranda Avenue to a multiuse trail to support Safe Routes to School activities to Gunn High School and, complimented by Schoolscape treatments, to provide a comfortable environment for the high volume of school-aged users in the corridor. The project includes:

- A new .26 mile multi-use pathway along the south side of Arastradero Road between the Hetch Hetchy-Los Altos pathway and Miranda Avenue with pedestrian rails to restrict access across Arastradero Road and complimentary hardscape/landscape treatments;
- Upgrades to the Hetch Hetchy-Los Altos Trail Path, including low-level lighting in conjunction with trail maintenance and access improvements;
- Schoolscape measures along Arastradero Road including pedestrian-scaled lighting and landscaped median islands to encourage vehicle speed reductions on Arastradero Road;
- Schoolscape intersection treatments at Gunn High School including study and consideration of exclusive pedestrian signal phasing, enhanced textured crosswalk treatments, and ADA upgrades.

Mountain View – Complete Streets and Road Diet Castro Street between El Camino Real and Miramonte Avenue
Project would reduce vehicular traffic lanes from four to two, add bike lanes in both directions, and construct bulb-outs and high visibility crosswalks with in-roadway warning lights.

Campbell- Virginia Avenue Sidewalk
Project will install sidewalks on Virginia Avenue between Budd Avenue and Hacienda Avenue to provide better connectivity, encourage walking by separating Capri Elementary School students (K-5) from moving vehicles, and improve pedestrian pathways. Capri Elementary School (K-5) and Canyon Heights Academy (K-8) are expected to benefit from this project.

RECOMMENDED NON-INFRASTRUCTURE PROJECTS

San Jose – Walk N’ Roll Phase II
Project would continue the City of San José’s (City) effort to implement a walking and biking encouragement and education program at up to 30 San José elementary schools for up to 3 years, achieving a mode shift goal of 20% at each school.

Mountain View – Non-Infrastructure Safe Routes to School
Project will develop and implement a comprehensive program to promote the benefits of safe walking, biking and carpooling to and from school, reduce vehicle traffic around schools serving all schools.
Santa Clara – Non-infrastructure Program Phase II
This project will target 12 Santa Clara Unified School District (SCUSD) schools located in the City of Santa Clara. It will continue efforts with the 7 schools begun under the previous VERBS funding cycle and expand these efforts to include 5 additional schools. The schools added for this cycle include Bracher, Hughes, Washington, Westwood, and Don Callejon (K-8) schools. This program will involve educational and encouragement elements to make bicycling and walking to school a safer and more appealing transportation alternative.

County of Santa Clara – Strengthening Safe Routes to School for Santa Clara County
As a continuation of the VERBS Cycle 1 project, this project intends to increase walking and bicycling to school by 5-10% above baseline in 15-20 elementary and middle schools (5 in Campbell, 6-10 in Sunnyvale, 4-8 in underserved communities around the county).
**NON-RECOMMENDED INFRASTRUCTURE PROJECTS**

**Campbell – Citywide Schools Sidewalks**
This project will add sidewalks where gaps exist on the west side of Leigh Avenue south of Bent Drive, the east side of Eden Avenue north of Hamilton Avenue, the south side of Chapman Drive near Theresa Avenue, and the north side of West Parr Avenue from Winchester Boulevard to Vale Avenue. The schools that would benefit from the project are Bagby Elementary School (K-5), Rosemary Elementary School (K-4), Capri Elementary School (K-5), and Village School (K-5). Filling in the sidewalk in these locations will encourage walking by students from moving vehicles, and improve pedestrian pathways. Four schools are expected to benefit from this project.

**Santa Clara County – San Martin/Gwinn School Pedestrian Improvements**
Project improves the pedestrian environment with sidewalks replacing dirt paths to further encourage and facilitate walking as a safe mode of transportation for students attending San Martin/Gwinn School. This elementary school currently enrolls over 500 children from grades K – 5th. It is expected that the construction of new sidewalks will directly increase and encourage additional children and accompanying parents to walk to and from school. The resulting reduction of vehicles near the school waiting to drop off or pick up children from the school will improve air quality in the area.

**Campbell – Harriet Avenue Sidewalks**
Project will install sidewalks on Harriet Avenue between Westmont Avenue and Van Dusen Lane to provide better connectivity, encourage walking by separating Westmont High School students (9-12) from moving vehicles, and improve pedestrian pathways. Westmont High School is expected to benefit from this project.

**Los Altos – Safe Routes to School**
Project would construct 0.25 mile of Class I path on the west side of St. Joseph Avenue to separate Montclaire Elementary School student bike traffic from vehicles. For Egan Junior High School it would improve curb ramps, widen Portola Avenue sidewalk, and fill in sidewalk gap closure.

**Los Altos Hills – West Fremont Road Bike/Pedestrian Path Phase II**
This project, which involves both new construction and reconstruction, will install new roadside bike paths and upgrade the existing pedestrian paths on West Fremont Road, between Arastradero Rd. and Concepcion Rd, (approximately 0.9 miles). It will close the gap between the existing Arastradero bike path and the Fremont Road bike path that is now nearing completion - from Concepcion Rd. to West Edith Ave.

**Santa Clara – Safe Routes to School ADA Curb Ramp Project**
The project provides 188 ADA curb ramps for sidewalks along Safe Routes to School designated routes for 6 elementary schools and 1 middle school in the City of Santa Clara. These schools are part of the current VERBS Non-Infrastructure Project for Santa Clara. The locations where identified as missing ramps along designated walking and bicycling routes to school.
Gilroy – VERBS GECA High School Access
Gavilan College in Gilroy functions as both a college and a high school campus for the Gilroy Early College Academy (GECA) High School. GECA is a high school within the Gilroy Unified School District serving grades 9-12. Currently, there is a lack of safe pedestrian access due to an extensive sidewalk gap between the campus and adjacent residential neighborhoods located to the north. The school crossings improvements will use the latest methods and technologies for enhancing student safety such as high visibility crosswalks and new signage. The sidewalks will provide continuous walking routes for the high school students.

NON-RECOMMENDED
NON-INFRASTRUCTURE PROJECTS

San Jose – Safe Routes to School Public Awareness/Media Campaign for Santa Clara and San Mateo County
The project will bring together an alliance of representatives from the public health organizations, education, enforcement, advocacy groups, and local and county government partners to guide the development and dissemination of messaging materials to change vehicle-centric norms. The awareness campaign would target VERBS school communities, San Mateo Safe Routes to School communities, and where parents are most reachable.

Silicon Valley Bike Coalition/VTA – SVBC Countywide Encouragement/Outreach Support
The project is a program that consists of three main activities: Bike and Walk to School Months, held twice yearly; an outreach and resource sharing website that will empower implementers, build a community of support, and serve as an information clearinghouse; and a countywide marketing and media program that will elevate the visibility of SR2S programs. By making implementation of SR2S programs easier and increasing the awareness of such programs, we will boost the overall effectiveness and success of the County’s programs.
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: Local Program Reserve - Administrative Clean-Up

Policy-Related Action: No  Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Amend the Local Program Reserve (LPR) programming for the Mathilda/US 101 Interchange project in Sunnyvale and the Mary Avenue Extension project in Sunnyvale to address accounting issues and return unused funds to the program.

BACKGROUND:

In February 2002, the VTA Board of Directors authorized an exchange of $22,500,000 in State Transportation Improvement Program (STIP) funds for $22.5 million in 1996 Measure B funds to establish the Local Program Reserve (LPR) to be used to fund local transportation projects at the VTA Board's discretion.

In August 2005, the VTA Board of Directors programmed $250,000 of the Measure B-based exchange LPR funds for initial project development of a potential reconfiguration of the Mathilda Avenue/Route 101/Route 237 Interchange.

In February 2007, the VTA Board of Directors authorized an exchange of $57 million in STIP funds for $57 million in 2000 Measure A funds to go to the LPR to be used to fund the Local Streets & County Roads (LS & CR) program.

On December 13, 2007, the VTA Board of Directors approved up to $20 million in Measure A-based LPR funds to pay for projects for the FY 2007/08 LS & CR program, which included a $3,725,000 grant for the design of Sunnyvale’s Mary Avenue Extension over US-101.

On December 13, 2012, the VTA Board of Directors approved deprogramming $3,475,000 in
unexpended Measure A-based LPR funds from Mary Avenue, and reprogrammed $1,750,000 of that amount to the Mathilda Avenue/Route 101/Route 237 Interchange project.

**DISCUSSION:**

This series of actions results in the two projects being funded with LPR grants as follows:

<table>
<thead>
<tr>
<th>Mathilda/101/237</th>
<th>Mary Avenue Extension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Measure B LPR: $ 250,000</td>
<td>Measure A LPR: $250,000</td>
</tr>
<tr>
<td>Measure A LPR: $1,750,000</td>
<td></td>
</tr>
<tr>
<td>Total: $2,000,000</td>
<td></td>
</tr>
</tbody>
</table>

The Mathilda/Route 101/Route 237 Interchange project funding is split between the Measure A-based exchanges and the Measure B based exchanges. VTA staff recommends adjusting the programming so that all of the Mary Avenue Extension project expenditures are paid through the older Measure B-based LPR exchange, and all of the Mathilda/Route 101/Route 237 Interchange expenditures accrue to the Measure A-based LPR exchange. This makes the LPR program accounting more straightforward.

The December 13, 2012 action also left more LPR funding with the Mary Avenue Extension project than was actually expended. VTA staff recommends deprogramming an additional $46,756.47 and returning it to the Measure A-based LPR fund for later use at the VTA Board’s discretion.

**ALTERNATIVES:**

The Board may consider alternative programming actions.

**FISCAL IMPACT:**

There are no impacts to VTA's budgets.

**ADVISORY COMMITTEE DISCUSSION/RECOMMENDATION:**

The Citizen's Advisory Committee (CAC) considered this item at the April 10, 2013 meeting and unanimously recommended it to the full Board for approval.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Congestion Management Program & Planning Committee (CMPP) approved this item at the April 18, 2013 meeting and unanimously recommended it to the full Board for approval.

Prepared by: Marcella Rensi
Memo No. 4064
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: 2012 Monitoring Conformance Report

ACTION ITEM

RECOMMENDATION:

Adopt the 2012 Monitoring and Conformance Findings.

BACKGROUND:

State legislation requires counties to create a Congestion Management Program (CMP) to manage traffic congestion and monitor the effects of land use on transportation. VTA, as the Congestion Management Agency (CMA) for Santa Clara County, is responsible for ensuring the elements of the CMP program are monitored on an annual basis. This is to determine if Member Agencies are conforming to the adopted level of service (LOS) standard set by the CMA for Santa Clara County. The level of service standard is LOS E.

The Monitoring and Conformance Report is the product of this effort, documenting the changes in land use and operations for the CMP roadway network including freeways, state highways and CMP intersections. Member Agencies who are non-conforming risk losing their gas tax subventions per the 1991 Proposition 111 legislation.

DISCUSSION:

The 2012 Monitoring and Conformance Report covers the CMP data collected from July 1, 2011 through June 30, 2012. The CMP Monitoring Program requires Member Agencies to submit the following information to demonstrate conformance:

- Prepare and submit land-use monitoring data to the CMP on all land-use projects approved in the last fiscal year; and
• Prepare Transportation Impact Analyses (TIAs) for projects that generate 100 or more peak hour trips and submit the TIA at least 15 calendar days before the project is scheduled for approval or is “recommended for approval”

• Member Agencies with adopted Deficiency Plans must prepare and submit a Deficiency Plan Implementation Status Report summarizing the city’s progress on action items listed in their Deficiency Plans (Cities of San Jose and Sunnyvale only)

CMP roadways and intersections are monitored in terms of level of service (LOS), a measure of traffic conditions and vehicle delay. The scale ranges from A to F where LOS A represents free flow traffic and LOS F represents significant delay. To comply with CMP standards, each Member Agency must maintain the CMP standard of LOS E on CMP facilities. Freeway segments and CMP intersections that degrade to LOS F are considered non-conforming.

However, freeway segments and CMP intersections that operated at LOS F when monitoring began in 1991 are considered exempt from meeting the CMP standard. Member Agencies with non-conforming facilities within their jurisdiction are encouraged to develop a local deficiency plan or implement the strategies listed in the "List of Programs, Actions, and Improvements for Inclusion in Deficiency Plans" found in VTA's Deficiency Plan Requirements.

An overview of the results of the 2012 monitoring program is presented below.

**CMP Intersections**
A total of 2 out of 252 CMP intersections operated at LOS F in 2012:

- Montague Expressway & McCarthy Blvd/O’Toole Avenue
- Central Expressway & De La Cruz Boulevard

Montague Expressway & McCarthy Blvd/O’Toole Ave has operated at LOS F since 1991 and is exempt from meeting the CMP LOS standard. Central Expressway & De La Cruz Boulevard has operated at LOS F since 1996.

**Freeways**
In 2012, there were 85 AM freeway segments with a combined length of 85 miles and 74 PM freeway segments with a combined length of 70 miles operating at LOS F during the peak hour. Of these, 25 miles during the AM and 24 miles during the PM were at LOS F in the baseline 1991 year and therefore considered exempt from LOS standards. The remaining 60 directional miles during the AM and 46 directional miles during the PM are considered deficient. Member Agencies with deficient freeway segments located within their jurisdictions are not penalized due to the regional nature of freeway congestion.

The percentage of directional miles of each freeway that operated at LOS F in either the AM or PM peak period - or both periods - is shown in Table 1. SR 237 has the highest percentage of facility operating at LOS F at 79 percent. This is only a slight increase from 2011 when 72 percent of the facility operated at LOS F.
### TABLE 1.

<table>
<thead>
<tr>
<th>Freeway</th>
<th>Directional Miles</th>
<th>Miles at LOS F</th>
<th>2012 Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>SR 17</td>
<td>28</td>
<td>3</td>
<td>12%</td>
</tr>
<tr>
<td>SR 85</td>
<td>48</td>
<td>27</td>
<td>57%</td>
</tr>
<tr>
<td>SR 87</td>
<td>18</td>
<td>12</td>
<td>67%</td>
</tr>
<tr>
<td>US 101</td>
<td>115</td>
<td>43</td>
<td>37%</td>
</tr>
<tr>
<td>SR 237</td>
<td>20</td>
<td>16</td>
<td>79%</td>
</tr>
<tr>
<td>I-280</td>
<td>44</td>
<td>22</td>
<td>51%</td>
</tr>
<tr>
<td>I-680</td>
<td>20</td>
<td>6</td>
<td>30%</td>
</tr>
<tr>
<td>I-880</td>
<td>21</td>
<td>15</td>
<td>74%</td>
</tr>
</tbody>
</table>

**Rural Highways**

All twelve rural highway segments operated at LOS E or better in 2012. The LOS changed for two of the study locations in 2012: SR 35 north of SR 9 deteriorated from LOS A to LOS B, while SR 9 south of Big Basin Way improved from LOS E operations in 2010 to LOS D operations in 2012.

**Land Use Submittals**

All Member Agencies have met the land use data submittal requirement. In 2012, 4,334 residential units were approved, a 28 percent decrease from the previous year when 6,028 units were approved in 2011. Commercial/industrial land use approvals have resulted in creating capacity for employment uses equivalent to a net total of 7,053 new jobs.

**Transportation Impact Analysis (TIA reports)**

All Member Agencies have met the TIA requirement.

**Deficiency Plan Implementation Status Report**

Member Agencies with adopted Deficiency Plans have met this reporting and submittal requirement.

**ALTERNATIVES:**

There are no alternatives to this action. As the designated CMA, VTA must adopt conformance findings.

**FISCAL IMPACT:**

There is no direct fiscal impact to VTA as a result of approving the 2012 Monitoring and Conformance findings.

**ADVISORY COMMITTEE DISCUSSION/RECOMMENDATION**

Staff presented this item at the April 10, 2013 BPAC meeting. Member Wiant noted that the Montague/O'Toole intersection has been operating at LOS F since 1991 and asked if there are ways to improve it. Staff responded that mitigation efforts are not part of the Monitoring Report.
but are addressed in other plans. Member Cameron added that the County is indeed working on a capital improvement project at this particular intersection.

Members Bell and Goldstein asked if there is an explanation for a 40 percent reduction in bicycle and pedestrian counts and asked if data collection locations will change. Staff responded that there are no specific reasons why the volumes are lower this monitoring cycle and staff is open to reviewing the count locations with the committee. Member Bell asked if the count locations relate to the Bicycle Expenditure Program and suggested that there may be room to improve the data collection effort. Staff responded that the count locations are not related to the BEP or other plans VTA is working on and agreed that the counts could be improved.

Member Wadler asked for clarification of the bike and pedestrian counts conducted at the CMP intersections. Staff responded that this is the first year in which these counts were collected for all CMP intersections. While the bike and pedestrian counts do not factor in the analysis for intersection LOS, they do provide more locations where bike and pedestrian counts are being collected.

Member Goldstein commented that the committee is not too concerned about freeway or intersection counts but are interested in working with staff to make the bicycle and pedestrian counts more useful. The Committee unanimously approved staff's recommendation to adopt the conformance findings and made a second motion to request staff to bring the bicycle and pedestrian counts back for discussion sometime this year. Staff agreed to return later this year for a follow-up discussion.

The Technical Advisory Committee unanimously approved staff's recommendation to adopt the report's conformance findings under its Consent Agenda at the April 11, 2013 meeting.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION**

The Congestion Management Program & Planning Committee unanimously approved staff's recommendation to adopt the report's conformance findings at the April 18, 2013 meeting. No comments were received. The Committee recommended that this item be placed on the Consent Agenda for the May 2, 2013, VTA Board of Directors meeting.

Prepared by: Aiko Cuenco
Memo No. 3951
Agenda Item #7.10.a

2012 Monitoring and Conformance Report

is available on the VTA website at:


Please click here.
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Executive Policy Advisor, Jim Lawson

SUBJECT: Funding for Gilroy Station Improvements

Policy-Related Action: No
Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to seek approval from the California Transportation Commission (CTC) for the transfer of $18 million in Transportation Congestion Relief Program (TCRP) funds from the Caltrain South County Improvement Project to the Rail Extension to Salinas Project.

BACKGROUND:

As part of the 2000 Measure A transportation improvements, Santa Clara Valley Transportation Authority (VTA) began the Board approved Caltrain South County Improvement Project. This is an $85 million project to improve sections of the Union Pacific Railroad (UPRR) right of way (ROW) on the Caltrain line between Tamien Station and Gilroy Station. The purpose of this project was to accommodate additional Caltrain service between Tamien and Gilroy while enabling efficient use of the corridor by UPRR’s freight operations.

The project included overpass improvements as well as roadway and safety improvements to intersections where the railroad crosses surface streets. The project involved extensive utility relocations to accommodate areas of proposed ROW widening.

In addition to Measure A funding, the project received TCRP funds for the work. While VTA strongly supports continued service to Gilroy and Morgan Hill, because of the many unknown issues in this area continued expenditure on the project is not recommended.

VTA has an opportunity to use the unexpended TCRP funds on a project to support station and track improvements to the Gilroy Station area, which could result in a boost in ridership from the
South County area. The Transportation Authority for Monterey County (TAMC) is working on a project to bring rail service from Santa Clara County to Salinas. Information on this project is available on their website at www.tamcmonterey.org. The project proposes extending existing rail service (Capitol Corridor) from San José to Salinas twice a day to provide an alternative commute option to those heading from the Monterey Bay area to jobs in Silicon Valley.

**DISCUSSION:**

The Caltrain South County Improvement Project is carried in the Valley Transportation Plan with an ultimate cost of $85 million. This represents 16.5 miles of ROW improvements and additional storage tracks in Gilroy.

Preliminary Engineering for the project was completed in 2008; the project was divided into two phases, and funds were secured for completing Phase 1 improvements. The Phase 1 work includes 8.3 miles of double tracking. Early construction activities started in 2009, with the utility relocation work completed in 2010. The major civil construction contract followed, with work advancing on securing permits and procuring precast concrete retaining walls.

To date approximately $17.2 million has been expended on this project for engineering and administration, utility relocations and construction. It should be noted these improvements and materials will facilitate the eventual improvement of the corridor, and will not be “lost” if the current contract is terminated. The work remaining in Phase 1 includes the preparation of the trackway, installation of the retaining walls and improvements at the grade crossings (by an outside contractor), and the installation of railroad signals and tracks, and bridge work (by UPRR).

The project was originally proposed for completion in 2011. As the Board is aware, we have suspended further work on this project. This was because of the many unknown issues in this area involving California High Speed Rail plans, Caltrain’s Electrification and Advanced Signal System projects as well as continued service to Gilroy by Caltrain.

Recently, we were approached by TAMC to see if VTA could provide some funding assistance to further their project in Santa Clara County. TAMC needs to perform track work, signaling and station platform improvements at the Gilroy Station. Because Caltrain service terminates at Gilroy, there is no direct rail connection to the station platform for trains approaching from the south. The current Amtrak Coast Starlight and UPRR freight service from the south bypasses the passenger station. Therefore, TAMC’s project to upgrade and improve the Gilroy Station area will be a major benefit for a future rail connection from Monterey, San Benito and Santa Cruz Counties.

The Caltrain South County Improvement Project currently has $18 million in TCRP funds allocated to the project remaining. VTA received one extension on this funding, and we need to apply for a second extension with the CTC by this June. The TCRP funds are applied to specific projects and cannot be transferred to another project outside of the project’s definition - for instance, the BART extension. These funds can be used for TAMC’s project because they fall under the definition provided by the TCRP legislation for South County rail improvements.
Staff believes it is in VTA’s best interest to make use of these TCRP funds to provide the track and station improvements to the Gilroy Station area that TAMC is requesting. We recommend seeking approval from the CTC to transfer these funds to TAMC for a project that benefits the corridor, rather than risk losing these funds to the state. After extensive consultation with CTC staff, we have determined there is no other project in Santa Clara County that would be eligible for these funds and that the transfer of these funds to TAMC for the Gilroy Station Improvement Project would be recommended to the CTC commissioners for approval.

This transfer will need approval from the VTA Board and the CTC.

ALTERNATIVES:

The Board could direct staff to pursue another extension to the TCRP funds. Unfortunately, the likelihood of an additional extension is not assured. Recommencing the double track project in this area could be authorized but would not be recommended given the current uncertainty about other projects impacting this area.

FISCAL IMPACT:

The resulting action would de-program $18 million of TCRP funds from the Caltrain South County Improvement Project. The transfer, if successful, would result in the funds being used in Santa Clara County for improvements to the Gilroy Station area.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Transit Planning and Operations Committee reviewed this item at their April 18, 2013 meeting. The Committee asked how the Rail Extension to Salinas Project would benefit San Benito County as well as residents of Monterey County, and praised the personal outreach done on the project. A representative of the Transportation Agency for Monterey County was present and reiterated how important this project is for Monterey and Salinas. After a few clarifying questions regarding what the TCRP funds could be used for, the Committee recommended reprogramming these funds to the Rail Extension to Salinas Project.

Prepared by: Colleen Valles
Memo No. 4073
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief Operating Officer, Michael A. Hursh

SUBJECT: FY14/FY15 Transit Service Plan

ACTION ITEM

RECOMMENDATION:

Adopt the FY2014 and FY2015 Transit Service Plan and the recommended transit service changes.

BACKGROUND:

The Transit Service Plan is the byproduct of VTA’s ongoing effort to assess current system performance, identify potential service modifications, and develop specific recommendations that promote the goals and core principles of VTA’s Transit Sustainability Policy. This process includes an evaluation of existing transit service based on the performance standards from the Service Design Guidelines, a review of potential new services, an assessment of opportunities for service refinement, resource reallocation, and route-specific changes, and a set of recommendations for further analysis and study.

The FY2014-FY2015 Transit Service Plan recommendations represent the culmination of a comprehensive service evaluation process conducted by VTA staff. A set of original recommendations were prepared based on a review of potential new service opportunities, an assessment of opportunities for service refinement and resource reallocation, route specific service evaluations, and public feedback over the course of the previous year. The evaluation of each route was based upon performance standards adopted by the VTA Board of Directors in the Transit Sustainability Policy. The original recommendations were subsequently released to the public for comment, and the resulting public feedback was used to develop the final recommendations, which are summarized in the “Recommendations” section and included as Attachment I. The revised plan is then presented for review and approval to the Transit Planning...
& Operations Committee, and the VTA Board of Directors.

This Transit Service Plan corresponds to the FY2014 and FY2015 budget cycle and contains service changes to be implemented quarterly throughout the two year period starting July 2013.

VTA implements service changes quarterly (January, April, July, and October). Major changes are typically planned for January and July, while minor changes are implemented in April and October. Proposed “major” service changes that meet any of the criteria listed below are submitted to the VTA Board of Directors for review and approval. Changes requiring formal approval include:

- The establishment of a new or elimination of a transit line.
- A change that impacts 25% or more of a line’s route miles or revenue vehicle hours.
- Proposed changes that are anticipated to be controversial with a particular community or interested parties.

Service change proposals not meeting the criteria for formal approvals described above are considered “minor” but are still subject to an appropriate level of public review and comment.

**PUBLIC OUTREACH:**

A comprehensive community outreach plan was implemented to provide the public with multiple opportunities to learn about the proposed service changes and provide feedback. Public comments and suggestions helped to shape the revised recommendations.

VTA staff held six formal public meetings in March throughout the county and in areas that would be most impacted by the proposed service plan changes. The dates, locations, and times of these meetings are shown below. VTA staff also attended several meetings with other community-based organizations to review the proposed changes and collect input.

<table>
<thead>
<tr>
<th>Date</th>
<th>Location</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 11</td>
<td>Campbell</td>
<td>6:00 PM</td>
</tr>
<tr>
<td>March 12</td>
<td>Gilroy</td>
<td>2:00 PM</td>
</tr>
<tr>
<td>March 12</td>
<td>Mountain View</td>
<td>6:00 PM</td>
</tr>
<tr>
<td>March 13</td>
<td>San Jose (Evergreen)</td>
<td>6:00 PM</td>
</tr>
<tr>
<td>March 14</td>
<td>City of Santa Clara</td>
<td>2:30 PM</td>
</tr>
<tr>
<td>March 14</td>
<td>San Jose</td>
<td>6:00 PM</td>
</tr>
</tbody>
</table>

Additional marketing efforts were utilized to inform the public of the proposed service changes and the schedule of public meetings. These included special brochures translated into five different languages, an article in the VTA’s “Take-One” passenger newsletter, route-specific flyers for services affected by major changes, information cards posted on the vehicle interiors, print advertisements in local and multilingual newspapers, press releases, information advisories through the GOV Delivery communication system, e-mail blast messages sent to community organizations and other stakeholders, information displays at VTA Customer Service Centers, and a banner advertisement on the VTA website linking to a webpage with additional information. Individuals who were unable to attend the public meetings were encouraged to
submit feedback via telephone, mail, e-mail, or VTA’s online customer service system.

The efforts described above helped to generate a significant amount of public feedback. The six public meetings were attended by 49 persons, who provided comments and suggestions on a wide variety of topics. Approximately 91 additional comments were received via telephone, mail, and the online customer service portal. Several letters and petitions from the community were also submitted regarding the major proposed changes.

The majority of public feedback related to the original proposals for Lines 81, 120, 122, and 183. These comments are referenced in the following section, which outlines the revised final recommendations.

**DISCUSSION:**

Based on the public feedback process described above and additional analyses, VTA staff developed the final set of recommendations. The net service increases associated with the revised list of changes is depicted below.

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Annual Hours</th>
<th>Net Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2013 (Current)</td>
<td>1,327,100</td>
<td>-</td>
</tr>
<tr>
<td>FY 2014 (Proposed)</td>
<td>1,376,200</td>
<td>3.7%</td>
</tr>
<tr>
<td>FY 2015 (Proposed)</td>
<td>1,407,700</td>
<td>2.3%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Annual Hours</th>
<th>Net Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2013 (Current)</td>
<td>147,400</td>
<td>-</td>
</tr>
<tr>
<td>FY 2014 (Proposed)</td>
<td>150,000</td>
<td>1.8%</td>
</tr>
<tr>
<td>FY 2015 (Proposed)</td>
<td>151,800</td>
<td>1.2%</td>
</tr>
</tbody>
</table>

Some of the more significant service changes to be implemented over the two years include:
- Improve service to several community colleges including a major extension of Community Bus 42 to Evergreen College.
- Increase service on Limited Line 323 and Rapid 522.
- Routing changes on Community Bus Line 32 and Line 81 to improve ridership.
- Extend weeknight DASH service to improve connections with Caltrain and San Jose State night classes.
- Add midday Line 58 service to North San Jose and Alviso.
- Add trips on many Express Lines due to ridership demand.
- Use new vehicles on Express Lines 101, 104 and 168.
- Combine Express 183 with Express 180 in lieu of discontinuing Line 183.
- Discontinue Community Bus Line 17 and Line 37 (Saturdays) due to low ridership.
- Add vehicles to several routes to accommodate increased running times and improve on-time performance.
• For Fiscal Year 2015, VTA is also planning bus and light rail improvement for the New Stadium in Santa Clara to serve 49ers games and other major and minor events throughout the year. The complete list of all of the recommendations is included as Attachment I. A summary of the major proposed changes is included below.

**Major Bus Recommendations**

**Community Bus 17 (Gilroy)**

Staff recommends that Line 17 be monitored over the next year, and discontinued in July 2014 if ridership does not improve to the minimum standard of 15 boardings per revenue hour.

Several marketing campaigns have been undertaken to increase awareness and ridership for Line 17. VTA has prepared bilingual marketing posters and staged other promotions to draw additional ridership. Many local social service providers have also promoted the service and offered suggestions for improvements. Despite these efforts, Line 17 attracts an average of less than 7 passengers per hour, or less than half of the VTA minimum standard. The stop that services the route’s main generator, the Social Services facility, accounts for just 10 passengers per day spread across the 16 daily trips. Since its inception in 2009, Line 17 service has been funded 70% by an MTC Lifeline Grant with the remainder from VTA. This funding is scheduled to expire in July 2014.

In a final effort to establish the viability of the route, the line has been extended from the Social Services facility on Tompkins Court to the intersection of Monterey Highway and Las Animas to improve the connection with Line 68. This change, which was based on customer feedback, has been implemented as of April 1, 2013. If ridership does not improve to the minimum standards by the time funding expires in July 2014, VTA staff recommends that the route be discontinued. A public meeting would be held at that time to further discuss the situation.
Line 31 (Evergreen College - Eastridge Transit Center)  
Staff recommends that Line 31 weekday service be increased to provide 15-minute headways (from 30 minute) in the peak directions when Evergreen Valley College is in session. The proposed increase in service frequency would take effect in September 2013 to coincide with the expected introduction of the EcoPass program for students at Evergreen Valley College. This improvement will provide better connections, reduce overcrowding on current buses, and accommodate the anticipated growth in weekday ridership.

Community Bus 32 (San Antonio Shopping Center - Santa Clara Caltrain Station)  
Staff proposes that the current Line 32 routing be altered in Santa Clara to approach the Santa Clara Caltrain Station via Monroe Street, Homestead Road and Benton Street, instead of Monroe Street and El Camino Real.

The current routing was introduced in 2008 to reduce running times, but congestion along the route has gradually increased and undermined service reliability. The revised routing would ensure more reliable service along the eastern portion of the route and restore service to the Santa Clara Adult Education site and the Liberty Towers senior housing complex on Homestead Road. It would also provide service to the Santa Clara County courthouse and several nearby libraries, schools and shopping centers. The proposed changes would be implemented in July 2013.

The plan’s original recommendations proposed a more significant re-route of Line 32 along Scott Boulevard and parts of Homestead Road and Benton Street. Based on public feedback and staff
Community Bus 37 (Winchester Transit Center - Capitol Light Rail Station)
Staff proposes that Saturday service on Line 37 be discontinued as of July 2013 due to continued low ridership. Based on public requests and the lack of east-west weekend service in south San Jose, Saturday service on Line 37 was introduced in January 2012. Saturday service had been available prior to 2012 but had been discontinued due to low ridership.

Despite numerous requests for the service and extensive outreach notifying the public of its reinstatement, the route has averaged only 8.9 passengers per hour on Saturdays. VTA’s minimum ridership standard for new services that have been in operation for 12 months is 12 passengers per hour, which represents 80 percent of the normal minimum ridership standard. Since Line 37 fails to meet this lower threshold on Saturdays and is not expected to increase significantly in the near future, staff proposes to eliminate the Saturday service.

Line 37 weekday service would continue as currently configured, but would be extended during the evenings up until 10:00 p.m. between Winchester Transit Center and West Valley College in October 2014.
Community Bus 42 (Santa Teresa Light Rail Station - Monterey & Senter)
VTA staff proposes to extend the Line 42 routing on weekdays to Evergreen Valley College in east San Jose and the Kaiser San Jose Hospital in south San Jose, as shown on the following map. In addition to these extensions, Line 42 would also provide bi-directional service to the neighborhoods along East Branham Lane, Roeder Road, Ford Road, Silver Leaf Road, Flintwell Way and Menard Drive. Currently, these locations are served in the southbound direction only. Weekday service headways would also be improved from 60 minutes to 45 minutes.

The original recommendations only included the extension to Evergreen Valley College. The extension to Kaiser San Jose Hospital was added as a revised recommendation based on customer feedback and additional operational analysis that indicated that the route could also be extended to the hospital at a minimal cost. The new extension from Monterey Highway to Evergreen Valley College would follow Seven Trees Boulevard, Capitol Expressway, Silver Creek Road, and Yerba Buena Road. The new routing between the Santa Teresa Light Rail Station and the Kaiser San Jose Hospital would follow Santa Teresa Boulevard.

Staff conducted a detailed service analysis in southeast San Jose to identify potential changes that could address community concerns and accommodate the expected increases in ridership from the introduction of the Eco Pass at Evergreen Valley College. Based on student trip data provided by the college and a comprehensive evaluation of costs and benefits, staff concluded...
that the Line 42 extensions with 45-minute weekday headways – along with the Line 31 improvements described above – would provide the best option for improving bus and light rail connections and meeting future transit demand. The extensions also provides new service to the Seven Trees Senior Center – a popular service request location – as well as Silver Creek High School, Yerba Buena Road, Santa Teresa Boulevard and Kaiser San Jose Hospital. A new connection between Line 42 and Lines 27 and 66 would also improve travel options in south San Jose.

These changes would be implemented in July 2013 to provide additional service to Evergreen Valley College, which is expected to implement the Eco Pass program in the fall.

**Line 58 (West Valley College - Alviso)**

Staff proposes to introduce midday service on weekdays between the Alviso and north San Jose section of this route in October 2014. This recommendation would provide service to the various new residential and commercial developments in this area.

Over the last few years, VTA has received complaints about the lack of midday service to Alviso, which is only served by Line 58. VTA recently completed a Community Based Transportation Plan for Alviso and one of the main issues that emerged was the need to restore midday service to the area. Also contributing to this need is the significant amount of residential and commercial development has occurred in north San Jose along Route 237, North First Street, Montague Expressway, and De La Cruz Boulevard.

Although an exact routing has not been determined, it would likely operate on the existing portion of Line 58 between Alviso and the Rivermark shopping area at the intersection of Montague Expressway and De La Cruz Boulevard. An additional public meeting would be held in advance of the October 2014 implementation to determine the exact routing and frequency.

**Line 81 (Vallco - San Jose State)**

Staff proposes to change the current Line 81 routing in Santa Clara to provide weekday service the Santa Clara Caltrain Station beginning in July 2013. The new routing would extend to the Santa Clara Caltrain Station via Homestead Street and Benton Street and terminate. Currently, Line 81 provides Saturday service to the Santa Clara Caltrain Station, but does not serve it on weekdays.

The original recommendation for Line 81 proposed to discontinue service to downtown San Jose, but was revised based on extensive community feedback and additional staff analyses.
Express 120 (Fremont BART - Lockheed/Shoreline)
The five Line 120 Express morning and four afternoon trips that currently operate between the Fremont BART Station and the Shoreline area of Mountain View were originally proposed to be shortened to operate only between Fremont and the Lockheed Martin Transit Center due to low ridership in the Shoreline area. Based on community feedback, however, staff revised its proposal and recommends that two morning and two afternoon trips be maintained in each direction to the Shoreline area. This change would provide a minimal level of Line 120 service to Shoreline for individuals that rely upon it to travel between the Fremont and Shoreline areas. The other six Line 120 trips - three in the morning and three in the afternoon - would be shortened to provide service between the Fremont BART Station and the Lockheed Martin.

Despite various marketing efforts, the ridership on the Shoreline Research Park extension of Line 120 has not yet materialized. On average, this portion of the route attracts only ten riders per day, or two passengers per bus, which is well below VTA’s minimum standards. This lack of success is due in part to the availability of free, private, direct employee shuttles that are provided by Google and other large companies in the area. In addition to the poor ridership, the Shoreline Research Park extension also requires an extra 15 to 30 minutes of running time per trip due to heavy congestion along Highway 101 and North Shoreline Boulevard. As a result, staff recommends that service along this portion of Line 120 be reduced in July 2013.
Express 122 (South San Jose - Lockheed Martin/Moffett Park)
VTA staff proposes to eliminate the 7:36 a.m. northbound and 6:07 p.m. southbound trips in January 2014 if ridership does not improve. Originally, the trips were proposed to be discontinued in July 2013, but the proposed implementation date has been postponed to January 2014 based on feedback collected during the public outreach process. In an effort to attract new riders during this period, VTA would increase promotional efforts for the Line 122 service.

Express 181 (Fremont BART - San Jose Diridon Transit Center)
Staff proposes to add extra Sunday trips on Line 181 to provide 20-minute headways (currently every 40 minutes) between the Fremont BART Station and the Great Mall from 10:00 AM to 6:30 PM. Between 6:30 PM and 9:00 PM, service would be improved to run every 40 minutes (currently hourly). This new service would begin in July 2013.

Sunday ridership on Line 181 has grown substantially in the last few years. Standing loads have become common throughout the course of the day, particularly when Great America Park is open. As a result, staff is proposing to improve Sunday service by adding extra buses in between the existing buses that operate on a shortened route between the Fremont BART station and Great Mall/Main Transit Center. This would provide 20-minute headways - or a bus for every incoming train at the Fremont BART station - on the northern half of the route between 10:00 AM and 6:00 PM. Sunday evening headways between 6:30 PM and 9:00 PM are also recommended to be improved, from one bus an hour to one bus every 40 minutes.
Express 183 (Evergreen/Aborn & White - Fremont BART)
The original recommendations proposed to eliminate Line 183 due to poor ridership performance. This route averages only 53 passengers per day or 9 passengers per trip. During the public input period, however, a large number of individuals requested that the service be continued in some manner. In response to these comments, the revised recommendations propose to consolidate Line 183 with the existing Express 180 service, as shown on the following page. Three Line 180 northbound morning trips would begin service at Aborn Road and South White Road and follow the existing Line 183 route before picking up the regular Line 180 route at the Great Mall. Similarly, three Line 180 southbound afternoon trips would be extended from the Great Mall to Eastridge Transit Center, Aborn Road, and South White Road along the existing Line 183 route. A passenger survey would be conducted to determine which Line 180 trips would be extended to operate along the old Line 183 routing. These Line 180 trips would also operate with standard buses instead of with the new Express Bus vehicles.

Limited Stop Line 323 (DeAnza College - Downtown San Jose)
Staff proposes to introduce Saturday Line 323 service between 9:00 a.m. and 6:00 p.m. with 15-minute headways in July 2014. Weekday Line 323 service is proposed to be extended to operate every 30 minutes between 6:30 p.m. and 10:30 p.m. in January 2015. Saturday service would also be extended in January 2015 to provide 30-minute headways between 8:00 and 9:00 a.m. and 6:00 and 10:00 p.m. The proposed order in which these changes would be implemented was changed slightly from the original recommendations based on public feedback and additional staff analyses.

Line 323 is designated as a precursor to BRT service in the Stevens Creek Boulevard and Santa Clara Street/Alum Rock Avenue corridors between DeAnza College and downtown San Jose. The current service operates until 6:30 PM on weekdays and does not operate on weekends. Upon full BRT implementation, the line will operate seven days a week with short headways and expanded service hours. The proposed improvements described above represent the next two phases of improvements toward BRT implementation.

Rapid 522 (Palo Alto Transit Center - Eastridge Transit Center)
Staff proposes to increase Rapid 522 service on weekday and Saturday evenings, and introduce Sunday service. Weekday service would be extended to provide 30 minute headways between 7:30 PM and 10:30 PM, and Saturday service would be improved to operate every 30 minutes from 7:00 PM to 10:30 PM. Rapid 522 Sunday service would also be introduced between 9:00 AM and 6:00 with buses running every 15 minutes. These proposed changes would take effect as of January 2014.

Rapid 522 is designated as a precursor to bus rapid transit (BRT) service in the El Camino Real and Santa Clara Street/Alum Rock Avenue corridors. It is currently the fourth busiest bus route in the system and its ridership is expected to continue to grow. Upon full implementation of BRT service, this line will operate seven days a week with short headways and expanded service hours. The extension of service hours and introduction of Sunday service represents the next phase of service improvements toward BRT implementation.

A complete, revised list of all of the proposed service changes from the FY2014-FY2015 Transit Service Plan is included as Attachment I.
Light Rail Recommendations

Light Rail Service Reliability
During the past few years, VTA has seen the need to increase running time on the light rail system. The main causes for this decline in service reliability are poorly performing traffic signal prioritization systems and the operational constraints associated with the three single-track segments on the Mountain View - Winchester line. Single tracking is particular problematic as one train running late in either direction can have a domino effect to create widespread delays due to other trains having to wait for the late train to clear the single track sections. As a result, weekday service on-time performance in FY 2013 has dropped to 86.5 percent on the Alum Rock - Santa Teresa Line and 88.5 percent on the Mountain View - Winchester lines. These figures are well below the agency’s goal of 95 percent on-time performance for light rail service.

Light Rail Service Recommendations
The long-term solutions to the problems described above are to double track the entirety of the Mountain View - Winchester line, address traffic signal prioritization issues, and to construct additional storage track near downtown San Jose. In the short term, however, staff has identified several minor changes that may help improve service reliability and cost efficiency. The following changes are proposed for implementation in July 2013:

- The 9:13 AM weekday morning trip from Winchester that currently ends at Civic Center would be extended to the end of the line in Mountain View;
- The 5:51 AM weekday southbound morning trip to Winchester would be modified to start at Old Ironsides instead of its current origin at Mountain View;
- The weekend morning trips to Santa Teresa that currently start at Baypointe at 5:24 AM would be shortened to instead begin service at Civic Center; and
- One additional train would be added to the Mountain View - Winchester line on both Saturdays and Sundays to improve service reliability.
- Minor running time adjustments on both the Mountain View - Winchester and Alum Rock - Santa Teresa lines to improve service reliability.

ADA Paratransit Recommendations

The Americans with Disabilities Act of 1990 (ADA) requires VTA to provide paratransit service at a level that is comparable to its bus and light rail service for individuals with functional disabilities who are unable to use VTA bus and rail service for some or all of their trips. VTA contracts with OUTREACH, a non-profit organization, to provide approximately 800,000 annual trips.

VTA provides paratransit service within a ¾ mile corridor around the service area boundary of VTA bus routes and light rail during the same hours of the day and days per week that bus and light rail trains are running on those routes. This approach provides equity between the bus/rail service network and the paratransit service. However, as bus routes are changed or service hours are reduced, paratransit clients could be impacted.

The proposed FY 2014 - FY 2015 Transit Service Plan does not include any fixed route service
changes that would have a detrimental impact on ADA paratransit customers. If the proposed recommendations are adopted, the paratransit service area will increase slightly (< 1 sq. mile) in southeast San Jose along Silver Creek Road and Yerba Buena Road as a result of the proposed Line 42 extension.

Title VI Service Equity Analysis

In accordance with the Final Federal Title VI Circular (FTA C 4702.1B) dated October 1, 2012, this Title VI Service Equity Analysis has been completed for VTA’s FY2014 - FY2015 Transit Service Plan, to be implemented starting on July 8, 2013. In order to comply with 49 CFR Section 21.5(b) (2), 49 CFR Section 21.5(b) (7) and Appendix C to 49 CFR part 21, recipients of financial assistance from the Federal Transit Administration (FTA) shall evaluate significant service changes and proposed improvements at the planning and programming stages to determine whether the changes have a discriminatory impact on minority and low-income populations.

VTA is in the process of updating its Title VI evaluation procedures based on the latest FTA Title VI circular. VTA is gathering public input and conducting staff analyses to develop a comprehensive set of Service Equity Analysis policies and procedures. The final policies and procedures are expected to be adopted by the VTA Board of Directors later this year. The methodology used for this evaluation is intended to adhere to the Title VI guidelines as closely as possible. If the final VTA Service Equity Analysis procedures vary significantly from the methodology used in this evaluation, the evaluation will be updated as needed. However, staff does not expect any significant differences.

The primary purpose of the Service Equity Analysis is to assess the effects of proposed major service changes on minority and low-income populations. The policy evaluates each major proposed change to determine if the implementation of that change would cause minority populations to suffer a “disparate impact” or place a “disproportionate burden” on low income populations. If the analysis determines that the costs and benefits of the service change are not distributed equitably, the proposed change will require additional evaluation and justification.

Based on the Service Equity Analysis performed for the major changes proposed in the FY2014-FY 2015, VTA provides an exceptional amount of transit service to minority and low income populations in Santa Clara County. The Transit Sustainability Policy provides minimum performance standards, which ensure that service change decisions are made on a rational basis without discriminatory impacts on minority and low income populations.

VTA also determines the incremental amount of service hours being provided to the minority and low income areas. Staff proposes to add nearly 49,000 annual bus service hours in FY2014 and almost 18,000 annual bus service hours in FY 2015. Routes that primarily serve Title VI areas - or “Title VI Routes” - account for 96 percent and 89 percent of those totals, respectively.

The more detailed findings of the “disparate impact” analysis for minority populations and “disproportionate burden” analysis for low income populations determined that the original service reduction proposals to Lines 17, 120 and 183 could potentially bear an adverse effect on areas with higher minority and low income populations. Based on community feedback and
additional staff analyses, the reductions to Lines 120 and 183 have been revised to reduce the detrimental impact. The decision to continue to operate Line 17 until July 2014 to see if ridership develops will also minimize the potential impact. The full Title VI Service Equity Analysis is included in the Transit Service Plan.

ALTERNATIVES:

The VTA Board of Directors could decide to adopt the Plan in whole, just adopt certain service change recommendations or delay the timing of implementing the recommendations. Changes to the proposed Plan could have financial implications.

FISCAL IMPACT:

The Recommended FY 2014 and FY 2015 VTA Transit Fund Operating Budget includes sufficient funds to operate and maintain the proposed service levels.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Transit Planning and Operations Committee reviewed this item at their April 18, 2013 meeting.

Member Herrera expressed her appreciation to staff for all of their hard work on the Transit Service Plan especially on finding a solution to maintaining service on current Express 183 route by making it part of Express 180. She was also encouraged by the new extension of Line 42 to Evergreen College and improved service on Line 31 also serving the college.

Member Rocha asked how services changes are determined and how can decisions be made on the service plan if the VTA operating budget has not been adopted. Mr. Burns commented that service is driven by ridership demand and that the resources needed for these proposed service changes are incorporated into the budget. Also transit service changes are reviewed quarterly with the committee and changes can be made as new situations arise. Member Rocha also inquired if staff reviews services to areas where bus lines had previously operated and were then discontinued. Staff said that this is part of the service planning process and an example is the proposal to reinstitute midday service on Line 58 due to the new residential, commercial and business development in the North First Street area.

Committee Chair Liccardo inquired if Community Bus services have been successful. Staff commented that clearly some have been productive while others, like any other bus route, need refinement and modification over time if ridership demand does not develop. Staff also indicated that Community Bus services have lower expected ridership performance standards that other mainline bus service, given the areas and markets that they serve.

The Committee recommended that this item be placed on the Consent Agenda for the May 2, 2013, VTA Board of Directors meeting.

Prepared by: Jim Unites
Memo No. 3973
Attachment I

FY14-FY15 Transit Service Plan Recommendations by Implementation Date

Proposed July 2013 Changes

Light Rail (Santa Teresa – Alum Rock): The weekend 5:24 a.m. southbound trip departing Baypointe would be changed to start at Civic Center.

Light Rail (Winchester-Mountain View): The weekday 5:51 a.m. southbound trip departing Mountain View would be changed to start at Old Ironsides. The weekday 9:13 a.m. northbound trip would be extended from Civic Center to Mountain View.

Community Bus 13: Almaden & McKean - Ohlone/Chynoweth LRT Station
The weekday 7:02 p.m. southbound trip would be discontinued.

Community Bus 14: Gilroy Transit Center – St. Louise Hospital
Weekday service would operate every 45 minutes during peak hours and service would end at 6:00 p.m. On Saturdays, the 8:20 a.m. and 6:16 p.m. northbound and the 8:39 a.m. and 6:36 p.m. southbound trips would be discontinued.

Community Bus 17: Gilroy Transit Center - Murray & Tomkins
Weekday service would operate every 45 minutes during peak hours.

Community Bus 18: Gilroy Transit Center - Gavilan College
Weekday service would operate every 45 minutes during the afternoon peak hours. The Saturday 9:34 a.m. northbound and 9:25 a.m. southbound trips would be discontinued.

Community Bus 19: Gilroy Transit Center to Wren & Mantelli
Weekday service would operate from 5:30 a.m. to 7:00 p.m. and run every 45 minutes during peak hours. The Saturday 7:57 a.m. southbound trip would be moved approximately 30 minutes later. The Saturday 6:02 p.m. southbound trip would end at Wren & 1st.

Line 22: Palo Alto Transit Center - Eastridge Transit Center
The weekday 6:43 a.m. and 7:01 a.m. eastbound trips would start at El Camino & Showers. The weekday 4:59 a.m. and 5:11 a.m. westbound trips would be combined into one trip. The 5:24 a.m. westbound trip would be moved to a few minutes earlier.

Line 23: DeAnza College to Alum Rock Transit Center
On weekends, the 6:41 a.m. eastbound trip would start at Valley Fair. On Saturdays, an extra eastbound trip would be added to improve frequency between 6:00 p.m. and 8:00 p.m.; and an extra westbound trip would also be added between 5:30 p.m. and 6:30 p.m.

Line 25: DeAnza College - Alum Rock Transit Center
On weekdays, the 6:00 p.m. and 6:10 p.m. eastbound trips leaving Clove & Ginger would be combined into one trip.
Line 31*: Evergreen College - Eastridge Transit Center  
Weekday service would operate every 15 minutes in the southbound direction from 7:00 a.m. – 10:30 a.m. and in the northbound direction from 12:00 p.m. to 4:00 p.m. only during the regular school days at Evergreen Valley College.

Community Bus 32: San Antonio Shopping Center - Santa Clara Transit Center  
The routing would be changed to operate on Monroe to Homestead through downtown Santa Clara instead of on El Camino. Midday service would be improved to operate every 45 minutes.

Community Bus 37*: West Valley College to Capitol LRT Station  
Additional trips would be added as needed to meet weekday service demands. Saturday service would be discontinued in July 2013 due to low ridership. It is currently operating far below the minimum ridership standards.

Line 40*: Foothill College - La Avenida & Shoreline  
Additional trips would be added as needed to meet weekday service demands. The weekday 6:21 a.m. northbound trip would be discontinued.

Community Bus 42: Santa Teresa LRT Station - Monterey & Senter  
This route would be extended on both ends to Evergreen Valley College and Kaiser San Jose Hospital on weekdays and operate every 45 minutes from 6:30 a.m. to 7:00 p.m. This line would be modified to operate on the same routing in both directions on Roeder and East Branham; on Ford, Silver Leaf and Flintwell; and on Monterey to Menard.

Line 46: Great Mall Transit Center to Milpitas High School  
The weekday 6:41 p.m. southbound trip would be discontinued.

Line 47: Great Mall Transit Center to McCarthy Ranch  
The weekday 6:25 a.m. northbound trip would be discontinued. The weekday 6:49 a.m. southbound trip would start at Main & Calaveras.

Community Bus 48: Los Gatos Civic Center - Winchester Transit Center via Winchester Blvd.  
The weekday 6:11 a.m. northbound and the 6:41 a.m. and 8:44 p.m. southbound trips would be discontinued. The weekday 7:17 p.m. and 7:57 p.m. southbound trips would end at Knowles & Winchester. The Saturday 7:48 p.m. northbound trip would be discontinued, and the 6:56 p.m. southbound trip would end at Knowles & Winchester.

Community Bus 49: Los Gatos Civic Center - Winchester Transit Center via Los Gatos Blvd.  
The weekday 6:44 p.m. and 8:18 p.m. northbound trips and the 6:37 p.m. southbound trip would be discontinued. The Saturday 7:18 p.m. northbound and the 7:25 p.m. southbound trips would be discontinued. The weekend service would be modified to bypass Good Samaritan Hospital by remaining on Los Gatos Blvd and Bascom Avenue.
Line 52*: Foothill College - Downtown Mountain View
Additional trips would be added as needed to meet weekday service demands.

Line 55: De Anza College - Great America
The weekday 5:48 p.m. northbound trip starting at Fremont Avenue and the 7:52 p.m. southbound trip would be discontinued.

Line 57: West Valley College - Great America
The Saturday 9:19 a.m. northbound trip would start at Saratoga & Campbell.

Line 58: West Valley College - Alviso
The weekday 5:46 p.m. and 6:27 p.m. southbound trips would end at Saratoga & Campbell.

Line 61: Good Samaritan Hospital - Sierra & Piedmont via Bascom
The weekday 5:55 a.m. northbound trip would start at Bascom & Camden. The Saturday 9:27 p.m. northbound trip would be discontinued.

Line 62: Good Samaritan Hospital - Sierra & Piedmont via Union
The weekday 5:33 a.m. southbound trip would begin at Berryessa & Capitol.

Line 64: Almaden LRT Station - McKee & White via Downtown San Jose
The Sunday 9:22 p.m. northbound and the 7:32 p.m. southbound trips would be discontinued.

Line 66: Kaiser San Jose - Milpitas/ Dixon Rd. via Downtown San Jose
On Sundays, an extra southbound trip would be added to improve frequency between 5:30 p.m. and 7:30 p.m.

Line 68: Gilroy Transit Center - San Jose Diridon Transit Center
On Sundays, an extra southbound trip would be added to improve frequency between 6:30 p.m. and 8:00 p.m.

Line 72: Senter & Monterey - Downtown San Jose
On weekday afternoons the southbound 15 minute service would be improved to begin at 1:00 p.m. instead of 2:00 p.m.

Line 77- Eastridge Transit Center - Great Mall Transit Center
The weekday 5:24 a.m. northbound trip would be discontinued.

Line 81: Vallco-San Jose State University
Weekday routing would be extended to the Santa Clara Transit Center via Benton, but the route will continue to downtown San Jose as it currently operates.

Express 120**: Fremont BART - Lockheed Martin Transit Center/Moffett Industrial Park- Shoreline
The weekday service frequency would be improved by the addition of one trip in each
direction. Two morning and two afternoon trips to the Shoreline area would be maintained. A passenger survey will be conducted to determine the best time to operate these trips to Shoreline.

Express 180: Great Mall Transit Center - Fremont BART
The weekday 5:46 a.m. and 6:14 a.m. northbound trips would be combined into one trip that would arrive at BART at 6:24 a.m.

Express 181: San Jose Diridon Transit Center - Fremont BART
A weekday 6:11 a.m. southbound trip would be added. Major improvements would be made to weekend service. Saturday service would operate every 20 minutes on the entire line from 9:00 a.m. to 6:30 p.m. with improved frequency before 9:00 a.m. and after 6:30 p.m. On Sundays, extra trips would be added to provide 20 minute service between Fremont BART and the Great Mall, between 10:00 a.m. and 6:00 p.m. Evening frequency will be improved to operate every 40 minutes until 9:00 p.m.

Express 183: Aborn & White - Fremont BART
This route would be combined with Express Line 180. Three Line 180 trips would be extended from Great Mall to Aborn & White, making the same stops as the current Line 183. Three northbound morning Line 180 trips would start at Aborn & White, and three southbound afternoon trips would also end at Aborn & White. A passenger survey will be conducted to determine which Line 180 trips would be extended to Aborn & White. These 180 trips would operate with standard buses rather than the new Express Bus vehicles.

DASH (201): Downtown Area Shuttle (DASH)
Service would be extended to operate every 30 minutes from 7:00 p.m. to 9:30 p.m. to meet with later Caltrain trips. The weekday 3:04 p.m. and 6:29 p.m. eastbound trips and the 3:12 p.m. and 6:38 p.m. westbound trips would be discontinued.

Limited Stop 323: De Anza College - Downtown San Jose
The weekday 6:05 a.m. westbound and 6:49 a.m. eastbound trips would be discontinued. The weekday 7:46 a.m. westbound trip would begin at 2nd & Santa Clara.

Proposed October 2013 Changes

Line 25: DeAnza College - Alum Rock Transit Center via Valley Medical Center
Weekday service would operate to De Anza College, every 20 minutes, westbound from 7:30 a.m. to 10:00 a.m. and eastbound from 12:30 p.m. to 5:00 p.m.

Express 102**: South San Jose - Palo Alto
Weekday service frequency would be improved by the addition of one trip in each direction.

Express 121**: Gilroy Transit Center - Lockheed Martin Transit Center/Moffett Industrial Park
Weekday service frequency would be improved by the addition of one trip in each direction.
Express 168**: Gilroy Transit Center - San Jose Diridon Transit Center
Weekday service frequency would be improved by the addition of one trip in each direction.

Proposed January 2014 Changes

Express 122: South San Jose to Lockheed Martin Transit Center/Moffett Industrial Park
The 7:36 a.m. northbound and 6:07 p.m. southbound trips would be discontinued if ridership does not improve by October 2013.

Limited Stop 328: Almaden Expwy. & Camden - Lockheed Martin Transit Center/Moffett Industrial Park
Weekday service would be extended to Almaden & Via Valiente.

Limited Stop 330: Almaden Expwy. & Camden - Tasman Drive
Weekday service would be extended to Almaden & Via Valiente.

Rapid 522: Palo Alto Transit Center - Eastridge Transit Center
Weekday service would be extended to operate every 30 minutes from 7:30 p.m. to 10:30 p.m. Saturday service would be improved to operate every 30 minutes from 7:00 p.m. to 10:30 p.m. This route would begin operating every 15 minutes on Sunday from 9:00 a.m. to 6:00 p.m.

Proposed April 2014 Changes

Express 103**: Eastridge Transit Center - Palo Alto
Weekday service frequency would be improved by the addition of one trip in each direction.

Proposed July 2014 Changes

Community Bus 17: Gilroy Transit Center - Murray and Tomkins
This route is currently operating far below the minimum ridership standards. This will be reviewed again in early 2014. If ridership has not improved, service would be discontinued. Public meetings would be held prior to implementation.

Express 101: Camden & Highway 85 - Palo Alto
This route would operate with the new premium Express buses.

Express 104**: Penitencia Creek Transit Center - Palo Alto
This weekday route would operate with the new premium Express buses. Weekday service frequency would be improved by the addition of one trip in each direction.

Express 120**: Fremont BART - Lockheed Martin Transit Center/Moffett Industrial Park-Shoreline
Weekday service frequency would be improved by the addition of one trip in each direction.

Express 168: Gilroy Transit Center - San Jose Diridon Transit Center
This route would operate with the new premium Express buses.
Limited Stop 323: De Anza College - Downtown San Jose
This route would begin operating Saturday service every 15 minutes from 9 a.m. to 6 p.m.

Proposed October 2014 Changes

Community Bus 37: West Valley College - Capitol LRT Station
Weekday service would be extended to operate until 10:00 p.m., between West Valley College and Winchester Transit Center only.

Community Bus 52: Foothill College - Downtown Mountain View
Weekday service would be extended to operate until 9:30 p.m.

Line 58: West Valley College - Alviso
Weekday midday service would operate in Alviso. The exact routing and frequency would be determined at a later date, and public meetings would be held prior to implementation.

Proposed January 2015 Changes

Limited Stop 323: De Anza College - Downtown San Jose
Weekday service would be extended to operate every 30 minutes from 6:30 p.m. to 10:30 p.m. Saturday service would be expanded to operate from 8:00 a.m. to 10:00 p.m., operating every 30 minutes before 9:00 a.m. and after 6:00 p.m. This route would also begin operating Sunday service every 15 minutes from 9:00 a.m. to 6:00 p.m.

* Several community colleges are currently considering joining VTA’s Eco Pass program. As a result, increased ridership would likely occur on this route, and the implementation date would coincide with the start of the program.
** The exact implementation date would be based on projected ridership increases.
Agenda Item #7.12.b

FY 2014 and FY 2015 Transit Service Plan is available on the VTA website at: www.vta.org.

Please click here.
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief Engineering & Construction Officer, Mark S. Robinson

SUBJECT: Agreement with General Electric Transportation Systems Global Signaling LLC for Light Rail Supervisory Control and Data Acquisition System Modifications

Policy-Related Action: No  Government Code Section 84308 Applies: Yes

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to execute a contract with General Electric Transportation Systems Global Signaling LLC for an amount not to exceed $3 million for refinements and modifications of the existing Supervisory Control and Data Acquisition system used to control the light rail operating system.

BACKGROUND:

The Supervisory Control and Data Acquisition (SCADA) system is the backbone of the light rail operating system that controls light rail train movements and related signals and switches, and is the system which monitors light rail features including the traction power system, security surveillance equipment and ticket vending machines, and controls the public address system and visual message boards. The SCADA system is in operation 24 hours a day, 7 days a week and is a critical component in providing safe, reliable light rail service.

Because the SCADA system monitors critical components of the light rail system including track switches, signals, power control, communications, and train locations, any project that changes field equipment or operating scenarios for any of these items requires modification to the SCADA system.

Over the past several years, certain light rail rehabilitation or upgrade projects have been accomplished. The final step for completing these projects includes the modification to the existing SCADA system to integrate the new equipment with the SCADA controls. This integration has yet to be performed for these projects. In addition, several upcoming light rail
projects will require modification and integration of the SCADA system. The following list includes some of these identified recent and upcoming projects:

Recent construction contracts:
- Laser Intrusion Detection
- Removal of Harwood Spur Turnout Track
- Public Address (PA) Upgrades
- Traction Power Substation (TPSS) Rehabilitation
- Southline Platform Retrofit of Elevators and Escalators
- Installation of emergency phones on light rail platforms
- Closed Circuit Television (CCTV)

Current or upcoming construction contracts:
- New track crossovers (8 locations)
- Real Time Information (RTI) for light rail
- TPSS Replacement (6 locations)
- Tasman Drive Storage Track
- Santa Teresa Interlocking
- Ohlone Chenoweth Interlocking
- Woz Way Interlocking
- Mountain View Double Tracking
- Santa Clara/Alum Rock BRT project (e.g. CCTV, RTI, PA, emergency phone)

DISCUSSION:

In November 2001, General Electric Transportation Systems Global Signaling LLC (GETSGS) was awarded a contract to design, furnish and install the original VTA SCADA system for all of Tasman, Capitol, Guadalupe and Vasona. The selection was based on a competitive bidding, best and final offer process. GETSGS was also awarded the software maintenance support contract after completion of the SCADA system installation.

On May 3, 2012, the Board authorized the General Manager to execute a contract with GETSGS in an amount of $2.66 million to upgrade the SCADA system for security protection. This work is underway and will be complete by fall 2013. The May 2012 contract with GETSGS was awarded as a sole source because it was determined that GETSGS was the only company that could modify the existing SCADA system software and warranty the systems reliable operation and not void the current ongoing support contract. The proposed new contract will also be awarded as a sole source because GETSGS is the only company that can perform the series of required modifications while providing reliable operation and valid warranty support.

Board authorization of this new contract with GETSGS will allow the VTA Engineering System Design Manager, Operations and Maintenance Manager, and Contracts Department Manager to identify the individual tasks to complete the required modifications and negotiate the respective final cost for the tasks. The GETSGS Team includes three subconsultants to support this effort (Attachment A).
ALTERNATIVES:

VTA could elect to delay these upgrades, however concerns with risk of failure and lack of integration outweigh this alternative.

FISCAL IMPACT:

This action will authorize up to $3 million for the modification to the Light Rail SCADA System. Appropriation for the expenditure of recent or current projects is included in the FY13 Adopted VTA Transit Fund Capital Budget. Appropriation for support of upcoming projects will be requested in the Recommended FY14 and FY15 VTA Transit Fund Capital Budget. For grant funded projects, direction for GETSGS will be withheld until the grant provider has provided sole source approval for that particular project.

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:

Based on the limited subcontracting opportunities, no specific Disadvantaged Business Enterprise (DBE) goal has been established for this contract. Contractor is encouraged to make reasonable efforts to utilize DBEs in its procurement of ancillary services and products associated with the performance of this contract.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Transit Planning & Operations Committee received a brief staff presentation on this item at its April 19, 2013 meeting. The Committee had no additional questions and recommended the item be placed on the Consent Agenda for approval at the May 2, 2013 Board of Directors meeting.

Prepared by: Ken Ronsse, Deputy Director
Memo No. 4017
# Attachment A

**Agreement with General Electric Transportation Systems Global Signaling LLC**

**for Light Rail Operating System Upgrades**

**List of Sub-Consultants**

<table>
<thead>
<tr>
<th>Firm Name</th>
<th>Name</th>
<th>Role</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>GE Transportation Systems Global Signaling, LLC</td>
<td>Carl Buck</td>
<td>Principal Consultant</td>
<td>1990 West NASA Boulevard Melbourne, FL 32904</td>
</tr>
<tr>
<td>Longacre Electric</td>
<td>Dan Longacre</td>
<td>Sub-Consultant</td>
<td>4509 Thoroughbred Court Antioch, CA 94531-9316</td>
</tr>
<tr>
<td>KEEVA</td>
<td>Greig S. Latham</td>
<td>Sub-Consultant</td>
<td>207 Main Street, Suite 203 Allen, TX 75013</td>
</tr>
<tr>
<td>Electrosonic, Inc.</td>
<td>Richard Krajcir</td>
<td>Sub-Consultant</td>
<td>3320 North San Fernando Boulevard, Burbank, CA 91504</td>
</tr>
</tbody>
</table>
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief Engineering & Construction Officer, Mark S. Robinson

SUBJECT: Freight Railroad Relocation - Alum Rock Fish Passage Amendment
Construction Contract

Policy-Related Action: No

Government Code Section 84308 Applies: Yes

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to amend the Freight Railroad Relocation - Alum Rock Fish Passage construction contract with Stevens Creek Quarry Construction to accommodate scope additions in the amount of $263,500 for a new authorized amount of $1,157,700.

BACKGROUND:

In March 2012, the Board authorized the General Manager to enter into a construction contract with Stevens Creek Quarry Construction in the amount of $894,200 to execute the Alum Rock Fish Passage Improvements (C111) as part of the Freight Railroad Relocation Program. The scope of the C111 contract includes the following work (Exhibit A):

- Construct a roughened channel downstream of the Youth Science Institute bridge.
- Repair rill erosion with a new mortared rock wall.
- Modify an existing rock wall and expand a floodplain downstream of bridge “L”.
- Repair existing Youth Science Institute bridge.

Stevens Creek Quarry Construction, with nine subcontractors, are performing the work (Exhibit B).

DISCUSSION:

The C111 contract is composed of work that is required as mitigation by the Regional Water Quality Control Board (RWQCB) for impacts to the creeks as a result of the Freight Railroad Relocation improvements in the Mission Boulevard/Warren Avenue area. Although the
RWQCB’s preference is to mitigate any impacts within the project limits, it was determined that the area was not suitable for mitigation measures and VTA was required to find another mitigation site. VTA then entered into an agreement with the City of San Jose to allow improvements to Penetencia Creek within Alum Rock Park that would satisfy the mitigation requirements.

During the construction phase, several changes were made to the design in order to ensure the success of the project. Some of these changes were requested by the City of San Jose, with VTA staff concurrence, while others were made by VTA staff with concurrence by the City. These changes included (Exhibit C):

- Strengthening of the foliage protection cages around the trees and shrubs to lessen the chance of damage by grazing deer.
- Increasing the trench depth for the irrigation system to minimize damage to the system by animals and the public.
- Revisions to the irrigation system to provide a more reliable system, reduce potential losses of plants from inadequate watering as well as ease of maintenance.
- Design changes to the repair work at the Youth Science Institute bridge, including the use of real stones rather than stone veneer on the abutment walls, re-installing stone benches for public use, and addressing poor drainage conditions along the pathway.
- Constructing a wooden fence at the mitigation site to discourage the public from entering the areas and damaging the new plants.

Most of the changes are proposed in order to increase the chances for the plants to survive the 10-year plant establishment period (PEP) required to satisfy the mitigation requirements established by RWQCB. VTA is obligated to maintain the mitigation site during the PEP, and replace plants that are damaged or die, until the mitigation area is accepted by the RWQCB.

**ALTERNATIVES:**

The Board could choose to not authorize additional funds at this time. Some of the aforementioned changes to the plans would not be implemented and the likelihood that the mitigation area would incur additional damages would increase, adding to the cost for the PEP.

**FISCAL IMPACT:**

This action will authorize additional funds in the amount of $263,500 for the construction of the Alum Rock Fish Passage improvements. Appropriation for this expenditure is included in the FY13 Adopted 2000 Measure A Transit Improvement Program Capital Budget. The City of San Jose will be required to contribute additional funds consistent with the cooperative agreement between VTA and the City.

**SMALL BUSINESS ENTERPRISE (SBE):**

Based on identifiable subcontracting opportunities, a Small Business Enterprise (SBE) goal of 25% was established. Contractor is currently meeting the goal and has committed to achieving 25% SBE participation, including the extra work, on this contract.
STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Transit Planning & Operations Committee received a brief staff presentation on this item at its April 19, 2013 meeting. The Committee had no questions and recommended the item be placed on the Consent Agenda for approval at the May 2, 2013 Board of Directors meeting.

Prepared by: Jim Costantini, Deputy Director
Memo No. 4065
EXHIBIT A
PROJECT SITE PLAN

PROJECT 2
Youth Science Institute bridge repair: retaining wall, new asphalt concrete pavement, revetment slope, grading.

PROJECTS 3 AND 10
Repair of rock wall (Project 3) and expansion of floodplain on east bank immediately downstream of historic foot bridge “L” (Project 10).

PROJECT 5
Repair of eroded rill at end of north bank vertical rock wall directly adjacent to grade control structure.

PROJECT 13
Create a fish passage.
### Exhibit B

**List of Prime Contractor and Sub-Contractors**

<table>
<thead>
<tr>
<th>Role</th>
<th>Contractor Name</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prime Contractor</td>
<td>Steven Creek Quarry Construction</td>
<td>Cupertino, CA</td>
</tr>
<tr>
<td>Sub-Contractors</td>
<td>Sandis</td>
<td>Sunnyvale, CA</td>
</tr>
<tr>
<td></td>
<td>Atlas tree Service, Inc.</td>
<td>Pleasant Hill, CA</td>
</tr>
<tr>
<td></td>
<td>Green Growth Industries</td>
<td>Pleasanton, CA</td>
</tr>
<tr>
<td></td>
<td>Pacific Bay Masonry</td>
<td>San Jose, CA</td>
</tr>
<tr>
<td></td>
<td>Bauer Transportation Systems</td>
<td>San Francisco, CA</td>
</tr>
<tr>
<td></td>
<td>Destination Anywhere</td>
<td>Tracy, CA</td>
</tr>
<tr>
<td></td>
<td>LS Trucking</td>
<td>Hayward, CA</td>
</tr>
<tr>
<td></td>
<td>Tully Consulting Group</td>
<td>Dixon, CA</td>
</tr>
<tr>
<td></td>
<td>BAGG Engineering</td>
<td>Sunnyvale, CA</td>
</tr>
</tbody>
</table>
EXHIBIT C – FISH PASSAGE PHOTOS

Fish Passage, New Rock Wall and New Plantings

Fish Passage and New Plantings
New Flood Plain, New Wing Wall and New Plantings

New YSI Bridge Abutment Wall and New Plantings
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief SVRT Program Officer, Carolyn M. Gonot

SUBJECT: Addendum No. 4 to the 2011 2nd Supplemental Environmental Impact Report for the BART Silicon Valley Berryessa Extension Project

Policy-Related Action: No  Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Consider the Addendum to the 2nd Supplemental Environmental Impact Report (EIR) and approve the design changes to the BART Silicon Valley Project (“Project”), described below and as discussed in Addendum No.4.

BACKGROUND:

In December 2004, the VTA Board of Directors certified the Silicon Valley Rapid Transit Corridor BART Extension to Milpitas, San Jose, and Santa Clara Final Environmental Impact Report (FEIR) for the BART Silicon Valley Project. The analysis in the FEIR was based on early (10 percent) design plans prepared during the conceptual engineering design phase of the Project.

In June 2007, after 35 percent design plans were prepared during the preliminary engineering design phase of the Project, the VTA Board of Directors certified the Supplemental Environmental Impact Report (SEIR-1).

In March 2009, VTA and the U.S. Department of Transportation Federal Transit Administration (FTA) released the Draft Environmental Impact Statement (EIS) for the Project under the National Environmental Policy Act (NEPA). The EIS was based on the Project analyzed in the FEIR and the SEIR-1, but also evaluated further design changes based on the 65 percent design plans then available. The FTA issued a Final EIS and a Record of Decision approving the Project on March 24, 2010.

The SEIR-2 addressed the Phase 1 Berryessa Extension and updated the information presented in the FEIR and the SEIR-1 when design plans progressed from the 35 percent level to the 65 percent level.

Approved in 2011, the first Addendum to the 2nd SEIR described permanent and temporary easements necessary for project implementation throughout the entire 10-mile project. Addendum No. 2 to the 2nd SEIR described the modifications to, or new connections to, PG&E 115-kV lines in much greater detail than in previous documents and was approved in 2012. Addendum No. 3 to the 2nd SEIR, approved in 2012, described design changes including the modification of the layout of the Systems Facilities located near Railroad Court in Milpitas and additional easements necessary within private properties to support these facilities.

DISCUSSION:

The design of the Project has progressed since the SEIR-2 was approved in March 2011 and subsequent Addendums were approved in April and May of 2012. The changes to the Project are located within the Systems Facilities site located near Railroad Court in the City of Milpitas. These design changes include the modification of the building layout to improve internal circulation within the facility, the addition of one new approximately 80 to 110-foot high tapered tubular steel 115-kV line PG&E pole to help stabilize the 115-kV lines at the connection to High Voltage Substation SRC, and the addition of a new BART maintenance personnel overcrossing to provide long-term maintenance access and allow for BART employees to cross over the UPRR tracks to access the Systems Facilities from the BART track and switches that are located within the future BART corridor.

The Addendum concludes that no significant impacts would result from the proposed design modifications that would include a modified layout of the Systems Facilities buildings, one additional approximately 80 to 110-foot high PG&E pole, and a new BART maintenance personnel overcrossing over the UPRR tracks between the future BART corridor and the Systems Facilities located near Railroad Court. All mitigation measures described in the SEIR-2 are still applicable.

ALTERNATIVES:

The Board could decide not to approve the design modification. This action could impact the schedule, and most likely will increase Project cost.

FISCAL IMPACT:

There is no direct fiscal impact as a result of this action.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Transit Planning and Operations Committee heard this item at their April 18, 2013 meeting. The Committee unanimously recommended that the Board of Directors’ approve this item and place it on the Board of Directors consent agenda.

Prepared by: Tom Fitzwater
Memo No. 3674
BART SILICON VALLEY
Phase 1 – Berryessa Extension

Addendum No. 4 to the 2nd Supplemental Environmental Impact Report

Santa Clara Valley Transportation Authority
April 2013
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SECTION 1.0 INTRODUCTION

1.1 Purpose of the Addendum

The California Environmental Quality Act (CEQA) recognizes that between the date a project is approved and the date a project is constructed, one or more of the following changes may occur: 1) the scope of the project may change, 2) the environmental setting in which the project is located may change, 3) certain environmental laws, regulations, or policies may change, and 4) previously unknown information may be identified. CEQA requires that lead agencies evaluate these changes to determine whether or not they are significant.

The mechanism for assessing the significance of these changes is found in CEQA Guidelines Sections 15162 – 15164. Under these Guidelines, a lead agency should prepare a subsequent or supplemental CEQA document if the triggering criteria set forth in CEQA Guidelines Section 15162 and 15163 are met. These criteria include a determination whether any changes to the project, or the circumstances under which the project will be undertaken, involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, a subsequent or supplemental CEQA document may be prepared if “new information” meeting certain standards under Guidelines Section 15162 is presented. If the changes do not meet these criteria, or if no “new information of substantial importance” is presented, then an Addendum per CEQA Guidelines Section 15164 is prepared to document any minor corrections to the Environmental Impact Report (EIR) or Initial Study/Mitigated Negative Declaration (MND). CEQA does not require that an Addendum be circulated for public review.

1.2 Overview of the BART Silicon Valley Project

The BART Silicon Valley Project would begin at the BART Warm Springs Station in the City of Fremont and proceed on the former Union Pacific railroad (UPRR) right-of-way through the City of Milpitas to near Las Plumas Avenue in the City of San Jose. The Project would then descend into a subway tunnel, continue through downtown San Jose, and terminate at grade in the City of Santa Clara near the Caltrain Station. The total length of the alignment would be 16.1 miles.

This Addendum addresses changes since the VTA Board of Director’s certification of the 2nd Supplemental EIR in March 2011 and approval of subsequent Addenda to the 2nd SEIR in April and May of 2012 for Phase I only. Phase I consists of the first 9.9 miles of BART Silicon Valley, beginning at the current planned terminus at the BART Warm Springs Station in Fremont, through Milpitas, to near Las Plumas Avenue in San Jose, and includes 2 stations: Milpitas Station in the City of Milpitas and Berryessa Station in the City of San Jose. See Figure 1. BART Silicon Valley – Phase I - Berryessa Extension.
Figure 1 - BART Silicon Valley - Berryessa Extension
1.3 Previous Environmental Studies


Silicon Valley Rapid Transit Corridor – BART Extension to Milpitas, San Jose, and Santa Clara, Final Environmental Impact Report, November 2004


Silicon Valley Rapid Transit Corridor – BART Extension to Milpitas, San Jose, and Santa Clara, Addendum to the Supplemental Environmental Impact Report, September 2010

BART Silicon Valley, Phase I – Berryessa Extension, Draft 2nd Supplemental Environmental Impact Report, November 2010

BART Silicon Valley, Phase I – Berryessa Extension, Final 2nd Supplemental Environmental Impact Report, March 2011

Silicon Valley Rapid Transit Corridor – BART Extension to Milpitas, San Jose, and Santa Clara, Addendum to the 2nd Supplemental Environmental Impact Report, August 2011

Silicon Valley Rapid Transit Corridor – BART Extension to Milpitas, San Jose, and Santa Clara, Addendum No. 2 to the 2nd Supplemental Environmental Impact Report, May 2012

Silicon Valley Rapid Transit Corridor – BART Extension to Milpitas, San Jose, and Santa Clara, Addendum No. 3 to the 2nd Supplemental Environmental Impact Report, April 2012

1.3.1 Prior Environmental Review

This Addendum evaluates changes to the SRR and SRC Systems Facilities (Systems Facilities) that are located near Railroad Court in the City of Milpitas. These System Facilities include a high-voltage substation, traction power substation, train control house, switching station, and supporting overhead and underground utilities and easements. The Systems Facilities are located west of the BART Silicon Valley Phase I Berryessa Extension Alignment (BART Alignment) on two industrial properties. The following is a summary of the environmental analysis under CEQA for the Systems Facilities.

In December 2004, the VTA Board of Directors certified the Final Environmental Impact Report (EIR) for the BART Silicon Valley Project which described the extension of the BART system from its current planned terminus in Fremont (to be implemented in 2015) through Milpitas and San Jose to Santa Clara. The analysis in the Final EIR was based on early (10 percent) design plans prepared during the conceptual engineering design phase of the
Project. The Final EIR identified the location for the proposed SRR and SRC System Facilities (Systems Facilities) within the same general area as the current designed location.

In June 2007, the VTA Board of Directors certified the Final Supplemental Environmental Impact Report (SEIR-1). Analysis of the Project in the Final SEIR-1 was based on approximately 35 percent design plans prepared during the preliminary engineering design phase of the Project. As described in the Final SEIR-1, the location of the System Facilities was maintained with an access easement/road connecting the site with Railroad Court.

In March 2009, VTA and the U.S. Department of Transportation Federal Transit Administration (FTA) released the Draft Environmental Impact Statement (EIS) for the Project under the National Environmental Policy Act (NEPA). The Draft EIS was based on the Project analyzed in the Final EIR and the Final SEIR-1, but also evaluated further design changes based on the 65 percent design plans then available.

The Final EIS was released for public circulation by the FTA on March 31, 2010. The Final EIS described that, in response to property owner concerns, the location of the System Facilities had been shifted approximately 100 feet to the south of the location described in the Draft EIS. In addition, the configuration of the buildings housing the System Facilities had been reconfigured and the Train Control Building was modified from a one-story to a two-story structure. The FTA issued a Record of Decision approving the Project on June 24, 2010.

On November 1, 2010, VTA issued a Public Notice of Availability and published the Draft 2nd Supplemental Environmental Impact Report (SEIR-2) for the Project. The Draft SEIR-2 updated the information presented in the Final EIR and the Final SEIR-1, and considered 25 design changes identified when the design plans progressed from the 35 percent level to the 65 percent level. One such change was Design Change #10 (DC 10), involving an Alternative “Location B” for the System Facilities. This was the same change in location and layout evaluated in the prior approved EIS which shifted the location of the System Facilities about 100 feet to the south. The Draft SEIR-2 analyzed the environmental impacts of DC 10 under visual quality, noise and vibration and construction related noise and vibration impacts, and found no significant impacts. Though not required by CEQA, the Draft SEIR-2 also described the socioeconomic impact of the change. In addition to DC 10, the Ingress Egress Easement (IEE) on the Horner property did not change and in Appendix H of the Draft SEIR-2, an IEE was shown on the Walton property.

On February 9, 2011, VTA published the Final SEIR-2. The Final SEIR-2 stated that DC 10 was a “minor change” from the previously approved location and would only shift the location approximately 100 feet to the south. The Final SEIR-2 also described that, in response to property-owner concerns, the layout was modified and the location of the Systems Facilities was shifted 32 feet north from the previous location environmentally cleared in the Final EIS. Thus, the Design Change would only shift the location south by approximately 68 feet from its original location in the 2004 Final EIR and 2007 Final SEIR-1. The Final SEIR-2 provided further analysis of this change, and concluded that it would not result in any new significant environmental impacts. On March 3, 2011, the VTA Board of Directors certified SEIR-2.
The first Addendum to the 2\textsuperscript{nd} SEIR, approved in 2011, described permanent and temporary easements necessary for project implementation throughout the entire 10-mile project. Addendum No. 2 to the 2\textsuperscript{nd} SEIR described the modifications to, or new connections to, PG&E 115-kV lines in much greater detail than in previous documents and was approved in 2012. Addendum No. 3 to the 2\textsuperscript{nd} SEIR, approved in 2012, described design changes including the modification of the layout of the Systems Facilities located near Railroad Court in Milpitas and additional easements necessary within the Horner and Walton properties to support these facilities.

1.4 Scope of this Addendum

This Addendum is limited in scope to an evaluation of the proposed design modifications to the Project for the System Facilities site plan refinements, and to determine whether these modifications result in any substantial change to the environmental setting, impacts, and mitigation measures as previously described in the approved EIR, Supplemental EIR, 2\textsuperscript{nd} Supplemental EIR, and subsequent Addendums.

SECTION 2.0 PROPOSED MODIFICATIONS TO THE PROJECT

2.1 Modification to System Facilities Analyzed in this Addendum

The design of the Project has progressed since the Final SEIR-2 was approved by the VTA Board of Directors in March 2011 and subsequent Addenda to the 2nd SEIR were approved by the VTA Board of Directors in August 2011, April 2012, and May 2012. The design modifications to the Project discussed in this Addendum include a slightly modified layout of the Systems Facilities buildings and a new BART maintenance personnel overcrossing (overcrossing) located near Railroad Court in the City of Milpitas. The discussion below describes these minor modifications that were not identified in previous environmental documents. Since the Final SEIR-2 was certified in March 2011 and Addendum No. 3 was approved in May 2012, the intended uses of the proposed Systems Facilities have not changed. The background conditions of the project are still substantially the same.

This Addendum analyzes the above described design modifications to the following private properties:

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<thead>
<tr>
<th>Address</th>
<th>Property Owner</th>
<th>Abbreviated Property Name</th>
<th>APN</th>
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</thead>
<tbody>
<tr>
<td>420 Railroad Court</td>
<td>Brian Horner</td>
<td>Homer Property</td>
<td>022-31-030</td>
</tr>
<tr>
<td>386 Railroad Court</td>
<td>Walton CWCA Wrigley Creek 31, LLC</td>
<td>Walton Property</td>
<td>028-23-012</td>
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<tr>
<td>Union Pacific Railroad</td>
<td>Union Pacific Railroad</td>
<td>UPRR</td>
<td>028-23-011</td>
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<td>Beresford Meadows</td>
<td>Beresford Master et. al.</td>
<td>Beresford Meadows Property</td>
<td>028-27-000</td>
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</tbody>
</table>

7.15.a
2.2 Description of Design Changes

Modifications to Site Layout

In the 2004 Draft EIS/EIR and 2004 Final EIR, the 2007 Draft and Final SEIR-1, the 2009 Draft and 2010 Final EIS, the 2010 Draft and 2011 Final SEIR-2, and the 2012 Addendum No. 3 to the 2nd SEIR, the Systems Facilities at Railroad Court were generally located on the Walton and Horner properties. The Systems Facilities buildings were in slightly different locations in the various environmental documents above, but still within the same general area within the Horner and Walton properties. Since the VTA Board approved Addendum No. 3 to the 2nd SEIR, the footprint of the Systems Facilities has remained the same; however, there have been some minor modifications made to the layout of the buildings within the facility. In Addendum No. 3 to the 2nd SEIR, the layout of the buildings was designed as shown below in Figure 2.

![Figure 2: Conceptual Drawing of Systems Facilities Layout in Addendum No. 3](image)

Since Addendum No. 3 was approved in May 2012, the layout of the buildings has changed slightly due to refinements in design, as shown below in Figure 3. The location of the High Voltage Substation SRC has not changed. However, Train Control House S28 was relocated to the south and has been reduced from a 2-story structure to a 1-story structure. Switching Station SRR and Traction Power Substation SRR have been moved to a location between the High Voltage Substation SRC and the Train Control House S28. Also, Switching Station SRR and Traction Power Substation SRR have been placed adjacent to one another to reduce the overall footprint within the site and to improve internal circulation of maintenance vehicles within the Systems Facility site. The proposed access to this facility has not changed since the previous Addendum No. 3 was approved by the VTA Board in May 2012. The access easements over the Walton and Horner properties were environmentally cleared in Addendum No. 3. There has been no change in the overall footprint of the Systems Facility and no new right-of-way would be necessary to accommodate the changes described in this Addendum.
Addition of 3\textsuperscript{rd} PG&E Pole

The 2\textsuperscript{nd} SEIR described a 60-foot tapered tubular steel tower and a second smaller tapered tubular steel tower/pole to support the Project's connection of the Systems Facility to an existing 115-kV line. In Addendum No. 2 to the 2\textsuperscript{nd} SEIR, approved in May of 2012, the project description changed to increase the height of these two poles as follows: “a 115-foot-high, tapered tubular steel PG&E pole would be constructed within PG&E’s existing easement. A second, 85 to 100-foot-high tapered tubular steel pole would be constructed to the south.” According to Addendum No. 2, the 115-foot-high pole was to be located within the PG&E easement at the northern end of the Horner property. The 85 to 100-foot-high pole would be located within the Horner property (outside of the PG&E easement and outside of the System Facility). See Figure 4 for the two PG&E pole locations as shown in the 2\textsuperscript{nd} SEIR.
Since Addendum No. 2 to the 2nd SEIR was approved in May 2012, designs for the PG&E connection to the Systems Facility at Railroad Court have been further refined. There are two changes to the proposed PG&E poles located at this site. The first change is the addition of one new PG&E pole at the northern end of the Horner property within PG&E’s easement. According to PG&E’s design standards, two 80 to 110 foot high tubular steel PG&E poles are necessary to help stabilize the 115-kV lines at the connection to the High Voltage Substation. Addendum No. 2 described only one new pole to stabilize the new connection at this location. PG&E is now requesting two new poles for stabilization. This is a net change in one additional pole necessary at this location. The second change relocates the southernmost PG&E pole farther to the south. Previously this pole was located outside of the System Facility. However, with the shift to the south, this PG&E pole would be located inside the footprint of the System Facility. As shown in Figure 5 below, the current design shows a total of three PG&E poles in comparison to the two poles shown in Figure 4 above.

![Figure 5: Current Design for Location of PG&E Poles](image)

**Addition of BART Maintenance Personnel Overcrossing**

Since VTA’s Board approved Addendum No. 3 in May 2012, the design of the project has undergone further refinements. The design of the electrical systems that power the BART trains has progressed and the location of the track switches has been further refined. A track switch is a mechanical installation enabling railway trains to be guided from one track to another. A track switch would be located along the BART alignment east of the location of the future Systems Facilities. The BART Facilities Standards for Traction Power Sites and Gap Breakers require direct and safe access between these facilities and the BART track and switches, either on foot or via roads. In this location at Railroad Court, there is an active UPRR corridor that lies between the track switch and the Traction Power Substation. It is unsafe to have an at-grade crossing for maintenance personnel over active UPRR tracks; therefore, an alternate safe and direct access route is necessary. The only alternate routes to access the BART Alignment from the Systems Facility (and vice versa), other than the proposed overcrossing, are indirect surface street routes. To travel between the Systems...
Facility and the third rail feed points and track switches without the overcrossing, BART maintenance personnel would have to follow the following routes (see Figure 6 below):

- **Route 1.** Exit a secured fenced area at the Systems Facility by exiting through a gate and locking the gate behind them. They would then drive south from the Systems Facility along Railroad Court, which turns into North Main Street, turn right/northwest onto Marylinn drive, right/north onto North Abel Street, and right/south onto North Milpitas Boulevard. Where North Milpitas Boulevard intersects Berryessa Creek, maintenance personnel would then turn right/west onto the levee where they exit their vehicle to open an access gate, move their vehicle through, lock the gate behind them, and drive to the end of the Berryessa Creek levee. At the end of the levee road where it approaches the BART Alignment, they would exit their vehicle to open another access gate, move their vehicle through, lock the gate behind them, and drive southerly along the utility easement along the eastern side of the tracks to the third rail feed points and track switches.

- **Route 2.** Exit a secured fenced area at the Systems Facility by exiting through a gate and locking the gate behind them. They would then drive south from the Systems Facility along Railroad Court, which turns into North Main Street, turn right/west on Weller Lane, left/south onto North Abel Street, left/east onto Calaveras Boulevard (SR 237), and left/north onto North Milpitas Boulevard. Where North Milpitas Boulevard intersects Berryessa Creek, maintenance personnel would then turn left/west onto the levee where they exit their vehicle to open an access gate, move their vehicle through, lock the gate behind them, and drive to the end of the Berryessa Creek levee. At the end of the levee road where it approaches the BART Alignment, they exit their vehicle to open another access gate, move their vehicle through, lock the gate behind them, and drive southerly along the utility easement along the eastern side of the tracks to the third rail feed points and track switches.

- **Route 3.** Exit a secured fenced area at the Systems Facility by exiting through a gate and locking the gate behind them. They would then drive south from the Systems Facility along Railroad Court, which turns into North Main Street, turn right/west on Weller Lane, left/south onto North Abel Street, left/east onto Calaveras Boulevard (SR 237), turn right/south onto South Milpitas Boulevard, turn right/east into a private property to reach the BART Alignment, turn right/north at the BART Alignment along the utility easement to the third rail feed points and track switches.

The three routes described above would add an additional travel distance of approximately 2 miles and take approximately 20 minutes of travel time in each direction, which would compromise the ability of maintenance personnel to complete their scheduled tasks within the limited maintenance window during non-operating hours.
Figure 6: Alternate Route Map for Access Between Track Switches and System Facilities
Therefore, VTA has designed a new freestanding pedestrian bridge that would span the UPRR tracks from the BART Alignment to the Systems Facilities at approximately Station 262+00. Final design has not been completed, but the crossing would be approximately 70 feet long and have a minimum clearance of 23 feet from the top of the UPRR tracks to the lowest part of the underside of the bridge. The top of the overcrossing would be approximately 31 feet above the top of the UPRR tracks. See Figure 7 below for the section drawing of the conceptual design of the freestanding overcrossing and stairs in relation to Train Control House S28.

![Figure 7: Conceptual Drawing of Proposed Overcrossing and Train Control Building, Looking South](image1)

The overcrossing would include stairs on both ends, both of which would land in secured areas. The eastern set of stairs would land within the BART Alignment, just west of the BART tracks. The western set of stairs would land within the footprint of the Systems Facilities. The western stairs would land within the previously environmentally cleared footprint of the Systems Facilities and no new right-of-way would be required from the Walton property. See Figure 8 below for a section view of the layout of the Systems Facility. The overcrossing can be seen directly behind the Train Control Building.

![Figure 8: Conceptual Drawing of Proposed Systems Facility and Overcrossing, Looking East](image2)
SECTION 3.0 ENVIRONMENTAL EVALUATION

3.1 Existing Conditions

The location of the Systems Facilities is located in an area with existing site constraints that limit the available options for BART maintenance personnel to access the Systems Facilities from the BART corridor, as shown in Figure 4 above. The Systems Facility site is bounded on both sides by existing railroad tracks that are currently utilized by freight operations, as shown in Figure 9 below.

In order to analyze the impacts of the reconfigured Systems Facilities layout and of the construction of underground utilities between the SRR and SRC Systems Facilities and Railroad Court, a brief description of the operation of each business is provided below:
3.1.1 The Horner Property, 420 Railroad Court, APN 022-31-030

This property is approximately 4.1 acres and is a long and narrow parcel bounded by a light-industrial/warehouse business to the east, Railroad Court to the south, and the existing UPRR freight tracks to the west and north. Access to this property is from one driveway on Railroad Court. The owner of this property operates a recreational/large vehicle and boat storage business.

3.1.2 The Walton Property, 386-404 Railroad Court, APN 028-23-012

This property is triangular in shape and is approximately 4.2 acres with a mixture of light-industrial and warehouse uses on-site. The property is bounded by the existing UPRR freight tracks located to the northeast, by a vehicle storage business to the northwest, and by Wrigley Creek to the south. Access to this property is from two driveways from Railroad Court within the City of Milpitas. Within the property at 386-404 Railroad Court, there are several businesses with different addresses and separate access via two driveways off of Railroad Court.

The construction of the overcrossing would affect only the northernmost driveway businesses, with addresses of 396-398 Railroad Court. The new overcrossing would not affect the businesses located off of the southern driveway at 386-392 Railroad Court because each property has its own separate access driveway off of Railroad Court. These properties are connected by a narrow drive aisle; in order to move from one business to the other, one can either use the drive aisle or exit each property and drive on Railroad Court.

There are approximately 135 existing parking spaces to support these businesses at 386-404 Railroad Court. There are loading docks for each business. Normal business hours are 8:00AM to 5:00 PM, Monday through Friday. Existing on-site loading docks adjacent to the vehicle parking spaces are utilized for trucks loading and unloading. Parking spaces are utilized for cars during the hours of 8:00AM to 5:00 PM, Monday through Friday by both employees and customers/clients. They are also utilized for delivery trucks 24 hours a day 7 days a week for staging and maneuvering.

The SRR and SRC Systems Facilities would be located at the northern end of the 386 Railroad Court property adjacent to the existing UPRR freight tracks in an existing parking area.

3.1.3 UPRR, APN 028-23-011

This property is an existing freight railroad corridor running generally from north to south and is located east of both the Horner and Walton properties within the City of Milpitas. The tracks continue northward and southward beyond the limits of this area.

3.1.4 Beresford Meadows Property, 028-27-000

This property is a private residential development located east of the UPRR tracks within the City of Milpitas and contains Edgewater Drive as the northern most street in the development. The development includes a “Fitness Loop” hike and bike trail and private park adjacent to the UPRR tracks.
3.2 Impacts Discussion

Below is the discussion of the potential environmental impacts resulting from the modification of the building layout within the Systems Facilities site, a new PG&E pole, and the addition of a new overcrossing that would span the UPRR tracks near Railroad Court in the City of Milpitas.

3.2.1 Long-Term/Operational Impacts

The discussion that follows focuses on the long-term, operational related environmental subject area of transportation and visual quality/aesthetics. No additional information or changes in other subject areas that include air quality; biological resources and wetlands; community services and facilities; cultural resources, geology, hazardous materials; geology, seismicity, and soils; land use; noise and vibration; socioeconomics; utilities; water resources, water quality, and floodplains; cumulative impacts; and growth-inducing impacts is necessary due to the design modification described in this Addendum. The affected parcels, impacts, and environmental evaluation are described below.

Transportation

The addition of a new PG&E pole within the PG&E easement adjacent to the previously cleared PG&E pole would cause the permanent displacement of an additional one to two storage spaces within the Horner property in comparison to what was disclosed in previous environmental documents. The new pole has been located along the property line to minimize the impact to the storage spaces on the property; however one or two of the spaces would be permanently displaced.

The third PG&E pole that was environmentally cleared in previous environmental documents has been relocated to the south to be within the permanent footprint of the System Facility site; therefore, there are one to two fewer storage spaces that would be permanently displaced as compared to previous environmental documents.

The net change of the addition of a new PG&E pole and the relocation of a previously cleared PG&E pole at this location would not cause any additional permanent displacement of storage spaces on the Horner property. Therefore, there are no new or substantially more severe impacts to permanent parking than analyzed in the prior environmental documents and no new mitigation is necessary.

Visual Quality and Aesthetics

The modified layout of the Systems Facility, the addition of a new PG&E pole, and the new overcrossing would not have a substantial adverse effect on a scenic vista. The Systems Facility buildings have not increased in size or shape. The new PG&E pole and overcrossing would be located within the valley floor of a highly urbanized area and located mostly within the right-of-way of an existing railroad corridor and adjacent to an existing industrial area of the City of Milpitas. See Figure 10 below for a view of the location of the proposed overcrossing location.
The modified layout, new PG&E pole, and new overcrossing would not substantially damage scenic resources within a state scenic highway because the proposed location of the overcrossing is not located on or near a state scenic highway.

The modified layout, new PG&E pole, and new overcrossing would not substantially degrade the existing visual character or quality of the site and its surroundings. The modifications to the Systems Facility layout would not increase the buildings in height or in size. On the contrary, the height of the Train Control Building has been reduced in size from a 2-story building (cleared in the previous Addendum) to a 1-story building.

The new PG&E pole would be located within an existing light-industrial area between two railroad corridors. Also, there are two existing approximately 90-100-foot high PG&E transmission electric towers located to the east and to the northwest. The addition of a new 80 to 110-foot high tapered tubular steel PG&E pole within the existing PG&E easement where a 115-kV line with existing 100-foot PG&E towers, and adjacent to two previously cleared tubular steel poles of similar height would not be inconsistent with the industrial land uses in this area. See Figure 11 below for a view from the BART Alignment looking northwest to the existing PG&E 115-kV line supported by over 100-foot-high towers.

The overcrossing would be located mostly within the right-of-way of an existing railroad corridor. It would be located within an industrial area in the highly urbanized area of the valley floor in Silicon Valley. The western landing would extend west of the railroad corridor into the footprint of the Systems Facilities within the Walton property, which has an existing light industrial/warehouse business use.
To the west of the Walton property, described in order moving west, are: a recreational vehicle storage yard, another existing railroad corridor, and Wrigley Creek. Beyond Wrigley Creek is a residential neighborhood of single story homes located over 300 feet away from the proposed overcrossing. See Figure 12 for the view from this neighborhood toward the proposed overcrossing location. If viewed from this neighborhood, the new PG&E pole and overcrossing would not be visually inconsistent with the existing PG&E poles and industrial use of the recreational vehicle storage business that are in the foreground of where the pole and overcrossing would be as seen in Figure 12 below. Therefore, these design changes would not degrade the existing visual quality or character of the site and surroundings.

As described above, directly to the east of the proposed location for the overcrossing is the Beresford Meadows property which is a private residential neighborhood. Within this neighborhood is a private park with a “fitness loop” and hike and bike trail that is located east of and on the other side of an existing soundwall from the proposed eastern landing of the overcrossing. The new PG&E pole and overcrossing would be visible from the private park over the top of an approximately 8-10 foot high soundwall that runs north to south along the western property line adjacent to the existing railroad corridor. However, the private park has an existing PG&E transmission electric tower on the north end of the park that is approximately 90-100 feet high. The tower carries 115-kV transmission lines that run generally northwest to southeast. This tower is a dominant feature of the private park. Park users that would see the new PG&E pole and overcrossing would also have a view of the existing PG&E tower within the park. In addition, the view of the new pole and overcrossing would not be visually inconsistent with the industrial nature of the UPRR corridor and industrial uses to the west. Therefore, the new PG&E pole and overcrossing would not be
visually inconsistent with this tower and with the industrial nature of the UPRR corridor and industrial area nor would it substantially degrade the existing visual character or quality of the site and its surroundings. See Figures 13 through 15 for views of the existing PG&E tower within the private park and views from this property to the industrial properties to the west.

Figure 12: View from Residences West of Wrigley-Ford Creek Looking East Toward Location of Overcrossing

Figure 13: View from Berryessa Creek Levee Looking South Toward Beresford Meadows Park
The new PG&E pole and overcrossing would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. The new PG&E pole
would not be lit up from external light sources, nor would any light source be affixed to the pole. The overcrossing will be designed so as not to create a new source of glare and will be lit appropriately for safe use of the bridge by BART maintenance personnel during nighttime access. Lighting will be designed to be directed away from the residential properties to the east of the corridor when feasible and would not cause safety hazards for workers.

The properties would not be otherwise affected during the long-term operation of the project except for infrequent maintenance or repairs, as allowed by the terms of the easements on the Walton and UPRR properties. For the reasons described above, the long-term visual quality/aesthetic impacts to the area would cause a less-than-significant impact and no new mitigation is warranted.

### 3.2.2 Short-Term/Construction Impacts

The discussion that follows focuses on short-term, construction related environmental subject areas: air quality; noise; and transportation. No additional information or changes in other subject areas that include biological resources and wetlands; community services and facilities; cultural resources; hazardous materials; geology, seismicity, and soils; land use; vibration; socioeconomics; utilities; visual quality and aesthetics; water resources, water quality, and floodplains; cumulative impacts; and growth-inducing impacts is necessary due to the design modifications described in this Addendum. The affected parcels, impacts, and environmental evaluation are described below.

Previous environmental documents discussed the environmental impacts associated with the fee take for the System Facilities and easements required for above ground access to the facility and underground utilities on both the Walton and Horner properties.

#### Construction - Air Quality

The modified Systems Facility layout and the new PG&E pole would be constructed as described in previous environmental documents. The construction of the overcrossing would require the use of a large crane to lift the sections of the pedestrian bridge into place. Depending on the final type selection for the bridge, it may be steel or concrete, and either fabricated off-site or on-site. If sections are built off-site, they would be trucked to the facility using haul routes approved by the City of Milpitas. Regardless of the materials or location of assembly, the crane would lift the completed sections of the bridge onto the abutments. Mid-sized construction equipment, such as a forklift, man lift, and boom truck may be necessary for false work erection and a concrete pump and concrete trucks would be needed for placement of concrete. Other equipment such as a saw cutter, excavator, loader, back hoe, trencher, and dump truck would also be required.

Construction-related air quality impacts were previously evaluated in the 2010 Draft and 2011 Final SEIR-2. The mitigation measures identified in the SEIR-2 such as those related to construction emissions, dust control watering, and equipment idling that apply to the operation of this type of equipment during construction are still applicable. The BAAQMD issued new CEQA Air Quality Guidelines in May of 2011, after the VTA Board of Directors certified the Final 2nd SEIR and approved the Project. However, the new guidelines are substantively similar to the old guidelines. In addition, the design changes have only added
the need for a new and very small surface area to be disturbed to construct the overcrossing compared to the approved Project. This additional area to be disturbed does not result in any new construction related air quality impacts; therefore, no new mitigation is warranted.

**Construction - Noise**

Impacts associated with the construction of the modified Systems Facility layout and new PG&E pole have been disclosed in previous environmental documents. The modification to the layout of the facility would not cause any additional noise impacts than previously described. The construction of the overcrossing would require the use of noise generating construction equipment, such as a crane, saw cutter, excavator, loader, backhoe, trencher, and dump truck, forklift, man lift, boom truck, concrete trucks, and concrete pumps. Foundations for the overcrossing would require that piles be placed into the ground either through impact pile driving, installation of the caisson, or cast-in-drilled-hole methodology. Noise impacts associated with this type of equipment during construction were previously evaluated in the EIR, SEIR-1 and SEIR-2. Specific construction noise mitigation measures are identified in Section 4.18.5.7 of the SEIR-2. The mitigation measures identified include complying with FTA construction noise guidelines, which include standards for residential as well as industrial uses during daytime and nighttime hours, and complying with local jurisdiction construction hours, where feasible. Construction noise would occur near a private park and residential neighborhood. Therefore, VTA would implement previously identified mitigation measures, which were environmentally cleared in Section 4.18.5.7 of the SEIR-2, such as noise monitoring to establish the background noise and noise thresholds in accordance with FTA criteria, noise curtains (where operations are expected to exceed the residential or industrial noise thresholds), restrictions on working hours, and locating noisy equipment away from sensitive receptors where feasible. Therefore, no new construction related noise impacts would result from this design change, and no new mitigation is warranted.

**Construction - Transportation**

The following discussion describes the potential transportation impacts including parking, truck-turn around, and access associated with construction of the overcrossing.

**Horner Property**

*Temporary Parking Impacts.* The new PG&E pole adjacent to the previously cleared pole at the northern end of the Horner property could be constructed with the same construction technique as was previously environmentally cleared. Therefore, no additional storage spaces would be temporarily displaced during construction due to the addition of a new PG&E pole within the Horner property.

Construction workers will not utilize the business area for parking, and construction equipment and materials will be staged within the previously cleared footprint or offsite where practicable.

*Access to/from Railroad Court.* VTA will work with the property owner to ensure that driveway access from Railroad Court is maintained to minimize disruption to the business operations.
during construction, especially during delivery and offloading of bridge materials and concrete pours.

Construction Traffic. All construction trucks coming to or from the facility would use haul routes approved by the City of Milpitas. The large crane would arrive on site in sections and be erected after delivery. Mid-sized equipment and materials deliveries would arrive via truck and would be offloaded within the previously environmentally cleared footprint. There would be a minimal increase in construction traffic beyond what has been environmentally cleared with the addition of the overcrossing. During concrete pours, concrete trucks would arrive frequently but would queue within the Systems Facility footprint where they would not block access to the businesses.

Spill Over Parking onto Railroad Court. Construction workers may park their vehicles on city streets near the site where legal. This may result in temporary parking impacts if business customers routinely park on Railroad Court or adjacent streets. The addition of the overcrossing would cause a minimal increase in the number of workers or vehicles using the area that would result in spill over parking onto Railroad Court.

For the reasons described above, the construction-related transportation impacts to the Horner property during construction would be minimized and would cause a less-than-significant impact and no new mitigation is necessary.

Walton Property

Temporary Parking Impacts. Construction workers would not utilize the business area for parking and construction equipment. Materials would be staged within the previously cleared footprint or offsite where practicable.

Truck Turn-Around and Loading. VTA will work with the property owner to ensure that truck loading docks are accessible for business use to minimize disruption to the business operations during construction, especially during delivery and offloading of bridge materials and concrete pours.

Access to/from Railroad Court. VTA will work with the property owner to ensure that driveway access from Railroad Court is maintained to minimize disruption to the business operations during construction, especially during delivery and offloading of bridge materials and concrete pours.

Construction Traffic. All construction trucks coming to or from the facility will use haul routes approved by the City of Milpitas. The large crane would arrive on site in sections and be erected after delivery. Mid-sized equipment and materials deliveries would arrive via truck and would be offloaded within the previously cleared footprint. There would be a minimal increase in construction traffic beyond what has been environmentally cleared with the addition of the overcrossing. During concrete pours, concrete trucks would arrive frequently but would queue within the Systems Facility footprint where they would not block access to the businesses.
Spill Over Parking onto Railroad Court. Construction workers may park their vehicles on city streets near the site where legal. This may result in temporary parking impacts if business customers routinely park on Railroad Court or adjacent streets. The addition of the overcrossing would cause a minimal increase in the number of workers or vehicles using the area that would result in spill over parking onto Railroad Court.

For the reasons described above, the construction-related transportation impacts to the Walton property during construction would be minimized and would cause a less-than-significant impact and no new mitigation is necessary.

UPRR Property

The modifications to the facility layout would not affect UPRR operations. VTA will coordinate with UPRR prior to and during construction of the overcrossing over operational freight tracks so as to minimize impacts to freight service. Construction methodology may include erection of false work and temporary bridge supports to allow UPRR service to continue uninterrupted under the bridge. Construction work may be limited to evening, night-time, or weekend work, or may require temporary restrictions on freight operations to construct the overcrossing. Therefore, there are no new significant impacts, nor increased severity of previously disclosed significant impacts from the four design change options and no new mitigation is necessary.

Beresford Meadows Property

The modified facility layout and the overcrossing would be constructed entirely outside of this property and would not affect access. Therefore, there are no new significant impacts, nor increased severity of previously disclosed significant impacts from the four design change options and no new mitigation is necessary. Therefore, the impacts to the property during construction will be minimized and would cause a less-than-significant impact.

3.3 Conclusion

Should additional modifications beyond the scope of the project trigger the need for additional environmental review pursuant to CEQA Guidelines Section 15162 and other applicable provisions of CEQA, VTA will prepare the necessary additional environmental analysis.

In conclusion, no new significant or substantially more severe impacts would result from the proposed design modifications to modify the Systems Facility layout, include an additional PG&E pole, and to include the addition of a BART maintenance access overcrossing over the UPRR tracks to provide maintenance personnel access between the BART corridor and the SRR and SRC Systems Facilities located near Railroad Court. All mitigation measures described in the SEIR-2 are still applicable.
SECTION 4.0 ENVIRONMENTAL DETERMINATION

Based upon the evaluation of the proposed design modifications to the approved BART Silicon Valley Project, the Addendum No. 4 to the Project has not identified any new significant adverse impacts nor any substantial increase in the severity of any previously identified significant adverse impacts previously documented for the Project, nor has any "new information of substantial importance" been presented pursuant the CEQA Guidelines Section 15162. Therefore, an Addendum to the previous EIR, SEIR-1 and SEIR-2 is the appropriate environmental document.

Thomas W. Fitzwater, Manager
Environmental Programs and Resources Management
Santa Clara Valley Transportation Authority

Date: April 5, 2013
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief SVRT Program Officer, Carolyn M. Gonot

SUBJECT: Environmental Services Contract for the BART Silicon Valley Santa Clara Extension Project

Policy-Related Action: No  Government Code Section 84308 Applies: Yes

ACTION ITEM

RECOMMENDATION:

Authorize the General Counsel to execute a contract with ICF International in an amount up to $2,000,000 for the preparation of a combined National Environmental Policy Act (NEPA)/California Environmental Quality Act (CEQA) environmental update document for a six-mile, four-station Phase II of the BART Silicon Valley Project.

BACKGROUND:

In November 2001, the VTA Board approved development of a project extending BART from the planned Warm Springs Extension into Silicon Valley. The proposed 16.1-mile extension of the BART system would operate along the existing railroad alignment south of the planned BART Warm Springs Station in Fremont and extend along the previous Union Pacific Railroad Corridor to US 101. It would continue in a tunnel alignment under downtown San Jose and end near the Santa Clara Caltrain Station. The grade-separated project is planned to include six stations including one in Milpitas, four in San Jose, and one in Santa Clara.

To become more competitive for federal funding, and at the request of the Federal Transit Administration (FTA), VTA established a phased approach for delivering the BART Silicon Valley Project. In June 2010, the FTA issued a Record of Decision for the Silicon Valley Rapid Transit Corridor - BART Extension to Milpitas, San Jose, and Santa Clara, Final Environmental Impact Statement for the first phase of BART Silicon Valley, the Silicon Valley Berryessa Extension Project (SVBX).
The approximately ten-mile SVBX Project is currently in the construction phase and will extend from the planned Warm Springs Station in the City of Fremont proceeding on the former Union Pacific Railroad right-of-way and end near Las Plumas Avenue in the City of San Jose. The project includes one station in a retained-cut (Milpitas Station) and one above-grade station (Berryessa Station). Revenue service is projected to begin in 2017.

The next planned phase of BART Silicon Valley, the Silicon Valley Santa Clara Extension Project (SVSX) is an approximately six-mile extension of BART service that will extend the BART system from the SVBX terminus at the Berryessa Station to the Santa Clara Station in the City of Santa Clara. The SVSX Project is planned to include three below-ground stations (Alum Rock Station, Downtown San Jose Station, and Diridon/Arena Station) and one at-grade station (Santa Clara Station).

VTA has completed several documents to environmentally clear the BART Silicon Valley Extension to Milpitas, San Jose and Santa Clara, as a complete project or through a phased approach.

FTA gave the SVBX project a Record of Decision in June 2010, based on the Final Environmental Impact Statement published in March 2010. These two documents included the full 16-mile extension, as well as the extension to Berryessa. VTA approved the Final 2nd Supplemental Environmental Impact Report in March 2011, which cleared the first phase of the extension to Berryessa in the CEQA process.

VTA staff is now moving forward to update and gain federal and state environmental clearance of the remaining six miles of the BART Silicon Valley Project. This work will support our parallel efforts in the Federal New Starts funding program and project development.

**DISCUSSION:**

This contract for Environmental Services would allow for the update and preparation of a combined NEPA/CEQA environmental document for the SVSX Project. All work will comply with applicable NEPA and/or CEQA regulations and guidelines, various federal congressional acts and executive orders and guidelines, other federal and state environmental laws, and regulations and guidelines issued by the FTA and VTA.

VTA issued a Request for Proposal (RFP) for Environmental Planning Services for the SVSX Project on October 31, 2012. On November 15, 2012 VTA held a pre-proposal conference, at which more than twenty firms attended. Proposals were due on January 7, 2013, and two firms, ICF International and Environmental Science Associates (ESA), submitted proposals. The submitted proposals were reviewed by a panel consisting of a Contracts Administrator, the Environmental Programs and Resources Management Manager, a Senior Environmental Planner, an Environmental Planner, the BART Silicon Valley Project Controls Manager, and a BART Silicon Valley Transportation Planner. After evaluating the proposals and interviewing the teams, ICF International was selected based on qualifications of the firm in performing work of a similar nature, staffing and project organization, project understanding, and best value to VTA.

VTA will initially execute a contract with ICF International for $1,200,000 to develop an
updated document for the six-mile extension. In addition, VTA would have the option to execute contract amendments to study potential options anticipated in the environmental scoping process for an amount of up to $800,000.

**ALTERNATIVES:**

The Board could decide not to authorize the General Counsel to execute the contract with ICF International and request an additional RFP process to seek additional proposals. This action will impact the Project schedule and will increase Project cost.

**FISCAL IMPACT:**

This action would authorize up to $2,000,000 for the preparation of a combined NEPA/CEQA environmental document for the SVSX Project. Appropriation for this expenditure is included in the FY13 Adopted 2000 Measure A Transit Improvement Program Fund Capital Budget. This contract is funded by 2000 Measure A funds.

**DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:**

The DBE goal of 12.47% was established for this contract.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Transit Planning and Operations Committee heard this item at their April 18, 2013 meeting. The Committee unanimously recommended that the Board of Directors approve this item and place it on the Board of Directors consent agenda.

Prepared by: Tom Fitzwater
Memo No. 3776
Environmental Services for the BART Silicon Valley Santa Clara Extension Project
List of Contractor(s)

<table>
<thead>
<tr>
<th>Firm Name</th>
<th>Name</th>
<th>Role</th>
<th>Location</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>ICF International</td>
<td>Mike Davis</td>
<td>Senior Vice President</td>
<td>620 Folsom Street 2nd Floor 2nd Floor San Francisco, CA 94107 US</td>
<td>415.677.7100</td>
</tr>
<tr>
<td>ICF International</td>
<td>Maggie Townsley</td>
<td>Vice President</td>
<td>630 K Street, Suite 400, Sacramento, CA 95814</td>
<td>916.737.3000</td>
</tr>
</tbody>
</table>
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief External Affairs Officer, Greta Helm

SUBJECT: Monthly Legislative History Matrix

FOR INFORMATION ONLY

BACKGROUND:

The attached Monthly Legislative History Matrix describes the key transportation-related bills that are being considered by the California State Legislature during the 2013-2014 regular session. The matrix indicates the status of these measures and any adopted VTA positions with regard to them.

DISCUSSION:

This memo provides an update on a number of key transportation-related issues that are currently under discussion in Sacramento.

Cap-and-Trade Revenues: In 2006, AB 32 (Nunez), the California Global Warming Solutions Act, was enacted into law to create a comprehensive, multi-year framework for reducing greenhouse gas emissions in the state. Under the provisions of this legislation, California is required to reduce its greenhouse gas emissions to 1990 levels by 2020.

Over the past several years, the California Air Resources Board (CARB) has taken a number of steps toward achieving the goals set forth in AB 32. In 2008, it released a Scoping Plan, which contains a comprehensive array of strategies focused on the sources that account for a significant portion of the statewide greenhouse gas emissions inventory. One of the key elements of this Scoping Plan is the implementation of a cap-and-trade program to: (a) place a limit on sources responsible for 85 percent of California’s greenhouse gas emissions; (b) establish the price signal needed to drive long-term investment in cleaner fuels and more efficient use of energy; and (c) give covered industries the flexibility to pursue the lowest-cost options to reduce their emissions.

Under the program, CARB will impose a cap on greenhouse gas emissions by issuing a limited
number of tradable permits, or “allowances.” Over time, the cap will steadily decline. The cap will be enforced by requiring each source covered under the program to turn in one allowance or offset credit for every metric ton of carbon dioxide equivalent that it emits. The cap-and-trade program does not set specific emissions limits on individual sources. Instead, by establishing an overall limit, the program gives covered industries the flexibility to make the most cost-effective choices about when and how to reduce their emissions. The price of allowances will be established by the marketplace based on supply and demand.

In the initial years of the cap-and-trade program, CARB will distribute most, but not all, of the allowances for free. The program will also include an auction system where allowances can be purchased from the state. Over time, the program will transition toward a greater reliance on auctioning, which will help maximize incentives for continued investment in clean and efficient technologies, as well as provide revenues that could be reinvested to further the purposes of AB 32. CARB held the first auction on November 14, 2012, and the second one on February 19, 2013. Subsequent auctions will be conducted on a quarterly basis.

Under current law, there is a two-step process for allocating cap-and-trade auction proceeds. The first is the development of a three-year investment plan. The Department of Finance is required to put together this plan, in consultation with CARB and other applicable state agencies, and to submit it to the Legislature. The first plan is due to the Legislature in May, along with Gov. Brown’s Revised FY 2014 Budget. Subsequently, the investment plan must be updated every three years and submitted to the Legislature prior to the release of the Governor’s January budget. The second step in the process calls for the Legislature to appropriate funding through the annual Budget Act, consistent with the investment plan.

Current law spells out the general categories of projects that are eligible to receive cap-and-trade auction proceeds. These revenues must be used to further the purposes of AB 32 and to meet the following goals:

1. Maximize the economic, environmental and public health benefits to the state.
2. Foster job creation by promoting in-state greenhouse gas emissions reduction projects carried out by California workers and businesses.
3. Complement other efforts to improve air quality.
4. Direct investment to the most disadvantaged communities and households in the state.
5. Provide opportunities for businesses, public agencies, non-profit organizations, and other community institutions to participate in and benefit from statewide efforts to reduce greenhouse gas emissions.
6. Lessen the impacts and effects of climate change on the state’s communities, economy and environment.

At least 25 percent of cap-and-trade auction proceeds are required to be expended for projects that benefit disadvantaged communities, and at least 10 percent must be directed to projects that are physically located within such communities. The California Environmental Protection Agency (CalEPA) is responsible for identifying disadvantaged communities.

Gov. Brown’s FY 2014 budget outlines his priorities for the investment of cap-and-trade auction
proceeds. The budget states, “Transportation is the single largest contributor to GHGs in California (38 percent), and reducing transportation emissions should be a top priority.” It further notes that the types of transportation projects prioritized for funding should include mass transit, high-speed rail, electrification of heavy-duty and light-duty vehicles, sustainable communities, and electrification and energy projects that complement high-speed rail.

One of the challenges facing the Department of Finance in drafting an investment plan is that the amount of cap-and-trade auction proceeds available to the state each year is unknown, and the first two auctions may not have provided much guidance. Last November’s auction, the state’s first ever, fetched $233.3 million from the sale of 23.1 million allowances for 2013, plus another $56 million from the sale of 5.58 million allowances for 2015. For the February auction, CARB reported that a total of $223 million was raised through the sale of 2.9 million allowances for 2013 and another 4.4 allowances for 2016. In both cases, the amount of revenues raised was less than projected. The next auction will not be held until May, right around the time that the initial three-year investment plan is due to the Legislature.

**High-Speed Rail:** In 1996, the California High-Speed Rail Authority was created through the enactment of legislation to direct the development and implementation of an intercity high-speed rail system in the state that would be fully coordinated with other public transit services. The authority is governed by a nine-member board, with five members appointed by the governor, two by the Senate Rules Committee and two by the Assembly speaker. Until recently, the authority was a small entity with limited funding that focused its efforts primarily on program-level studies and other analyses. With the recent influx of significant federal and state funding, the size and scope of the authority’s work has grown substantially. While the Legislature has provided 71 staff positions to support this work through the annual budget process, the authority has been struggling to fill many of these positions, particularly key management jobs.

In 2008, AB 3034 (Galgiani) placed the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, also known as Proposition 1A, before the voters. Passage of Proposition 1A made available approximately $9.9 billion in general obligation bond money for high-speed rail purposes. Of this amount, $950 million is allocated by formula to existing intercity, urban and commuter rail operators for capital improvements that provide direct connectivity to high-speed rail, or that enhance the safety or capacity of their own systems. The remaining $9 billion in Proposition 1A funding is specifically set aside for the high-speed rail project.

Proposition 1A establishes a route from Anaheim-Los Angeles Union Station to the San Francisco Transbay Terminal via Fresno and San Jose as the initial phase of an eventual 520-mile, statewide high-speed rail system. It specifies certain characteristics for the design of this system, including electrified trains capable of sustaining speeds of no less than 200 miles per hour, and the capacity to achieve travel times between San Francisco and Los Angeles of 2 hours and 40 minutes. In addition, Proposition 1A requires that the bond funds used for construction of high-speed rail be matched 50/50 with other non-state dollars. Finally, Proposition 1A requires the High-Speed Rail Authority to follow a number of steps in order to access bond proceeds for construction. Since Proposition 1A was approved by the voters, California has received a commitment of roughly $3.5 billion in federal funding for high-speed rail.
In April 2012, the High-Speed Rail Authority released a revised Business Plan, which represented a significant refinement of a draft plan that was presented to the Legislature in 2011. Key features of the revised 2012 Business Plan are as follows:

- Construction of an initial operating section of electrified high-speed rail from Merced to the San Fernando Valley, beginning in 2013 and completed within 10 years.

- Improvements to existing rail service in the Bay Area and the Los Angeles Basin (the “bookends”) to prepare those regions for high-speed rail. These improvements include conversion of local diesel-powered commuter rail systems to electric power and safety enhancements such as positive train control. The revised Business Plan contemplates integrating or “blending” high-speed rail with existing passenger rail systems in the Bay Area and the Los Angeles Basin where feasible.

- A revised cost estimate for the initial phase from San Francisco to Los Angeles/Anaheim of $68 billion, which represents a $30 billion reduction from the 2011 draft plan. According to the High-Speed Rail Authority, this cost decrease is achieved primarily through the use of the blended approach in the Bay Area and the Los Angeles Basin, as well as revised inflation assumptions.

- The potential to access revenues generated through the state’s newly implemented cap-and-trade program to match and supplement state bond funds should federal funding not become available to complete the high-speed rail system.

Shortly after the release of the revised 2012 Business Plan, Gov. Brown recommended the following appropriations for high-speed rail:

- $5.85 billion ($3.24 billion in federal funds and $2.61 billion in Proposition 1A bond proceeds) to construct an initial 130-mile segment of the high-speed rail project between Madera and Bakersfield.

- $252.5 million ($48.3 million in federal funds and $204.2 million in Proposition 1A bond proceeds) for completion of environmental and preliminary design work for various segments of the system. This recommendation contemplated spending $152.4 million to complete environmental review for each of the 10 segments comprising the system, as well as $100.2 million to fund full preliminary design of the Merced-Fresno and Fresno-Bakersfield segments and partial design of other segments.

- $819 million (Proposition 1A connectivity bond funds) for intercity and local rail operators to enhance connectivity to the future high-speed rail system. This request consisted of $106 million for intercity projects and $713 million for enhancements to local systems that would directly benefit the high-speed rail project.

SB 1029, which was approved by the Legislature and signed into law by Gov. Brown last summer, appropriated these funds, along with an additional $1.1 billion in Proposition 1A bond revenues for investment in the bookends in Northern and Southern California. These bookend
projects included $600 million primarily for electrification of the Caltrain Corridor between San Francisco and San Jose, and $500 million for projects to improve the Metrolink Corridor between Palmdale and the San Fernando Valley. SB 1029 also contained extensive language that restricts expenditures and requires comprehensive reporting to the Legislature.

In his FY 2014 budget, Gov. Brown did not recommend any further appropriations for high-speed rail. Instead, the budget proposes minor adjustments to the High-Speed Rail Authority’s staffing levels and highlights the progress that has been made on the project since SB 1029 was enacted last year.

In September 2012, the Federal Railroad Administration (FRA) approved the required environmental impact assessments for the Merced-Fresno segment. The High-Speed Rail Authority expects that the environmental clearance process for the Fresno-Bakersfield segment will be concluded this fall. The authority has divided the initial 130-mile segment in the Central Valley into five separate design-build contracts, and plans to award the first contract for the segment between Madera and downtown Fresno this summer. The High-Speed Rail Authority expects to award the other four contracts in 2014.

**Active Transportation Program:** Active transportation involves the traveler being physically active, such as by biking or walking to a destination. Currently, the state maintains four different programs that support active transportation. One is funded by the federal government and the other three by the state. Combined, they provide grants to roughly 400 projects statewide each year, totaling about $100 million to $200 million. On average, project sponsors receive a grant amount of about $550,000. Thus, funded projects are typically small in scope and size, making it difficult for any one community to receive enough funding to build large projects or networks of projects. The four active transportation programs are as follows:

1. **Transportation Alternatives Program (TAP):** The federal Moving Ahead for Progress in the 21st Century Act (MAP-21) consolidated the old Transportation Enhancements, Safe Routes to School, Recreational Trails, and Scenic Byways Programs into a new, single Transportation Alternatives Program. The authorized spending levels for TAP are $809 million in FY 2013 and $820 million in FY 2014 nationwide. California’s share is estimated at $72 million per year. Under MAP-21, 50 percent of TAP funding is to be allocated to metropolitan planning organizations (MPOs) and 50 percent to the states.

2. **Safe Routes to School:** California established its own Safe Routes to School Program through the enactment of legislation a number of years ago. Administered by Caltrans, the program is intended to improve the safety of students who walk or bike to school. It funds various projects, such as adding bicycle lanes, installing crosswalks, providing crossing guards, and educating students and parents on safety. This program receives about $24 million in state funds annually.

3. **Environmental Enhancement Mitigation Program:** Administered by the Natural Resources Agency, this program primarily funds roadway landscaping, roadside recreation and environmental enhancements. Roughly $10 million a year in state funds gets appropriated for this program.
4. **Bicycle Transportation Account:** This account, which is administered by Caltrans and receives approximately $7.2 million in state funds per year, supports bicycle infrastructure projects, such as widening roads to add bicycle lanes and installing bicycle parking facilities.

In his FY 2014 budget, Gov. Brown is proposing to consolidate these four programs into a single Active Transportation Program to be administered by Caltrans to allow the state to pursue a more comprehensive and coordinated approach for increasing active transportation. The Governor is recommending that $138 million be appropriated for the Active Transportation Program in FY 2014 through a combination of federal and state funds, with 50 percent being awarded to projects through statewide competitive grants; 40 percent being allocated by formula to large, urban metropolitan planning organizations (MPOs); and 10 percent being distributed by the state on a competitive basis to projects in small urban and rural areas. Except in the case of the formula allocations to the large, urban MPOs, the California Transportation Commission (CTC) would be responsible for evaluating grant applications and selecting projects based on their potential for: (1) reducing pedestrian and bicyclist injuries and fatalities; (2) reducing traffic congestion; (3) reducing greenhouse gas emissions; and (4) improving the mobility of non-motorized users.

Prepared By: Kurt Evans, Government Affairs Manager
Memo No. 3824
<table>
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<tr>
<th>State Assembly Bills</th>
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<tr>
<td><strong>AB 8 (Perea)</strong></td>
<td>Alternative Fuel and Vehicle Technologies: Funding Programs</td>
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<td>Assembly Transportation Committee</td>
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<td>AB 14 (B. Lowenthal)</td>
<td>State Freight Plan</td>
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<td>AB 25 (Campos)</td>
<td>Public Employment: Social Media</td>
<td>3/14/13</td>
<td>Assembly Judiciary Committee</td>
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<td><strong>AB 37 (Perea)</strong></td>
<td>CEQA: Record of Proceedings</td>
<td>3/18/13</td>
<td>Assembly Natural Resources Committee</td>
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<td>AB 53 (J. Perez) Biennial California Economic Development Strategic Plan</td>
<td>Requires the Governor’s Office of Business &amp; Economic Development to lead the preparation of a biennial California Economic Development Strategic Plan. Requires the plan to contain all of the following: (1) a statement of economic goals for the state; (2) a prioritized list identifying significant issues learned from proposals for legislation, regulations and administrative reforms necessary to improve the business climate and economy of the state; (3) an evaluation of the effectiveness of the state’s economic development programs; (4) a list of key industries in which the state shall focus its economic development efforts; and (5) strategies to foster job growth and economic development covering all state agencies, offices, boards, and commissions that have economic development responsibilities.</td>
<td>2/20/13</td>
<td>Assembly Jobs, Economic Development &amp; the Economy Committee</td>
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<td>AB 153 (Bonilla) Global Warming Solutions Act of 2006: Offset Protocols</td>
<td>By January 1, 2014, requires the California Air Resources Board (CARB) to adopt a process for the review and consideration of new offset protocols for purposes of compliance with its cap-and-trade regulation. Beginning January 1, 2014, and annually thereafter, requires CARB to use that process to review and consider new offset protocols.</td>
<td>As Introduced</td>
<td>Assembly Natural Resources Committee</td>
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<td>AB 160 (Alejo) California Public Employees’ Pension Reform Act: Exemption for Transit Union Employees</td>
<td>Exempts the retirement plans for public employees whose collective bargaining rights are protected under the “13(c)” provisions of federal law from the California Public Employees’ Pension Reform Act (PEPRA).</td>
<td>As Introduced</td>
<td>Assembly Public Employees, Retirement &amp; Social Security Committee</td>
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<td>AB 164 (Wieckowski) Infrastructure Projects: Performance and Payment Bonds</td>
<td>Requires a lease agreement between a governmental entity undertaking an infrastructure project and a private entity to include: (1) performance bonds as security to ensure the completion of the construction of the facility; and (2) payment bonds to secure the payment of claims of laborers, mechanics and others employed on the work under contract.</td>
<td>As Introduced</td>
<td>Assembly Local Government Committee</td>
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<td>AB 179 (Bocanegra) Electronic Transit Fare Collection Systems</td>
<td>Prohibits a transportation agency from selling or providing personally identifiable information of a person obtained pursuant to the person’s participation in an electronic transit fare collection system or who uses a public transportation system that employs an electronic transit fare collection system, subject to specified exceptions. Requires a transportation agency that employs an electronic transit fare collection system to establish a privacy policy regarding the collection and use of personally identifiable information. Requires the policy to include a description of the following: (a) the types of personally identifiable information that is collected by the agency; (b) the categories of third-party persons or entities with whom the agency may share personally identifiable information; (c) the process by which a transportation agency notifies subscribers of material changes to its privacy policy; (d) the effective date of the privacy policy; and (e) the process by which a subscriber may review and request changes to any of his or her personally identifiable information. Allows a transportation agency that employs an electronic transit fare collection system to impose an administrative fee on persons who use those systems in an amount that is sufficient to cover the costs of implementing the provisions of this bill. Requires all personally identifiable information obtained by a transportation agency through an electronic toll or transit fare collection system that is not needed to perform account functions, such as billing, account settlement or enforcement activities, to be discarded after six months.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<td>AB 185 (R. Hernandez) Open and Public Meetings</td>
<td>Provides that an audio or video recording of an open and public meeting made at the direction of a local agency may be erased or destroyed two years after the recording, but not sooner.</td>
<td>3/11/13</td>
<td>Assembly Local Government Committee</td>
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<td>AB 204 (Wilk) Green Vehicles: Registration Fees</td>
<td>Declares the intent of the Legislature to enact a bill to impose a fee in conjunction with registration on green vehicles to address the costs of those vehicles using public roads and highways.</td>
<td>As Introduced</td>
<td>Assembly Desk</td>
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<tr>
<td>AB 205 (Pan) Public Employees’ Retirement: Pension Fund Management</td>
<td>Allows a Board of Investments of a retirement system established pursuant to the County Employees Retirement Law of 1937 to prioritize investment in an in-state infrastructure project over a comparable out-of-state infrastructure project.</td>
<td>As Introduced</td>
<td>Assembly Public Employees, Retirement &amp; Social Security Committee</td>
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| AB 206  
(Dickinson)  
Sacramento Regional Transit: Three-Position Bike Racks | Allows the Sacramento Regional Transit District (RTD) to install folding devices attached to the front of its buses that are designed and used exclusively for transporting bicycles if: (1) the device does not extend more than 40 inches from the front of the bus when fully deployed; and (2) the handlebars of the bicycles being transported do not extend more than 46 inches from the front of the bus. Requires RTD to establish a route review committee prior to the installation of the initial folding device on a bus that is 45 feet in length. Requires the committee to perform an initial review of the routes on which RTD proposes to operate a 45-foot bus equipped with a front-mounted bicycle rack and to determine, by a unanimous vote of all members, the routes that are suitable for the safe operation of such buses. Before conducting a vote, requires the committee to obtain certification approved by a licensed traffic engineer that all proposed routes are safe for travel by such buses. | 4/1/13 | Assembly Transportation Committee | |
| AB 210  
(Wieckowski)  
Alameda and Contra Costa Counties: Transactions and Use Taxes | Until December 31, 2020, allows the Counties of Alameda and Contra Costa to impose a transactions and use tax for the support of countywide transportation programs at a rate of not more than 0.5 percent that would, in combination with all other such taxes imposed in the county, exceed the state’s limit of 2 percent, subject to the following conditions: (1) the county adopts an ordinance imposing the tax by the appropriate voting approval requirement; and (2) the ordinance is submitted to the county’s electorate on a November general election ballot and is approved by the voters in accordance with Article XIII C of the California Constitution. | 3/18/13 | Assembly Local Government Committee | |
| AB 220  
(Ting)  
Low-Emission Vehicles | Requires the Department of General Services to provide free parking to specified low-emission vehicles at any motor vehicle parking facility that it operates. Exempts the purchase of specified low-emission vehicles from the state sales tax rate, as well as from the state vehicle license fee. Allows plug-in hybrid vehicles to use high-occupancy vehicle (HOV) lanes without the required number of occupants. | 3/19/13 | Assembly Transportation Committee | |
| AB 225  
(Nestande)  
Medium-Speed Electric Vehicles | Authorizes the operation of a medium-speed electric vehicle at speeds of no more than 35 miles per hour on a roadway with a speed limit that does not exceed 45 miles per hour. Defines “medium-speed electric vehicle” as one that has all of the following characteristics: (1) capable of speeds of at least 30 miles per hour, but not more than 35 miles per hour; (2) possesses a fully enclosed passenger compartment with rigid doors and safety windows; (3) has a gross vehicle weight of no more than 3,000 pounds; (4) is propelled solely by an electric motor; (5) contains a vehicle identification number that meets international standards; and (6) meets or exceeds the requirements for safety equipment pursuant to federal law. Requires the driver of a medium-speed electric vehicle to possess either a Class A, Class B or Class C driver’s license. | As Introduced | Assembly Transportation Committee | |
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<td>AB 229 (J. Perez)</td>
<td>Infrastructure and Revitalization Financing Districts</td>
<td>Authorizes cities to form an infrastructure and revitalization financing district to finance the following types of facilities and projects of communitywide significance: (1) highways, interchanges, ramps, bridges, arterial streets, parking facilities, and transit facilities; (2) sewage treatment and water reclamation plants and interceptor pipes; (3) facilities and watershed lands used for the collection and treatment of water for urban uses; (4) flood management, including levees, bypasses, dams, retention basins, and drainage channels; (5) child care facilities; (6) libraries; (7) parks, recreational facilities, open space, and habitat restoration; (8) facilities for the transfer and disposal of solid waste; (9) brownfields restoration and other environmental mitigation; (10) purchase of land and property for development purposes and related site improvements; (11) acquisition, construction or repair of housing for rental or purchase, including multipurpose facilities; (12) acquisition, construction or repair of commercial or industrial structures for private use; (13) projects on a former military base; and (14) projects that implement a sustainable communities strategy prepared pursuant to SB 375. Prohibits an infrastructure and revitalization financing district from being used to finance routine maintenance, repair work, or the costs of ongoing operations or providing services of any kind. Allows an infrastructure and revitalization financing district to fund projects in any portion of a redevelopment project area, former redevelopment project area or former military base. Authorizes the creation of an infrastructure and revitalization financing district, adoption of a financing plan, and the issuance of bonds for implementing a financing plan with a two-thirds vote of landowners within the proposed district. Allows an infrastructure and revitalization financing district to be created for up to 40 years. Allows a district to issue debt with a final maturity date of up to 30 years. In proposing the formation of an infrastructure and revitalization financing district, prohibits a city from providing for the division of incremental property tax revenues of any affected taxing entity unless a resolution approving the district’s financing plan has been adopted by the governing body of an affected taxing entity.</td>
<td>As Introduced</td>
<td>Assembly Local Government Committee</td>
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<tr>
<td><strong>AB 243</strong>&lt;br&gt;(Dickinson) Infrastructure and Revitalization Financing Districts</td>
<td>Authorizes cities to form an infrastructure and revitalization financing district to finance the following types of facilities and projects of communitywide significance: (1) highways, interchanges, ramps, bridges, arterial streets, parking facilities, and transit facilities; (2) sewage treatment and water reclamation plants and interceptor pipes; (3) facilities and watershed lands used for the collection and treatment of water for urban uses; (4) flood management, including levees, bypasses, dams, retention basins, and drainage channels; (5) child care facilities; (6) libraries; (7) parks, recreational facilities, open space, and habitat restoration; (8) facilities for the transfer and disposal of solid waste; (9) brownfields restoration and other environmental mitigation; (10) purchase of land and property for development purposes and related site improvements; (11) acquisition, construction or repair of housing for rental or purchase, including multipurpose facilities; (12) acquisition, construction or repair of commercial or industrial structures for private use; (13) projects on a former military base; and (14) projects that implement a sustainable communities strategy prepared pursuant to SB 375. Prohibits an infrastructure and revitalization financing district from being used to finance routine maintenance, repair work, or the costs of ongoing operations or providing services of any kind. Allows an infrastructure and revitalization financing district to fund projects in any portion of a redevelopment project area, former redevelopment project area or former military base. Authorizes the creation of an infrastructure and revitalization financing district, adoption of a financing plan, and the issuance of bonds for implementing a financing plan with a 55 percent vote of landowners within the proposed district. Allows an infrastructure and revitalization financing district to be created for up to 40 years. Allows a district to issue debt with a final maturity date of up to 30 years. In proposing the formation of an infrastructure and revitalization financing district, prohibits a city from providing for the division of incremental property tax revenues of any affected taxing entity unless a resolution approving the district’s financing plan has been adopted by the governing body of an affected taxing entity.</td>
<td>As Introduced</td>
<td>Assembly Local Government Committee</td>
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<td><strong>AB 266</strong>&lt;br&gt;(Blumenfield) HOV Lanes: Low-Emission and Fuel-Efficient Vehicles</td>
<td>Unless pre-empted by federal law, extends the authorization for vehicles that meet California’s super ultra-low exhaust emission standard and the federal inherently low-emission evaporative emission standard to use high-occupancy vehicle (HOV) lanes regardless of the number of vehicle occupants to January 1, 2025.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
<td></td>
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<td><strong>AB 278</strong>&lt;br&gt;(Gatto) Low-Carbon Fuel Standard</td>
<td>In determining the carbon intensity of fuels under its Low-Carbon Fuel Standard regulations or another scoring system, requires the California Air Resources Board (CARB) to consider all of the following: (1) the life-cycle carbon intensity impacts of potential or actual deforestation; (2) the environmental laws and practices of the jurisdiction from which the fuel originates; (3) any disruptions or other effects upon food supply, food costs and food shipping that could occur as a result of California policy; and (4) impacts to the local economy resulting from changes in the production of fuel, including job loss or worker displacement.</td>
<td>As Introduced</td>
<td>Assembly Natural Resources Committee</td>
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<td><strong>AB 284</strong> (Quirk) Road to 2050 Board</td>
<td>Requires the California Energy Commission to convene the Road to 2050 Board consisting of representatives from the commission itself, the California Public Utilities Commission, the California Air Resources Board, the California Alternative Energy and Advanced Transportation Financing Authority, the California Environmental Protection Agency, the Independent System Operator, and the Governor’s Office. Requires the board to do all of the following: (1) study the best process for meeting a goal of reducing greenhouse gas emissions by 80 percent of the 1990 emissions level by 2050, including how to reduce emissions from electric generators; (2) study the integration of renewable electrical generation into the electric grid in a manner to ensure cost-effectiveness and reliability that would include methods to reduce greenhouse gas emissions from homes, farms, industrial and commercial structures, and mobile sources; and (3) provide a full public accounting, on a biennial basis, of all money spent, and jobs and benefits achieved, by each energy efficiency, alternative energy and alternative fuel program administered by the members of the board.</td>
<td>As Introduced</td>
<td>Assembly Natural Resources Committee</td>
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<td><strong>AB 294</strong> (Holden) Infrastructure Financing Districts: ERAF Revenues</td>
<td>Allows an infrastructure financing district to utilize the Educational Revenue Augmentation Fund (ERAF) portion of incremental property tax revenues, subject to review and approval by the California Infrastructure and Economic Development Bank. Authorizes an infrastructure financing district to finance brownfield clean-up that promotes infill housing development and other related infill development consistent with regional and local plans.</td>
<td>As Introduced</td>
<td>Assembly Local Government Committee</td>
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<td><strong>AB 313</strong> (Frazier) Electronic Wireless Communications Devices</td>
<td>Prohibits a person from driving a motor vehicle while using an electronic wireless communications device to write, send or read a text-based communications, even if the device is specifically designed and configured to allow voice-operated and hands-free operation.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<td><strong>AB 374</strong> (Wagner) Eminent Domain: Compensation for Loss of Goodwill</td>
<td>In order for the owner of a business to be compensated for loss of goodwill for property taken by a public agency through eminent domain, requires the business owner to adduce sufficient evidence to permit a jury to find that goodwill existed prior to the taking.</td>
<td>4/1/13</td>
<td>Assembly Judiciary Committee</td>
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<td><strong>AB 401</strong> (Daly) I-405 Improvement Project</td>
<td>Declares the intent of the Legislature to enact a bill to facilitate the construction of the I-405 Improvement Project in Orange County.</td>
<td>As Introduced</td>
<td>Assembly Accountability &amp; Administrative Review Committee</td>
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| **AB 416**  
(Gordon)  
Local Emission Reduction Program | Requires the California Air Resources Board (CARB) to create the Local Emission Reduction Program to provide grants and other financial assistance on a competitive basis to local entities to develop and implement greenhouse gas emissions reduction projects, subject to appropriations from the General Fund by the Legislature. Requires CARB to develop standards and guidelines for the distribution of funds to reduce greenhouse gas emissions, and to maximize the ability to achieve one or more of the following: (1) decrease air or water pollution; (2) reduce the consumption of natural resources or energy; (3) provide opportunities to achieve greenhouse gas emissions reductions in ways that increase localized energy resources; (4) promote public-private partnerships to implement energy efficiency and clean energy projects with financing incentives for residential and commercial facilities; (5) increase the reliability of local water supplies; (6) increase solid waste diversion from landfills; (7) increase electric vehicle infrastructure; (8) achieve greenhouse gas emissions reductions in ways that reduce vehicle miles traveled; or (9) prevent conversion of agricultural, forest and open space lands to uses that result in higher greenhouse gas emissions. Requires CARB to give priority to projects that demonstrate one or more of the following characteristics: (1) regional implementation; (2) the ability to leverage additional public and private funding; (3) the potential for co-benefits or multi-benefit attributes; (4) the potential for the project or program to be replicated; or (5) consideration of geographic and socioeconomic issues. | 3/21/13 | Assembly Natural Resources Committee |  
| **AB 417**  
(Frazier)  
CEQA: Bicycle Transportation Plan | Exempts from the California Environmental Quality Act (CEQA) a bicycle transportation plan prepared for an urbanized area for restriping of streets and highways; bicycle parking and storage; signal timing to improve street and highway intersection operations; and related signage for bicycles, pedestrians and vehicles. Repeals the provisions of the bill on January 1, 2018, unless that date is deleted or extended through the enactment of subsequent legislation. | As Introduced | Assembly Natural Resources Committee |  
| **AB 431**  
(Mullin)  
Metropolitan Planning Organizations: Regional Sales Taxes | Authorizes a transportation planning agency that is designated as a metropolitan planning organization (MPO) to impose a sales tax within all or a specified portion of its jurisdiction at a rate of no more than 0.5 percent, subject to voter approval, for the purpose of achieving the goals of the sustainable communities strategy adopted for the region pursuant to SB 375. Allows such a tax to be imposed by an MPO even if the combined rate of this tax and all other local sales taxes imposed in a particular county exceed the 2 percent limitation in current law. Requires the MPO to adopt an expenditure plan for the revenues that would be generated by the sales tax. Requires the expenditure plan to include funding for transportation, affordable housing, and parks and open space in conformity with the regional sustainable communities strategy. Specifies that not less than 25 percent of available revenues may be allocated under the expenditure plan to each of those three areas. Specifies that the tax would be approved if the requisite number of voters from all areas cumulatively voting on the measure support it. | 4/2/13 | Assembly Local Government Committee |  
| **AB 441**  
(Patterson)  
California High-Speed Rail Authority: Contracts | Requires the California High-Speed Rail Authority to provide the following to the appropriate policy and fiscal committees of the Legislature: (1) a copy of each contract entered into by the authority if the dollar value of the goods or services to be provided or performed under the contract is $25,000 or more; and (2) a copy of each contract amendment and change order agreed to by the authority for $25,000 or more. | As Introduced | Assembly Transportation Committee |
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<td>AB 463 (Logue) California High-Speed Rail Authority: Contracts</td>
<td>Requires the California High-Speed Rail Authority to provide the following to the appropriate policy and fiscal committees of the Legislature: (1) a copy of each contract entered into by the authority if the dollar value of the goods or services to be provided or performed under the contract is $25,000 or more; and (2) a copy of each contract amendment and change order agreed to by the authority for $25,000 or more. Also requires each contractor of the authority and each subcontractor to provide the same information.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<td>AB 466 (Quick) CMAQ Funds</td>
<td>Retains the requirement that federal Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds received by California shall be suballocated to metropolitan planning organizations (MPOs) and transportation planning agencies according to a population-based formula weighted by certain air quality factors.</td>
<td>3/14/13</td>
<td>Assembly Transportation Committee</td>
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<td>AB 481 (B. Lowenthal) California High-Speed Rail Authority: Property-Related Issues</td>
<td>Exempts the California High-Speed Rail Authority from needing to secure the approval of the Department of General Services when acquiring an easement or right-of-way. Prohibits the Department of General Services from: (1) granting easements across the property of the High-Speed Rail Authority; and (2) maintaining an inventory of the property owned by the authority. Allows the High-Speed Rail Authority to do all of the following: (1) negotiate, in the name of the state, access to rights-of-way that it owns; (2) sell or exchange real property at fair market value, if it determines that the property is no longer necessary for high-speed rail purposes; (3) sell or lease excess right-of-way parcels to municipalities or other local agencies for public purposes; (4) lease non-operating right-of-way areas to municipalities or other local agencies for public purposes; and (5) lease to public agencies or private entities for any term not to exceed 99 years the use of areas above or below operating rights-of-way and portions of property not currently being used as operating rights-of-way. Requires payments for leases or other conveyances of property controlled by the High-Speed Rail Authority to be deposited into the High-Speed Rail Property Fund. Subject to appropriations by the Legislature, allows the High-Speed Rail Authority to use these revenues to develop, improve and maintain the state’s proposed high-speed rail system.</td>
<td>4/1/13</td>
<td>Assembly Transportation Committee</td>
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<td>AB 487 (Linder) Motor Vehicles: Confidential Home Addresses</td>
<td>Requires a person who requests the confidentiality of his or her home address to provide the Department of Motor Vehicles (DMV) with a current employment address for purposes of processing the service and collection of a traffic, parking or toll road violation. Requires a person who has requested such confidentiality to notify the DMV of any change in his or her employment address within 10 days. Requires the DMV to refuse to renew the registration of a vehicle owned or leased by such person if: (a) the person has been mailed a notice of delinquent parking violation or a failure to pay a traffic citation; (b) the processing agency has filed or electronically transmitted to the department an itemization of the unpaid parking or traffic citation penalty, including the administrative fee; and (c) the person has not paid the penalty and administrative fee.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<td>AB 493 (Daly) Toll Facilities: Interoperability</td>
<td>Authorizes operators of toll facilities on federal-aid highways to fully implement technologies or business practices that provide for the interoperability of electronic toll collection programs, consistent with federal law.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<td>AB 515 (Dickinson)</td>
<td>Establishes a California Environmental Quality Act (CEQA) Compliance Division of the superior court in each county in which the attorney general maintains an office. Vests with the division original jurisdiction over actions or proceedings brought pursuant to CEQA, as well as other matters related to land-use and environmental laws that may be joined with those actions or proceedings. Requires the Judicial Council to adopt rules for establishing protocols to govern the administration and efficient operation of the CEQA Compliance Division of the superior court. Requires the CEQA Compliance Division of the superior court to issue a preliminary decision before the opportunity for oral argument is granted. If the CEQA Compliance Division of the superior court finds that a public agency violated CEQA, requires the court’s order to specify what action taken by the agency was in error and what specific action by the agency is necessary to comply with CEQA. Prohibits an action or proceeding pursuant to CEQA from being brought unless the alleged grounds of non-compliance were presented to the public agency with enough specificity that the agency could reasonably respond to the alleged violation. Prohibits a person from maintaining an action or proceeding pursuant to CEQA unless he or she objected during the administrative process with specificity as to how the public agency’s response to the alleged violation is inadequate.</td>
<td>3/11/13</td>
<td>Assembly Judiciary Committee</td>
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<td>AB 574 (B. Lowenthal)</td>
<td>Generally authorizes the California Transportation Commission (CTC) to relinquish any portion of a state highway or related facility to a county or city, subject to an agreement between Caltrans and the local agency, without requiring a legislative enactment deleting the segment from the state highway system. Requires Caltrans to expeditiously consider and respond to each request that it receives from a county or city relative to an agreement relating to the proposed relinquishment of a state highway or related facility within the jurisdiction of the entity making the request. Requires Caltrans, from time to time, to recommend to the Legislature any revisions to the statutory descriptions of state highway routes occasioned by relinquishments approved by the CTC.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<td>AB 603 (Cooley) Design-Build Contracting for Transportation Projects: Joint Powers Authorities</td>
<td>Amends current law to allow a joint powers authority to have access to the five slots that have been authorized for design-build contracting for local street/road, bridge, tunnel, or public transit projects. Repeals the January 1, 2014, sunset date for existing statutory authority for Caltrans to use design-build contracting for 10 state highway projects and for local agencies to use this method of procurement for five local transportation projects.</td>
<td>As Introduced</td>
<td>Assembly Accountability &amp; Administrative Review Committee</td>
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<td>AB 628 (Gorell) Energy Management Plans for Harbor and Port Districts</td>
<td>Authorizes a harbor or port district, in collaboration with an electrical corporation, gas corporation or publicly owned electric utility serving the district, to prepare an energy management plan that is intended to reduce air emissions, promote economic development, encourage the development of new businesses, and retain existing businesses in the district. Allows projects that promote economic development in harbor and port districts implemented pursuant to an energy management plan to be eligible for funding through the California Infrastructure Development Bank.</td>
<td>As Introduced</td>
<td>Assembly Natural Resources Committee</td>
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<td><strong>AB 662</strong></td>
<td>Allows an infrastructure financing district to include any portion of a redevelopment project area within its boundaries.</td>
<td>As Introduced</td>
<td>Assembly Local Government Committee</td>
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<td><strong>AB 690</strong></td>
<td>Revises and recasts current law governing infrastructure financing districts, and instead provides for the creation of jobs and infrastructure financing districts in areas of high unemployment with 55 percent voter approval. Allows a jobs and infrastructure financing district to include any portion of a redevelopment project area within its boundaries. Allows a jobs and infrastructure financing district to finance any actions necessary to implement a hazardous substances clean-up plan. Requires a jobs and infrastructure financing district to prepare a job creation plan dictating that for every $1 million invested by the district, 10 prevailing wages jobs shall be created.</td>
<td>As Introduced</td>
<td>Assembly Local Government Committee</td>
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<td><strong>AB 707</strong></td>
<td>Provides that battery committed against a parking control officer or transit fare inspector is punishable by a fine not exceeding $10,000, or by imprisonment in a county jail not exceeding one year, or by both the fine and imprisonment. Provides that if the victim is injured, the offense would be punishable by a fine not exceeding $10,000; or by imprisonment in a county jail not exceeding one year; or by imprisonment in a state facility for 16 months, two years or three years; or by both the fine and imprisonment.</td>
<td>As Introduced</td>
<td>Assembly Public Safety Committee</td>
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<td><strong>AB 730</strong></td>
<td>Exempts the Monterey-Salinas Transit District from the requirement to seek voter approval prior to issuing revenue bonds. Instead, allows the district to issue revenue bonds pursuant to a two-thirds vote of its Board of Directors. Authorizes the district to pledge revenues or other dollars available to it from any source, including a transactions and use tax, for payment of such bonds. Imposes a maximum amount of $50 million on revenue bonds that may be issued by the district.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<td><strong>AB 738</strong></td>
<td>Specifies that a public entity or an employee of a public entity acting within his or her official capacity is not liable for an injury caused to a person riding a bicycle while traveling on a roadway where the public entity has provided a bike lane.</td>
<td>As Introduced</td>
<td>Assembly Judiciary Committee</td>
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<td>(Harkey)</td>
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<td>Public Entity Liability: Bicycles</td>
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<td><strong>AB 749</strong> (Gorell)</td>
<td>Public-Private Partnerships</td>
<td>Extends the statutory authority for Caltrans and regional transportation agencies to utilize public-private partnerships for transportation projects to January 1, 2019. Changes the composition of the Public Infrastructure Advisory Commission (PIAC) to consist of 12 members, as follows: (a) five members appointed by the Governor; (b) three members appointed by the Senate Rules Committee; (c) two members appointed by the speaker of the Assembly; (d) the state treasurer, or his or her representative; and (e) the state director of the Department of General Services, or his or her representative. Requires PIAC to develop a set of best practices for public-private partnership projects in California that are eligible to be developed, and to advise Caltrans and regional transportation agencies, upon request, regarding infrastructure partnership suitability. With respect to public-private partnership agreements submitted to it for review, requires PIAC to make a determination as to whether the proposed project is best procured using a public-private partnership or another procurement method. In order to make a determination that a project is suitable for a public-private partnership, requires PIAC to find that the project meets all of the following criteria: (1) is technically complex; (2) can transfer risks from a public agency to a private partner; (3) can benefit from non-state financing; and (4) has a revenue source. Specifies that PIAC’s determination shall be binding on Caltrans and regional transportation agencies.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<td><strong>AB 755</strong> (Ammiano)</td>
<td>Bridges: Suicide Barriers</td>
<td>Provides that the construction or reconstruction of a bridge designed for use by motor vehicles shall not be eligible for federal funds apportioned to California, funds made available from the Highway Users Tax Account or toll bridge funds unless the planning process for the bridge project takes into account the need for a suicide barrier.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<td><strong>AB 797</strong> (Gordon)</td>
<td>Santa Clara Valley Transportation Authority: CMGC Contracting</td>
<td>Authorizes the Santa Clara Valley Transportation Authority (VTA) to use the Construction Manager/General Contractor (CMGC) project delivery method for public transit projects within its jurisdiction. Defines “Construction Manager/General Contractor” to mean a project delivery method using a best value procurement process in which a construction manager is procured to provide preconstruction services during the design phase of the project and construction services during the construction phase of the project. Requires VTA to make a written finding that the use of CMGC for a particular public transit project will accomplish one or more of the following objectives: (a) reduce project costs; (b) expedite the project’s completion; or (c) provide features not achievable through the design-bid-build method. Provides that a contract for construction services may be awarded after the design plans have been sufficiently developed, and either a fixed price or a guaranteed maximum price has been successfully negotiated with the construction manager. In the event that a fixed price or guaranteed minimum price cannot be negotiated with the construction manager, allows VTA to award the contract for construction services utilizing any other procurement method authorized by law.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<td><strong>AB 801</strong> (Brown)</td>
<td>Nonferrous Materials: Indicia of Ownership</td>
<td>Requires junk dealers and recyclers to obtain a proof of ownership record before providing payment for nonferrous materials marked with an indicia of ownership.</td>
<td>As Introduced</td>
<td>Assembly Business, Professions &amp; Consumer Protection Committee</td>
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<td>AB 840 (Ammiano) Driver’s License Application Requirements</td>
<td>Requires that every application for an original or a renewal of a driver’s license contain a statement requiring the applicant to acknowledge that he or she knows of the dangers of distracted driving.</td>
<td>3/21/13</td>
<td>Assembly Transportation Committee</td>
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<td>AB 842 (Donnelly) High-Speed Rail Funding</td>
<td>Prohibits federal or state funds from being expended by the California High-Speed Rail Authority or any other state agency on the construction of the state’s proposed high-speed rail project, except as necessary to meet contractual commitments entered into before January 1, 2014. Declares that this action is needed because many highway and bridge improvement and repair projects are of higher priority than high-speed rail.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<td>AB 863 (Torres) Caltrans: NEPA Delegation for Transit Projects</td>
<td>Consistent with provisions in the federal Moving Ahead for Progress in the 21st Century Act (MAP-21), authorizes Caltrans to assume the responsibilities of the Federal Transit Administration (FTA) for environmental review and clearance for transit projects under the National Environmental Policy Act (NEPA). Provides that Caltrans consents to the jurisdiction of the federal courts with regard to the assumption of FTA’s responsibilities under NEPA and waives Eleventh Amendment protection against lawsuits brought in federal court.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<td>AB 909 (Gray) Metal Theft Task Force Program</td>
<td>Requires the Board of State and Community Corrections to establish a Metal Theft Task Force Program to administer grants to applicant regional task forces for purposes of providing local law enforcement and district attorneys with the tools necessary to successfully interdict the commission of metal theft and related recycling crimes. Allows up to 10 percent of the funds to be used for developing and maintaining a statewide database on metal theft and related recycling crimes for the purpose of distributing intelligence information to participating law enforcement agencies. Establishes the Metal Theft Task Force Fund, which shall consist of money provided by the federal government, industry and citizen sources. Upon appropriation by the Legislature, makes the money in the fund available for the program. Provides that the program shall not be implemented until the Department of Finance determines that sufficient funding has been deposited into the Metal Theft Task Force Fund, and the money has been made available upon appropriation by the Legislature.</td>
<td>As Introduced</td>
<td>Assembly Public Safety Committee</td>
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<td>AB 946 (Stone) Transit-Bus-Only Traffic Corridors</td>
<td>Allows the Monterey-Salinas Transit District (MST) and the Santa Cruz County Metropolitan Transit District (Santa Cruz Metro) to utilize shoulders of certain state highways within their service areas as transit-bus-only traffic corridors. Requires MST and Santa Cruz Metro to determine jointly with Caltrans which state highway segments within their service areas would be designated as transit-bus-only traffic corridors based on peak congestion hours and the most heavily congested areas. Requires MST and Santa Cruz Metro to work with Caltrans and the California Highway Patrol (CHP) to develop guidelines that ensure driver and vehicle safety, as well as the integrity of the highway infrastructure. Requires MST, Santa Cruz Metro and Caltrans to monitor the state of repair of highway shoulders used as transit-bus-only traffic corridors. Requires MST and Santa Cruz Metro to be responsible for all costs attributable to this effort.</td>
<td>As Introduced</td>
<td>Assembly Local Government Committee</td>
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<td>AB 953</td>
<td>CEQA: Natural Hazards</td>
<td>Requires the lead agency to include in an environment impact report (EIR) prepared pursuant to the California Environmental Quality Act (CEQA) a detailed statement on any significant effects that may result from locating the proposed project near, or attracting people to, existing or reasonably foreseeable natural hazards or adverse environmental conditions.</td>
<td>As Introduced</td>
<td>Assembly Natural Resources Committee</td>
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<td>AB 1002</td>
<td>Vehicle Registration Surcharge: Sustainable Communities Strategies</td>
<td>Requires the lead agency to include in an environment impact report (EIR) prepared pursuant to the California Environmental Quality Act (CEQA) a detailed statement on any significant effects that may result from locating the proposed project near, or attracting people to, existing or reasonably foreseeable natural hazards or adverse environmental conditions.</td>
<td>Assembly Transportation Committee</td>
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<td>AB 1046</td>
<td>Innovative Delivery Team Demonstration Program</td>
<td>Requires the lead agency to include in an environment impact report (EIR) prepared pursuant to the California Environmental Quality Act (CEQA) a detailed statement on any significant effects that may result from locating the proposed project near, or attracting people to, existing or reasonably foreseeable natural hazards or adverse environmental conditions.</td>
<td>Sponsor</td>
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<td>State Assembly Bills</td>
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<td><strong>AB 1051</strong>&lt;br&gt;(Bocanegra)&lt;br&gt;Sustainable Communities for All Program</td>
<td>Establishes the Sustainable Communities for All Program with the goal of providing transportation and housing choices that allow lower-income Californians to drive less and reduce their household costs. Requires the program to begin operations on January 1, 2015. Requires the program to fund all of the following through competitive grants and loans: (1) expanded or improved public transit service; (2) public transit capital maintenance; (3) development and rehabilitation of transit-oriented residential development that is affordable to low-income households and provides trip reduction strategies, including public transit passes and car-sharing; (4) expanded bicycle and pedestrian networks, facilities and programs that promote additional use and safety, and that provide access to public transit, schools, colleges, shopping, and other destinations; (5) expanded vanpooling, car-share and carpool promotion programs; (6) transportation demand management strategies and incentives that reduce both vehicle travel and ownership, including discounted public transit passes in transit priority zones; and (7) invest in energy efficiency improvements in existing multi-family rental homes affordable to low-income households. Appropriates an unspecified amount of money from the Greenhouse Gas Reduction Fund to be allocated as follows: (1) an unspecified amount to the Department of Housing and Community Development to be expended for loans for the development and construction of affordable housing within close proximity to public transit stations; (2) an unspecified amount to projects and programs that are eligible to receive funds through the State Transit Assistance Program (STA), and that show greenhouse gas emissions reductions; (3) an unspecified amount to projects and programs that are eligible to receive funds through the Bicycle Transportation Account, and that show greenhouse gas emissions reductions; (4) an unspecified amount to projects and programs that are eligible to receive funds through the Safe Routes to School Program, and that show greenhouse gas emissions reductions; (5) an unspecified amount to projects and programs that are eligible to receive funds through the federal Transportation Alternatives Program, and that show greenhouse gas emissions reductions; and (6) an unspecified amount to the Energy Savings Assistance Program and the Weatherization Assistance Program.</td>
<td>3/21/13</td>
<td>Assembly Housing &amp; Community Development Committee</td>
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<tr>
<td><strong>AB 1070</strong>&lt;br&gt;(Frazier)&lt;br&gt;California Transportation Financing Authority</td>
<td>For project sponsors seeking assistance through the California Transportation Financing Authority, clarifies that either the authority or the project sponsor could be the issuer of the bonds.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<tr>
<td><strong>AB 1077</strong>&lt;br&gt;(Muratsuchi)&lt;br&gt;Alternative Fuel Vehicles: Sales Tax and Vehicle License Fee</td>
<td>Until January 1, 2022, exempts any amount allowed as a credit under Section 30D of the federal Internal Revenue Code relating to new qualified plug-in electric drive motor vehicles, and any amount received, awarded or allowed pursuant to any state incentive program for the purchase or lease of an alternative fuel vehicle from both of the following: (1) the state sales tax; and (2) the determination of market value for purposes of calculating the vehicle license fee for a motor vehicle.</td>
<td>4/2/13</td>
<td>Assembly Revenue &amp; Taxation Committee</td>
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<td>State Assembly Bills</td>
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<td>AB 1081 (Medina) Goods-Movement-Related Infrastructure</td>
<td>Requires the state’s five-year infrastructure plan to include: (1) information pertaining to new, rehabilitated, modernized, improved, or renovated infrastructure identified by state or federal agencies, or by regional transportation authorities that directly relate to the enhancement of goods movement; and (2) recommendations for private-sector financing for goods-movement-related infrastructure. Requires the international trade and investment strategy prepared by the Office of Business and Economic Development to identify trade-related infrastructure that is needed to support the state’s international trade policies, programs and services.</td>
<td>As Introduced</td>
<td>Assembly Jobs, Economic Development &amp; the Economy Committee</td>
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<td>AB 1092 (Levine) Electric Charging Stations</td>
<td>Specifies that a local authority shall require a new construction project with four or more off-street parking spaces to include one electric vehicle charging station per every four off-street parking spaces.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<tr>
<td>AB 1158 (Waldron) On-Street Parking for Electric Vehicles</td>
<td>Authorizes local agencies to adopt rules and regulations by ordinance or resolution regarding designating and enforcing on-street parking spaces for electric vehicles.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<tr>
<td>AB 1179 (Bocanegra) Sustainable Communities Strategies: School Sites</td>
<td>Requires a sustainable communities strategy prepared pursuant to SB 375 to identify: (1) how it may impact school enrollments and capacities; and (2) the need for new school sites, or expansion or modernization of existing school sites.</td>
<td>3/21/13</td>
<td>Assembly Local Government Committee</td>
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<tr>
<td>AB 1193 (Ting) Bikeways</td>
<td>Requires local agencies responsible for the development or operation of bikeways or roadways where bicycle travel is permitted to utilize all minimum safety design criteria and uniform specifications and symbols for signs, markers and traffic control devices established pursuant to industry standards.</td>
<td>3/21/13</td>
<td>Assembly Local Government Committee</td>
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<td>AB 1194 (Ammiano) Safe Routes to School Program</td>
<td>Requires the state’s Safe Routes to School Program to include the following elements: (1) construction of bicycle and pedestrian safety and traffic calming projects; and (2) non-infrastructure-related activities to encourage walking and bicycling to school, such as public awareness campaigns, outreach to the media and community leaders, traffic education and enforcement in the vicinity of schools, and student sessions on bicycle and pedestrian safety. Requires the program to be funded by an annual appropriation in the Budget Act of at least $46 million, consisting of federal and state transportation dollars eligible to be expended for this purpose. Requires 20 percent of this amount to be used for non-infrastructure-related activities. At the discretion of the Transportation Agency, allows the responsibility for selecting projects and awarding grants under this program to be transferred from Caltrans to the California Transportation Commission (CTC). Requires Caltrans to employ a full-time coordinator to administer the program.</td>
<td>4/1/13</td>
<td>Assembly Transportation Committee</td>
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<td>AB 1235 (Gordon)</td>
<td>Local Agencies: Financial Management Training</td>
<td>As Introduced</td>
<td>Assembly Local Government Committee</td>
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<td>If a local agency provides any type of compensation, salary or stipend to, or reimburses any expenses incurred in the performance of official duties by, members of its legislative body, requires the members of the agency’s legislative body to receive at least four hours of financial management training once per term of office. Requires a local agency that requires the members of its legislative body to complete such training to maintain records indicating both of the following: (1) the dates when the training was received; and (2) the entity that provided the training.</td>
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<td>AB 1248 (Cooley)</td>
<td>Local Agencies: Internal Control Guidelines</td>
<td>As Introduced</td>
<td>Assembly Local Government Committee</td>
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<td>By January 1, 2015, requires the Controller’s Office to develop internal control guidelines applicable to local agencies to prevent and detect financial errors and fraud. Requires these guidelines to be based on standards adopted by the American Institute of Certified Public Accountants, and to be developed with input from local agencies and organizations representing the interests of local agencies. Requires local agencies to begin comply with these guidelines on January 1, 2016.</td>
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<td>AB 1272 (Medina)</td>
<td>California Infrastructure and Economic Development Bank</td>
<td>As Introduced</td>
<td>Assembly Jobs, Economic Development &amp; the Economy Committee</td>
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<td>Authorizes the California Infrastructure and Economic Development Bank to join or formally participate in regional, state, national, or international organizations related to infrastructure financing. In participating in any of these organizations, allows the bank to serve as facilitator of an infrastructure financing project that would be located in California, regardless of whether the bank would be funding a portion of the project.</td>
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<td>AB 1290 (J. Perez)</td>
<td>Transportation Planning</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<td>Changes the composition of the California Transportation Commission (CTC) to include 18 members appointed as follows: (1) nine members appointed by the Governor with the advice and consent of the Senate; (2) two members appointed by the Senate Rules Committee; (3) two members appointed by the speaker of the Assembly; (4) the secretary of the Transportation Agency, the chairperson of the California Air Resources Board (CARB), and the director of the Department of Housing and Community Development to serve as ex-officio members; (5) one ex-officio member appointed by the Senate Rules Committee; and (6) one ex-officio member appointed by the speaker of the Assembly. Requires the CTC’s Planning Committee to be responsible for monitoring outcomes from land development and transportation investments in accordance with the sustainable communities strategies required to be adopted by transportation planning agencies as part of their regional transportation plans (RTPs). Requires the CTC’s guidelines for the preparation of RTPs to contain minimum requirements for the assessment and consideration of alternative land-use scenarios and corresponding transportation system/network alternatives leading to the adoption of an RTP and a sustainable communities strategy. Requires the CTC’s annual report to the Legislature to include a summary of the commission’s assessment of progress around the state toward achieving California’s greenhouse gas emissions reduction objectives from patterns of ongoing land developments and transportation investments. Requires regional transportation improvement programs (RTIPs) to identify the relationship of each project proposed to a region’s adopted sustainable communities strategy.</td>
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| **AB 1333**  
(Hernandez)  
Local Agency Contracts: Automatic Renewal Clauses | Requires a local agency to review any contract with a private party with a total value of $250,000 or more that contains an automatic renewal clause on or before the annual date by which the contract may be rescinded. Requires a local agency to rescind such a contract unless the review contains findings that the private party pays to its employees the greater of: (a) at least the general prevailing wage rate of pre diem wages for work of a similar character in the locality; or (b) a living wage given the locality. Requires a local agency to rescind a contract with an automatic renewal clause if the private party has been cited by the National Labor Relations Board for an unfair labor practice or if the board has ruled that an unfair labor practice has been committed. | As Introduced | Assembly Local Government Committee |   |
| **ACA 6**  
(Gatto)  
Constitutional Amendments | Calls for placing before the voters an amendment to the California Constitution that would increase the voting requirement from a simple majority to a 55 percent majority to amend the Constitution by an initiative measure. However, continues to permit the electors to repeal a previously adopted initiative or legislative amendment to the Constitution by an initiative measure passed by a simple majority. | As Introduced | Assembly Desk |   |
## State Senate Bills

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<td>SB 1</td>
<td>Sustainable Communities Investment Authorities</td>
<td>As Introduced</td>
<td>Senate Transportation &amp; Housing Committee</td>
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**SB 1 (Steinberg)**

Allows a city, county or special district to form a Sustainable Communities Investment Authority for a designated Sustainable Communities Investment Area. Requires a Sustainable Communities Investment Authority to include only the following:

1. Transit priority project areas; and
2. Areas that are small walkable communities.

Provides that a taxing agency participating in or approving the formation of a Sustainable Communities Investment Authority, or appointing governing board members to the authority may authorize an allocation to the authority of all or part of the tax increment revenues that otherwise would be paid to that taxing agency. Excludes school districts from participating in a Sustainable Communities Investment Authority. Allows an authority to adopt a plan for a Sustainable Communities Investment Area, which may include a provision for the receipt of tax increment funds, if the local government with land-use jurisdiction has adopted all of the following:

1. A sustainable parking standards ordinance that restricts parking in transit priority project areas to encourage public transit use to the greatest extent feasible;
2. An ordinance creating a jobs plan;
3. For transit priority project areas and small walkable communities within a metropolitan planning organization (MPO), a plan consistent with the use designation, density, building intensity, and applicable policies specified for the Sustainable Communities Investment Area in the sustainable communities strategy; and
4. Within small walkable communities outside an MPO, a plan that provides a density of at least 20 dwelling units per net acre for new residential construction and a minimum floor area ratio of 0.75 for non-residential uses. If a Sustainable Communities Investment Authority includes a provision for the receipt of tax increment revenues in its plan, requires the authority to dedicate no less than 20 percent of these revenues for affordable housing purposes. Allows a state or local pension fund system to invest capital in the public infrastructure projects, and private commercial and residential developments undertaken by an authority. Allows a Sustainable Communities Investment Authority to implement a local transactions and use tax, and to issue bonds. Prohibits pledging school district property tax revenues for the repayment of bonds issued by a Sustainable Communities Investment Authority.

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<th>SB 7</th>
<th>Charter Cities: Prevailing Wage</th>
<th>2/19/13</th>
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<tr>
<td>SB 7 (Steinberg)</td>
<td>Prohibits a charter city from receiving or using state funding or financial assistance for a construction project if the city has either: (1) a charter provision or ordinance that authorizes a contractor to not comply with prevailing wage on any public works contract; or (2) awarded a public works contract within the current or prior two calendar years without requiring the contractor to comply with prevailing wage. Allows a charter city to receive or use state funding or financial assistance for a construction project if the city has adopted a local prevailing wage ordinance that includes requirements that in all respects are equal to or greater than the requirements in state law. Specifies that the provisions of the bill do not apply to public works contracts for: (1) construction projects that cost $25,000 or less; or (2) alteration, demolition, repair, or maintenance work that costs $15,000 or less.</td>
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| **SB 11**  
(Pavley)  
Alternative Fuel and Vehicle Technologies: Funding Programs | Extends the authorization and various funding sources for the following four alternative fuel and vehicle technology programs until January 1, 2024: (1) the Carl Moyer Program administered by local air districts; (2) the Enhanced Fleet Modernization Program administered by the California Air Resources Board (CARB); (3) the Alternative and Renewable Fuel and Vehicle Technology Program administered by the California Energy Commission; and (4) the Air Quality Improvement Program administered by CARB. | As Introduced | Senate Transportation & Housing Committee | Support |
| **SB 33**  
(Wolk)  
Infrastructure Financing Districts | Eliminates the requirement for voter approval for the creation of an infrastructure financing district, adoption of an infrastructure financing plan, and the issuance of bonds for implementing an infrastructure financing plan. Instead, provides that the legislative body of a city, at the conclusion of a public hearing, may adopt a resolution establishing an infrastructure financing district based upon a finding that: (1) the goals of the district are consistent with the city’s General Plan; and (2) the financing programs undertaken by the district are an efficient means of implementing the goals of the district. Requires a public financing authority to be created to serve as the legislative body of an infrastructure financing district. Requires the public financing authority to be comprised of five people, three of whom must be members of the city council or board of supervisors that established the district and two of whom must be public members. Allows for the public financing authority to adopt the infrastructure financing plan and to issue bonds by a majority vote of the authority. If an infrastructure financing plan provides for the division of taxes of any affected taxing entity, requires a public accountability committee to be created to review the actions of the public financing authority. Requires the committee to be comprised of a representative from each affected taxing entity that has agreed to the division of its taxes, a representative of the public financing authority, and one or more public members. Generally prohibits an infrastructure financing district from paying for: (1) routine maintenance; (2) repair work; (3) the costs of ongoing operations; or (4) providing services of any kind. Clarifies that an infrastructure financing district shall finance only structural and non-structural public capital facilities of communitywide significance. Allows an infrastructure financing district to finance any project that implements a transit priority project regional transportation plan (RTP), or other projects that are consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in a sustainable communities strategy. Prohibits an infrastructure financing district from providing any form of financial assistance to: (1) a vehicle dealer; (2) a big box retailer; or (3) a business entity that sells or leases land to a vehicle dealer or big box retailer that is relocating from the territorial jurisdiction of one local agency to the territorial jurisdiction of another local agency but within the same market area. Specifies that the date on which an infrastructure financing district would cease to exist would not be more than 40 years from the date the public financing authority adopted the infrastructure financing plan. Requires an infrastructure financing district to distribute an annual report to each owner of land within the district and each affected taxing entity. Requires the report to contain all of the following: (1) a summary of the district’s expenditures; (2) a description of the progress made toward the district’s adopted goals; and (3) an assessment of the status regarding completion of the district’s public works projects. | 3/6/13 | Senate Appropriations Committee |  |
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<td><strong>SB 110</strong> (Steinberg) CTC Guidelines</td>
<td>Exempts the adoption of guidelines by the California Transportation Commission (CTC) from the rulemaking provisions of the Administrative Procedure Act. Except in the case of the State Transportation Improvement Program (STIP), specifies a process that the CTC must use when adopting guidelines. Requires the CTC to maintain a guidelines adoption file containing: (a) a summary of each objection or recommendation made with regard to a proposed guideline; and (b) an explanation of how the proposed guideline was changed to accommodate each objection or recommendation, or the reasons for making no change. Requires the CTC to include in its annual report to the Legislature a summary of its activities related to the adoption of program or policy guidelines during the previous calendar year.</td>
<td>As Introduced</td>
<td>Senate Transportation &amp; Housing Committee</td>
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<td><strong>SB 123</strong> (Corbett) Environmental and Land-Use Court Divisions</td>
<td>Requires the presiding judge of each Superior Court to establish an Environmental and Land-Use Division within the court to process civil proceedings brought pursuant to the California Environmental Quality Act (CEQA), as well as in the following subject areas: (1) air quality; (2) biological resources; (3) climate change; (4) hazards and hazardous materials; (5) land-use planning; and (6) water quality. By rule of court, requires the Judicial Council to: (1) identify statutes in the specified six subject areas that would be within the jurisdiction of the Environmental and Land-Use Court Divisions; and (2) establish appropriate standards and protocols for the divisions to accomplish the objectives of consistency, expediency and expertise.</td>
<td>As Introduced</td>
<td>Senate Judiciary Committee</td>
<td></td>
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<td><strong>SB 142</strong> (DeSaulnier) Public Transit: Special Benefit Districts</td>
<td>Repeals provisions in the Public Utilities Code that allow for the creation of one or more special benefit districts within a transit district or rapid transit district.</td>
<td>As Introduced</td>
<td>Senate Governance &amp; Finance Committee</td>
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<td><strong>SB 194</strong> (Galgiani) Electronic Wireless Communications Devices</td>
<td>Prohibits a person who is under 18 years of age from using an electronic wireless communications device while driving, even if it is equipped with a hands-free device.</td>
<td>As Introduced</td>
<td>Senate Transportation &amp; Housing Committee</td>
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<td><strong>SB 230</strong> (Knight) Farebox Recover Ratio: Certificates of Participation</td>
<td>Excludes the principal and interest payments on all capital projects funded with certificates of participation (COPs) from the definition of operating costs for purposes of calculating a public transit agency’s farebox recovery ratio pursuant to the Transportation Development Act (TDA).</td>
<td>3/18/13</td>
<td>Senate Transportation &amp; Housing Committee</td>
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<td><strong>SB 232</strong> (Monning) Public Transit Service Contracts</td>
<td>Requires state agencies to give a 10 percent preference to any bidder on a contract to provide public transit services who agrees to retain employees of the prior contractor or subcontractor for a period of at least 90 days.</td>
<td>As Introduced</td>
<td>Senate Labor &amp; Industrial Relations Committee</td>
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<td><strong>SB 242</strong> &lt;br&gt;(Wyland) Toll Collection: Alternative Technologies</td>
<td>Authorizes Caltrans, and local and regional transportation agencies with existing or planned toll facilities within their respective jurisdictions to conduct a market test of automated toll collection technologies as an alternative to the existing radio-frequency identification tolling technology in order to identify opportunities to facilitate lower-cost tolling infrastructure, lower related operating costs and more rapid deployment of high-occupancy toll lane networks. Provides that such a test may include the deployment of tolling technologies that may or may not meet interoperability requirements. Allows Caltrans, and local and regional transportation agencies to undertake alternative tolling technology pilot projects for a period of up to four years, commencing January 1, 2014. Requires any vendor electing to participate in such a pilot project to cover all costs incurred by Caltrans, or the local or regional transportation agency.</td>
<td>4/1/13</td>
<td>Senate Transportation &amp; Housing Committee</td>
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<td><strong>SB 286</strong> &lt;br&gt;(Yee) HOV Lanes: Low-Emission and Fuel-Efficient Vehicles</td>
<td>Unless pre-empted by federal law, extends the authorization for vehicles that meet California’s super ultra-low exhaust emission standard and the federal inherently low-emission evaporative emission standard to use high-occupancy vehicle (HOV) lanes regardless of the number of vehicle occupants to January 1, 2018. In addition, until January 1, 2018, permits a vehicle that meets California’s transitional zero-emission (TZEV) standard to use HOV lanes regardless of the number of vehicle occupants.</td>
<td>3/18/13</td>
<td>Senate Transportation &amp; Housing Committee</td>
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<td><strong>SB 391</strong> &lt;br&gt;(DeSaulnier) California Homes and Jobs Act of 2013</td>
<td>Imposes a fee of $75 to be paid at the time of the recording of every real estate instrument, paper or notice required or permitted by law to be recorded. Requires that the revenues from this fee be allocated quarterly to the Department of Housing and Community Development for deposit into the California Homes and Jobs Trust Fund. Upon appropriation by the Legislature, authorizes the money in the fund to be expended for the following purposes: (1) supporting the development, acquisition, rehabilitation, and preservation of housing affordable to low- and moderate-income households; (2) administering housing programs that receive an allocation from the fund; and (3) the cost of periodic audits of the fund by the California State Auditor’s Office.</td>
<td>4/2/13</td>
<td>Senate Transportation &amp; Housing Committee</td>
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<td><strong>SB 407</strong> &lt;br&gt;(Hill) Local Government Officials and Employees: Employment Contracts</td>
<td>Prohibits an employment contract for any person who is a deputy or assistant chief executive officer for a local agency from providing an automatic renewal of the contract if the contract includes an automatic compensation increase in excess of a cost-of-living adjustment or a maximum cash settlement in excess of certain limits. Also applies this prohibition to any person whose position is held by an employment contract between the local agency and that person.</td>
<td>4/1/13</td>
<td>Senate Appropriations Committee</td>
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<td><strong>SB 408</strong> &lt;br&gt;(De Leon) STIP Funds</td>
<td>Specifies that State Transportation Improvement Program (STIP) funds shall be available for the study, development and implementation of capital improvement projects.</td>
<td>As Introduced</td>
<td>Senate Rules Committee</td>
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<td><strong>SB 425</strong> (DeSaulnier)</td>
<td><strong>Public Works Peer Review Act of 2013</strong></td>
<td>As Introduced</td>
<td>Senate Governmental Organization Committee</td>
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<td>Requires a state agency, state department, regional agency, or local agency that is principally tasked with administering the planning and development of a public works project to establish a peer review group to provide it with expert advice on the scientific and technical aspects of the project if any of the following circumstances apply:  (1) the project is a “megaproject” with total development, construction and estimated maintenance costs exceeding $1 billion;  (2) the Governor or the head of the administering agency involved has determined that the establishment of a peer review group is in the public interest in connection with the development and construction of a project; or  (3) a statute or concurrent resolution is passed by the Legislature requiring the administering agency to establish a peer review group.  Prohibits a peer review group from taking any action until a charter has been written by the administering agency and filed with the relevant standing committees of the Legislature.  Requires the administering agency to establish a transparent process for selecting peer review group members.  Requires a peer review group to evaluate the following components of a megaproject:  (1) project demand studies;  (2) design and engineering models and estimates; and  (3) construction, testing and inspection practices.  Within 30 days of joining a peer review group, requires a member to file a form, under penalty of perjury, with the Fair Political Practices Commission stating his or her economic interests, declaring himself or herself to be independent of all parties involved in the project, and declaring to have no conflicts of interest.  Requires the meetings of a peer review group to be held in a publicly accessible forum.  To the extent possible without putting the administering agency at a negotiating disadvantage, requires all documentation related to the issues to be considered at a peer review group meeting to be made available to the public upon request.</td>
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<td><strong>SB 454</strong> (Corbett)</td>
<td><strong>Electric Vehicle Charging Stations</strong></td>
<td>As Introduced</td>
<td>Senate Transportation &amp; Housing Committee</td>
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<td>Requires an electric vehicle charging station installed in a public parking space to be made available for use by the general public.  Specifies that any person desiring to use such a charging station shall not be required to pay a subscription fee, or to obtain a membership in any club, association or organization.  Requires electric vehicle charging stations to provide one or more of the following options of payment to the general public:  (1) directly by credit card;  (2) over the phone through a toll-free telephone number established and displayed on the charging station; or  (3) through a network roaming arrangement.  Authorizes the State Energy Resources Conservation and Development Commission to adopt interoperability standards for networking roaming payment methods for electric vehicle charging stations.  Requires electric vehicle charging stations to meet those standards, if adopted by the commission, within one year.  Requires the Department of Consumer Affairs to maintain a toll-free telephone number and e-mail address to collect consumer complaints about electric vehicle charging stations.</td>
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<tr>
<td>State Senate Bills</td>
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<tr>
<td><strong>SB 459</strong>&lt;br&gt;(Pavley)&lt;br&gt;Fuel-Efficient Vehicles: Financial Incentives</td>
<td>By November 1, 2014, requires the California Air Resources Board (CARB) to submit a plan to the Legislature that identifies opportunities to utilize existing programs and funding sources to reduce fuel expenditures by middle-income households by accelerating the adoption of more fuel-efficient vehicles, including low- and zero-emission vehicles. In developing the plan, requires CARB to consider whether: (1) automotive dealers and lenders can be offered enhanced incentives to sell or lease more fuel-efficient vehicles; (2) consumer automotive loan terms can better reflect the correlation between vehicle fuel efficiency and loan performance, rewarding customers who choose more efficient vehicles with better terms that reflect reduced fuel expenditures; (3) public funds can be efficiently used to leverage more private investment; (4) the value of federal tax credits for plug-in electric vehicle purchases can be passed through to households lacking sufficient federal tax liability to claim the credits; (5) the Consumer Assistance Program administered by the Bureau of Automotive Repair is achieving the maximum benefit; and (6) enhanced point-of-sale rebates for middle-income households can increase the adoption of more fuel-efficient vehicles.</td>
<td>As Introduced</td>
<td>Senate Transportation &amp; Housing Committee</td>
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<tr>
<td><strong>SB 469</strong>&lt;br&gt;(Corbett)&lt;br&gt;Public Contracts: Local Public Transit Vehicles</td>
<td>Requires a local authority awarding a procurement contract for public transit vehicles to give a 10 percent preference to any bidder that agrees that all vehicles to be purchased under the contract are to be manufactured within the state of California. Defines “manufactured within the State of California” to mean a majority of the component parts are manufactured or assembled at a facility in California. Defines “public transit vehicle” to mean a vehicle used or intended to be used to transport members of the general public.</td>
<td>As Introduced</td>
<td>Senate Transportation &amp; Housing Committee</td>
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<tr>
<td><strong>SB 486</strong>&lt;br&gt;(DeSaulnier)&lt;br&gt;Office of Legal Compliance and Ethics</td>
<td>Creates the Office of Legal Compliance and Ethics within the Transportation Agency. Requires the office to be responsible for all of the following as they relate to Caltrans: (1) acts to prevent and detect serious breaches of departmental policy, fraud, waste, and abuse, including any acts of criminal conduct within the department; (2) independently and objectively review and investigate criminal activity within Caltrans or committed on department property, allegations of wrongdoing by Caltrans employees, serious breaches of department policy, and significant issues relevant to the effectiveness of Caltrans; and (3) ensure that Caltrans employees receive appropriate ethics training.</td>
<td>As Introduced</td>
<td>Senate Governmental Organization Committee</td>
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<tr>
<td><strong>SB 525</strong>&lt;br&gt;(Galgiani)&lt;br&gt;CEQA: Altamont Commuter Express</td>
<td>Exempts from the California Environmental Quality Act (CEQA) a project by the San Joaquin Regional Rail Commission and the High-Speed Rail Authority to improve existing tracks, structures, bridges, signaling systems, and associated appurtenances located on the existing railroad right-of-way used by the Altamont Commuter Express.</td>
<td>As Introduced</td>
<td>Senate Environmental Quality Committee</td>
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<tr>
<td><strong>SB 557</strong>&lt;br&gt;(Hill)&lt;br&gt;High-Speed Rail: Peninsula Corridor</td>
<td>Of the $1.1 billion in Proposition 1A bond proceeds appropriated by the Legislature in the FY 2013 Budget Act for early high-speed rail investments in the Bay Area and Southern California, requires $600 million to be allocated for projects in the Peninsula Corridor, such as the electrification of the corridor. Requires these funds to be allocated to projects that implement a rail system in the Peninsula Corridor that primarily consists of a two-track blended system to be used jointly by the Caltrain Commuter Rail Service and high-speed rail. Requires any track expansion in the Peninsula Corridor beyond the two-track blended system approach identified in the California High-Speed Rail Authority’s April 2012 Business Plan to be approved by all nine signatories to the Bay Area High-Speed Rail Early Investment Strategy Memorandum of Understanding, including the Santa Clara Valley Transportation Authority (VTA) and the city of San Jose.</td>
<td>As Introduced</td>
<td>Senate Transportation &amp; Housing Committee</td>
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<tr>
<td>State Senate Bills</td>
<td>Subject</td>
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<tr>
<td>SB 592 (Price)</td>
<td>Trade Promotion of California Ports</td>
<td>As Introduced</td>
<td>Senate Business, Professions &amp; Economic Development Committee</td>
<td></td>
</tr>
<tr>
<td>SB 613 (DeSaulnier)</td>
<td>Bay Area Toll Authority</td>
<td>As Introduced</td>
<td>Senate Transportation &amp; Housing Committee</td>
<td></td>
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<tr>
<td>SB 628 (Beall)</td>
<td>Infrastructure Financing Districts: Transit Priority Projects</td>
<td>4/2/13</td>
<td>Senate Governance &amp; Finance Committee</td>
<td></td>
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<tr>
<td>State Senate Bills</td>
<td>Subject</td>
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<tr>
<td>SB 731 (Steinberg) California Environmental Quality Act</td>
<td>Declares the intent of the Legislature to enact a bill to do all of the following: (1) adopt provisions related to California Environmental Quality Act (CEQA) guidelines that provide greater certainty for smart infill development; (2) streamline CEQA for renewable energy projects; advanced manufacturing projects; transit, bike and pedestrian projects; and renewable energy transmission projects; (3) update CEQA to establish thresholds of significance for noise, aesthetics, parking, traffic levels of service, and land-use impacts so that projects meeting those thresholds are not subject to further environmental review for those impacts; (4) exempt from CEQA projects undertaken pursuant to a specific plan for which an environmental impact report (EIR) has been prepared; (5) establish clearer procedures for a trial court to remand to a lead agency for remediating only those portions of an EIR, negative declaration or mitigated negative declaration found to be in violation of CEQA, while retaining those portions that are not in violation; (6) explore options under which a court could allow project approvals to remain in place and for projects to proceed; (7) establish clear statutory rules under which “late hits” and “document dumping” are prohibited or restricted prior to certification of an EIR, if a project proponent or lead agency has not substantively changed the draft EIR or substantively modified the project; and (8) appropriate $30 million annually to the Strategic Growth Council to provide planning incentive grants to local and regional agencies to update and implement general plans, sustainable communities strategies and smart growth plans.</td>
<td>As Introduced</td>
<td>Senate Rules Committee</td>
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<tr>
<td>SB 751 (Yee) Metropolitan Planning Organizations</td>
<td>Declares the intent of the Legislature to enact a bill to ensure transparency in connection with the functioning of metropolitan planning organizations (MPOs), including the individual voting records of their board members.</td>
<td>As Introduced</td>
<td>Senate Rules Committee</td>
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<tr>
<td>SB 785 (Wolk) Design-Build Contracting</td>
<td>Eliminates numerous existing individual agency statutes and, instead, enacts one general statute providing local agencies with the authority to utilize design-build contracting for any public works project exceeding $1 million in cost, except for projects on the state highway system. Allows a local agency to use either low bid or best value to award a design-build contract. Defines “local agency” to mean the following: (1) a city or county; (2) a special district that operates wastewater facilities, solid waste management facilities or water recycling facilities; or (3) any transit district, including municipal operators.</td>
<td>As Introduced</td>
<td>Senate Governmental Organization Committee</td>
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<tr>
<td>SB 787 (Berryhill) Sustainable Environmental Protection Act</td>
<td>Enacts the Sustainable Environmental Protection Act. Prohibits a cause of action on the grounds of non-compliance with the California Environmental Quality Act (CEQA) based on any topical area or criteria for which compliance obligations are identified. Also prohibits challenges to environmental documents based on non-compliance with CEQA if: (1) the environmental document discloses compliance with applicable environmental laws; (2) the project conforms with the use designation, density or building intensity in an applicable plan; and (3) the project approval incorporates applicable mitigation requirements into the environmental document.</td>
<td>As Introduced</td>
<td>Senate Environmental Quality Committee</td>
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### State Senate Bills

| SB 792  
| (DeSaulnier) 
| Bay Area’s Joint Policy Committee | Requires the Bay Area’s Joint Policy Committee to prepare a regional organization plan. Requires this plan to include a proposal for consolidating the functions that are common to the Metropolitan Transportation Commission (MTC), the Bay Area Toll Authority (BATA), the Bay Area Air Quality Management District (BAAQMD), the San Francisco Bay Conservation and Development Commission (BCDC), and the Association of Bay Area Governments (ABAG), such as personnel and human resources; budget and financial services; electronic data and communications systems; legal services; contracting and procurement of goods and services; public information and outreach services; intergovernmental relations; and transportation, land-use, economic, and related forecasting models. Requires a final regional organization plan to be adopted by the Joint Policy Committee by June 30, 2015. Requires the Joint Policy Committee to develop and adopt public and community outreach policies to govern the scheduling of its meetings, as well as those of MTC, BATA, BAAQMD, BCDC, and ABAG. Beginning on January 1, 2014, requires the Joint Policy Committee to review the policies, plans and associated regulations of MTC, BATA, BAAQMD, BCDC, and ABAG. Requires this review to include an assessment of the consistency of the policies, plans and regulations among those regional entities with the requirements of SB 375. Requires the Joint Policy Committee to be responsible for ensuring that the sustainable communities strategy for the Bay Area integrates transportation, land use and air quality management consistent with the requirements of SB 375. Requires the Joint Policy Committee to appoint an Advisory Committee on Economic Competitiveness with members from the business community. In consultation with this advisory committee, requires the Joint Policy Committee to adopt goals and policies related to the inclusion of economic development opportunities in the plans of MTC, BATA, BAAQMD, BCDC, and ABAG. | As Introduced | Senate Transportation & Housing Committee |

| SB 798  
| (De Leon) 
| California Green Infrastructure Bank | Creates the California Green Infrastructure Bank to provide financial assistance to facilitate green economic development. Requires the bank to establish criteria, priorities and guidelines for the selection of projects to receive assistance from the bank. Declares the intent of the Legislature that 50 percent of the proceeds in the Greenhouse Gas Reduction Fund be used for carrying out the purposes of the bank. | As Introduced | Senate Governance & Finance Committee |

| SB 810  
| (Price) 
<p>| California Transportation Financing Authority: Tax Credit Certificates | Allows the California Transportation Financing Authority to award tax credit certificates to exporters and importers who demonstrate to the satisfaction of the authority that, during the taxable year, they have: (a) increased their cargo tonnage or value through California ports or airports by specified amounts; (b) had a net increase in qualified full-time employees hired in California; or (c) have incurred capital costs for a cargo facility in California. Permits an aggregate $500 million in tax credit certificates to be awarded by the authority for taxable years beginning on or after January 1, 2014, and before January 1, 2019. Provides that the aggregate amount of tax credit certificates awarded to an exporter or importer cannot exceed $250,000 for a taxable year. | As Introduced | Senate Transportation &amp; Housing Committee |</p>
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<tr>
<th>State Senate Bills</th>
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<th>Last Amended</th>
<th>Status</th>
<th>VTA Position</th>
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| **SCA 4**  
(Liu)  
Local Government Transportation Projects | Calls for placing before the voters an amendment to the California Constitution to allow a local agency to impose, extend or increase a special tax for the purpose of providing funding for local transportation projects, if approved by a 55 percent majority vote. Requires the Legislature to define “local transportation projects” for purposes of this constitutional amendment. Provides that a local government could not expend revenues derived from a special tax approved by a 55 percent majority vote for the completion of a statutorily identified capital project funded in whole or in part by revenues derived from another special tax of the same local government that was approved by a two-thirds majority. | 3/19/13 | Senate Governance & Finance Committee | Support |
| **SCA 6**  
(DeSaulnier)  
Initiative Measures: Funding Source | Calls for placing before the voters an amendment to the California Constitution to prohibit an initiative measure that would result in a net increase in state or local government costs from being submitted to the electors unless the Legislative Analyst’s Office and the Department of Finance jointly determine that the measure provides for additional revenues in an amount that meets or exceeds the net increase in costs. | As Introduced | Senate Appropriations Committee |  |
| **SCA 8**  
(Corbett)  
Local Government Transportation Projects | Calls for placing before the voters an amendment to the California Constitution to allow a local agency to impose, extend or increase a special tax for the purpose of providing funding for local transportation projects, if approved by a 55 percent majority vote. Requires the Legislature to define “local transportation projects” for purposes of this constitutional amendment. | As Introduced | Senate Governance & Finance Committee | Support |
| **SCA 9**  
(Corbett)  
Local Government: Economic Development Special Taxes | Calls for placing before the voters an amendment to the California Constitution to allow a local agency to impose, extend or increase a special tax for the purpose of providing funding for community and economic development projects, if approved by a 55 percent majority vote. Specifies that community and economic development projects includes projects that improve, upgrade or revitalize areas within a local government’s jurisdiction that have become blighted because of deterioration, disuse or unproductive economic conditions. | As Introduced | Senate Governance & Finance Committee |  |
| **SCA 11**  
(Hancock)  
Local Government: Special Taxes | Calls for placing before the voters an amendment to the California Constitution to allow a city, county or special district to impose, extend or increase a special tax for any purpose, if approved by a 55 percent majority vote. | As Introduced | Senate Governance & Finance Committee |  |
| **SCR 2**  
(DeSaulnier)  
Constitutional Convention | Proposes that the people of California vote at the next statewide general election on the question of whether to call a convention to revise the California Constitution. | As Introduced | Senate Rules Committee |  |
### 2013 Regular Session Calendar

<table>
<thead>
<tr>
<th>DAY</th>
<th>JANUARY</th>
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<tbody>
<tr>
<td>1</td>
<td>Statutes signed into law in 2012 take effect.</td>
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<tr>
<td>7</td>
<td>Legislature reconvenes.</td>
</tr>
<tr>
<td>10</td>
<td>Budget must be submitted by the Governor to the Legislature on or before this date.</td>
</tr>
<tr>
<td>25</td>
<td>Last day to submit bill requests to the Legislative Counsel’s Office.</td>
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<thead>
<tr>
<th>DAY</th>
<th>FEBRUARY</th>
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<tbody>
<tr>
<td>22</td>
<td>Last day for new bills to be introduced.</td>
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<tr>
<th>DAY</th>
<th>MARCH</th>
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<tbody>
<tr>
<td>21</td>
<td>Spring Recess begins upon adjournment.</td>
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<tr>
<th>DAY</th>
<th>APRIL</th>
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<tbody>
<tr>
<td>1</td>
<td>Legislature reconvenes from Spring Recess.</td>
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<thead>
<tr>
<th>DAY</th>
<th>MAY</th>
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<tbody>
<tr>
<td>3</td>
<td>Last day for policy committees to hear and report fiscal bills introduced in their house of origin.</td>
</tr>
<tr>
<td>10</td>
<td>Last day for policy committees to hear and report to the floor non-fiscal bills introduced in their house of origin.</td>
</tr>
<tr>
<td>24</td>
<td>Last day for fiscal committees to hear and report to the floor bills introduced in their house of origin.</td>
</tr>
<tr>
<td>31</td>
<td>Last day for bills to be passed out of their house of origin.</td>
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<tr>
<th>DAY</th>
<th>JUNE</th>
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<tr>
<td>15</td>
<td>Budget must be passed by midnight.</td>
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<tr>
<th>DAY</th>
<th>JULY</th>
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<tbody>
<tr>
<td>12</td>
<td>Last day for policy committees to hear and report bills introduced in the other house. Summer Recess begins upon adjournment, provided that the Budget Bill has been enacted.</td>
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<tr>
<th>DAY</th>
<th>AUGUST</th>
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</thead>
<tbody>
<tr>
<td>12</td>
<td>Legislature reconvenes from Summer Recess.</td>
</tr>
<tr>
<td>30</td>
<td>Last day for fiscal committees to hear and report to the floor bills introduced in the other house.</td>
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<tr>
<th>DAY</th>
<th>SEPTEMBER</th>
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<tr>
<td>6</td>
<td>Last day to amend bills on the Assembly and Senate floors.</td>
</tr>
<tr>
<td>13</td>
<td>Last day for each house to pass bills. Interim Study Recess begins at the end of this day’s session.</td>
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<tr>
<th>DAY</th>
<th>OCTOBER</th>
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<tbody>
<tr>
<td>13</td>
<td>Last day for the Governor to sign or veto bills passed by the Legislature before September 13, and in his possession after September 13.</td>
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<tr>
<th>DAY</th>
<th>JANUARY 2014</th>
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<tbody>
<tr>
<td>1</td>
<td>Statutes signed into law in 2013 take effect.</td>
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<tr>
<td>6</td>
<td>Legislature reconvenes.</td>
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FOR INFORMATION ONLY

BACKGROUND:

In December 2008, the VTA Board of Directors approved the Silicon Valley Express Lanes Program (hereafter referred to as the Program) which had been under development since 2003. The Program, as approved, was the result of 18 months of coordination, analysis and outreach on both technical and policy areas related to implementing Express Lanes as a means to address congestion levels on highways while also looking towards new solutions to accommodate the future growth in travel demand. Outreach activities included reaching out to the general public, key community and project stakeholders to derive public opinion through focus groups, a web survey, open houses, and presentations to business communities and environmental groups.

The goal of the Program is to provide long-term mobility benefits and another funding stream for transportation improvements. Specifically, the primary objectives of the Program are the following:

1. Provide congestion relief through more effective use of existing roadways;
2. Provide commuters with a new mobility option; and
3. Provide a new funding source for transportation improvements including public transit.

As part of the Program, the Express Lanes projects (Attachment A) will implement a roadway pricing system to allow for the use of unused capacity in the carpool lanes to provide congestion relief and a new mobility option for some commuters. The roadway pricing system will allow solo commuters to use the available capacity in the carpool lanes for a fee. The fee would change dynamically in response to existing congestion levels and available capacity in the carpool lanes. When solo commuters choose to use Express Lanes, this in turn will also provide for traffic congestion relief in the general purpose lanes.
The Program is comprised of two corridors: the SR 237/I-880 corridor from the county line at the I-880/Dixon Landing Road interchange to the SR 237/SR 85 interchange and the US 101/SR 85 corridor within Santa Clara County up to the San Mateo County line. VTA has legislative authority to convert existing carpool lanes on two corridors within the county based on Assembly Bill (AB) 2032 from 2004 and the follow up AB 574 from 2007. Additionally, AB 1105 from 2011 allows VTA to extend the two corridors into adjacent counties subsequent to an agreement with the neighboring Congestion Management Agency (CMA).

**DISCUSSION:**

The purpose of this memorandum is to provide an update on the most recent activities of the Program. The memorandum covers the following topics:

- Update on Santa Clara County Express Lanes Projects;
- Update on Express Lanes efforts elsewhere in the Bay Area and;
- Update on other Express Lanes efforts in California and nationwide

**Update on Santa Clara County Express Lanes Projects**

**SR 237 Express Lanes**

The SR 237/I-880 Express Connectors project is the first phase of the SR 237 Express Lanes project that converted the carpool lane connector ramps at the SR 237/I-880 interchange to Express Lanes operations. The SR 237 Express Lanes opened for tolling on March 20, 2012.

This project has already served close to 2 million carpool users and has provided a new travel option to another half million toll paying commuters. This has improved travel times (between Dixon Landing Road on I-880 and North First Street on SR 237) on general purpose lanes in the Express Lanes segment by about 7 minutes. Travel time savings for using Express Lanes in comparison to general purpose lanes ranged between 5 to 15 minutes (Fall 2013). The toll rate ranged between $0.30 and $5 with an average toll rate of $1.62. The estimated gross revenue after one year of operations is just over $900,000. The hours of operations are similar to existing carpool lane hours (5am-9am, 3pm-7pm) with the exception of SR 237 in the westbound direction in the morning hours where express lanes operations is extended to 10am.

The SR 237 Express Lanes (Phase II) is the extension of the current project where the remainder of the existing carpool lane segment within SR 237 between North First Street (San Jose) and Mathilda Avenue (Sunnyvale) will be converted to Express Lanes. VTA is a recipient of $1.6 million of Value Pricing Pilot Program for this project. The project is currently going through Project Approval/ Environmental Document (PA/ED) efforts with an expected completion date in December 2013.

Finally, the Phase I project that is already in operation has been selected to be the recipient of the prestigious Transportation Project of the Year award for 2012 from the California Transportation Foundation.
US 101/SR 85 Express Lanes

US 101/SR 85 is the second corridor under the enabling legislation allowing VTA to convert carpool lanes to express lanes operations. The US 101/SR 85 express lanes corridor consists of 58 miles of existing carpool lanes (US 101 between Cochrane Road in Morgan Hill and the San Mateo County line, and SR 85 between Mountain View and south San Jose). The project will also include the carpool lane-to-carpool lane direct connectors at the two US 101/SR 85 interchanges (similar to the SR 237/I-880 Express Connectors project). The planned enhancements to the US 101/SR 85 corridor include implementing where feasible two lanes of express lanes within the existing freeway footprint to accommodate added congestion relief and operational benefits to users. It is expected that the majority of the US 101 segments as well as the middle segments of SR 85 between SR 87 and I-280 will be two-lane express lanes.

The PA/ED efforts for US 101 and SR 85 are on-going and are currently projected for approval in fall of 2013.

Update on Express Lanes Efforts Elsewhere in the Bay Area

Metropolitan Transportation Commission (MTC) Express Lanes Projects

The Express Lanes Projects being carried out under express lanes authority to MTC by the California Transportation Commission (hereafter referred to as the MTC Projects) consists of six separate projects (see Attachment B) namely three conversion of carpool lanes to Express Lanes, one each in Solano County (I-80), Contra Costa County (I-680) and Alameda County (I-880) while the remaining three projects consist of introducing Express Lanes to three bridge approaches (Bay Bridge, San Mateo Bridge and Dumbarton Bridge). The project development work is led by MTC with the exception of the I-80 Express Lanes which is being led by Solano Transportation Authority. The ongoing work entails environmental document clearance, toll systems development and operations planning.

The projects are identified to be delivered by 2015. This would include the I-880 Express Lanes project from Oakland to Santa Clara County. This project would interface with VTA’s SR 237 Express Lanes project which extends to the Alameda County line on I-880 at Dixon Landing Road. Preliminary coordination efforts are underway between the MTC and VTA projects as well as to understand potential different operational systems. Among the changes that the I-880 Express Lanes project can bring is the implementation of switchable toll transponders (also known as toll tags). These switchable tags will have the option to declare occupancy level (1- solo driver, 2- two people, 3 - 3 people). The switchable tags are being used in Los Angeles and Washington DC and are one of the more recent innovations in Express Lanes. Apart from the ability to declare different occupancy levels, the switchable tag helps narrow down the enforcement activity to just those that are declaring 2 or more occupancy level. The disadvantage from the public point of view is that now all users of Express Lanes would need to have a toll tag. This is not the case in the two existing Bay Area Express Lanes projects: I-680 Express Lanes and SR 237 Express Lanes.
Bay Area Infrastructure Financing Authority (BAIFA) is the governing board responsible for the development, operation, procurement, installation, maintenance and financing of MTC Projects. BAIFA membership consists of 5 voting members (MTC Chair, Bay Area Toll Authority (BATA) Oversight Committee Chair, and county commissioners from Alameda, Contra Costa and Solano. BAIFA can also act as the project sponsor to apply for bonding and toll authority from the California Transportation Financing Authority (CTFA) created through legislation AB 798 (2009). BAIFA also has the option of taking itself to court to confirm its authority to finance the MTC projects.

I-680 Express Lanes

The I-680 Express Lanes project between SR 84 in Alameda County and SR 237 in Santa Clara County (about 14 miles in the southbound direction with approximately 20 percent of the corridor in Santa Clara County) opened for operations on September 20, 2010. A Joint Powers Authority (JPA) consisting of members representing Alameda County Transportation Commission (ACTC) and VTA oversees the operation of the I-680 Express Lanes. ACTC is the lead agency for this project. The project handles over 2,000 tolled vehicles daily at an average toll rate of $2.45 grossing about $5,000 per day. Environmental documentation efforts expected to be completed in early 2015 are on-going for the I-680 Northbound Express Lanes.

I-580 Express Lanes

The I-580 Eastbound Express Lanes project is a two-lane Express Lanes facility between Hacienda Drive (City of Dublin) and Greenville Road (City of Livermore). ACTC is in the process of gaining environmental documentation approval for this project which is scheduled to open in 2015. The I-580 Westbound Express Lanes project is a 13-mile project between Greenville Road undercrossing (City of Livermore) and San Ramon Road / Foothill Road overcrossing (Cities of Dublin/Pleasanton) which will convert the existing carpool lane into a single lane express lane

Both projects are completing the environmental documents that are estimated to complete in August 2013. ACTC is studying the use of a continuous access design (no limited access due to painted buffer) for most stretches of the I-680 and I-580 Express Lanes projects. The anticipated opening date for the I-580 Express Lanes projects is 2015.

I-80 Express Lanes

The I-80 Express Lanes project by Solano Transportation Authority (STA) is a 18-mile long project between the cities of Fairfield and Vacaville. Similar to ACTC, this project also intends to use a continuous access design approach. Part of the project involves conversion of carpool lanes to Express Lanes while the remaining part of the project involves constructing a new lane for Express Lanes. The project is expected to open as Express Lanes in phases between 2016 through 2018.
Update on Other Express Lanes Efforts in California

Los Angeles Area Express Lanes

The Los Angeles County Metropolitan Transportation Authority (MTA) received a $210 million federal grant to convert existing carpool lanes on I-10 and I-110 into Express Lanes (referred to as Metro Express Lanes). The I-110 segment opened to tolling operations on November 10, 2012 while the I-10 segment opened to tolling on February 23, 2013 (see Attachment C). The Metro Express Lanes require switchable tags in all vehicles that will use these express lanes, including carpools. On the I-10 El Monte busway lanes, carpools with two people are also required to pay during the peak periods but are free during the off-peak hours. The hours of operation in Los Angeles are 24/7.

Update on Other Express Lanes Efforts in the Nation

I-495 Express Lanes

The I-495 Express Lanes (also known as the Capital Beltway Expressway) in Washington D.C. opened for tolling operations November 17, 2012. Similar to Metro Express Lanes in Los Angeles, this project also requires all users to have a switchable tag. Upon opening, initially there was confusion over access locations to express lanes. Quick changes were introduced which included signage changes to warn drivers about pavement patterns and colored reflectors indicating express lane areas. Additional changes made to the express lanes were a longer transition zone to give drivers more time to more easily merge in/out of the express lanes.

ADVISORY COMMITTEE DISCUSSION/RECOMMENDATION:

The Citizen Advisory Committee (CAC) heard this item on April 10, 2013. The CAC provided input that it is best to have a one standard transponder (tag) so that the public does not need several tags to travel different corridors. Staff clarified that the current FasTrak tag is interoperable throughout the state of California and that the switchable tags will have added the advantage of being to declare occupancy with a single tag although it would now require all users of Express Lanes including carpoolers to have a tag to use the facility. The CAC also stated that BAIFA decisions should not impact the operational policies adopted by VTA.

The Technical Advisory Committee (TAC) heard this item on April 11, 2013 and did not have any comments.

The Policy Advisory Committee (PAC) heard this item on April 11, 2013. PAC engaged in a discussion about the details on how the tags and continuous open access arrangement would work. PAC also provided a suggestion that the map for the Express Lanes highlight segments with dual lane express lanes.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Congestion Management Program & Planning Committee (CMPP) heard this item on April 18, 2013. CMPP asked if the conversion of tags to switchable tags will end up costing public more money. Staff explained that the details of this implementation are being studied currently and that the actual implementation will not occur until 2015.

Prepared By: Murali Ramanujam
Memo No. 4027
**ATTACHMENT B - MTC Phase-I Projects**

**Regional Express Lane Network**

**Phase 1 projects**

- **Sol-80 WB & EB (led by STA)**
  - 80/680/12 to Air Base Parkway
  - Est. capital cost: $22 million
  - Est. first year operating cost: $1.5 million

- **Bay Bridge approach**
  - WB Al-60; 80/580/880 to metering lights
  - Est. capital cost: nominal
  - Est. first year operating cost: $1.1 million

- **CC-680 NB & SB**
  - Alcosta to Livorna
  - Est. capital cost: $23.9 million
  - Est. first year operating cost: $2.2 million

- **San Mateo Bridge approach**
  - WB Al-92; 880/92 to toll booths
  - Est. capital cost: $3.7 million
  - Est. first year operating cost: $0.3 million

- **Dumbarton Bridge approach**
  - WB Al-84; 880/84 to toll booths
  - Est. capital cost: $3.9 million
  - Est. first year operating cost: $0.2 million

- **Ala-880 NB & SB**
  - Marina/Lewelling to SR237
  - Est. capital cost: $89.2 million
  - Est. first year operating cost: $5.0 million

- Anticipates opening in 2015
- Total est. capital cost: $111.7 million
- Est. first year operating cost: $10.3 million
- Includes 40% cost contingency

**Source:** MTC Administration Committee, February 1, 2012
ATTACHMENT C - Metro Express Lanes (I-110 & I-10)

Metro Express Lanes FasTrak® Entry/Exit and Toll Point Locations

I-110 Express Lanes open Nov. 10, 2012
I-10 Express Lanes open early 2013

Source: Los Angeles County Metropolitan Transportation Authority (Metro), Accessed – March 20, 2013

7.18.a.c

FasTrak transponder will be required for Metro Express Lanes entry. The general purpose lanes are not charged a toll.
BOARD MEMORANDUM

TO:    Santa Clara Valley Transportation Authority
       Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM:  Chief CMA Officer, Ristow, Chief Financial Officer, Smith

SUBJECT: Silicon Valley Express Lanes Implementation Plan

FOR INFORMATION ONLY

BACKGROUND:

In December 2008, the VTA Board of Directors approved the Silicon Valley Express Lanes Program (hereafter referred to as the Program) which had been under development since 2003. The Program, as approved, was the result of 18 months of coordination, analysis and outreach on both technical and policy areas related to implementing Express Lanes as a means to address congestion levels on highways while also looking towards new solutions to accommodate the future growth in travel demand. Outreach activities included reaching out to the general public, key community and project stakeholders to derive public opinion through focus groups, a web survey, open houses, and presentations to business communities and environmental groups.

The goal of the Program is to provide long-term mobility benefits and another funding stream for transportation improvements. Specifically, the primary objectives of the Program are the following:

1. Provide congestion relief through more effective use of existing roadways;
2. Provide commuters with a new mobility option; and
3. Provide a new funding source for transportation improvements including public transit.

As part of the Program, the Express Lanes projects (Attachment A) will implement a roadway pricing system to allow for the use of unused capacity in the carpool lanes to provide congestion relief and a new mobility option for some commuters. The roadway pricing system will allow solo commuters to use the available capacity in the carpool lanes for a fee. The fee would change dynamically in response to existing congestion levels and available capacity in the carpool lanes. When solo commuters choose to use Express Lanes, this in turn will also provide for traffic congestion relief in the general purpose lanes.
The Program is comprised of two corridors: the SR 237 corridor between I-880 and SR 85 and the US 101/SR 85 corridor within Santa Clara County up to the San Mateo County line. VTA has legislative authority to convert existing carpool lanes on two corridors within the county-based on Assembly Bill (AB) 2032 which passed in 2004 and the follow up AB 574 which passed in 2007. Additionally, AB 1105 which passed in 2011 allows VTA to extend the two corridors into the adjacent counties subsequent to an agreement with the neighboring Congestion Management Agency (CMA).

The SR 237/I-880 Express Connectors project is the first phase of the SR 237 Express Lanes project that converted the carpool lane connector ramps at the SR 237/I-880 interchange to Express Lanes operations. The SR 237 Express Lanes opened for tolling on March 20, 2012. This project has already served close to 2 million carpool users and has provided a new travel option to another half million toll paying commuters. In addition, travel times on general purpose lanes in the Express Lanes segment have improved by about 7 minutes.

DISCUSSION:

The Silicon Valley Express Lanes Implementation Plan (hereafter referred to as Implementation Plan) will outline the plan to deliver the Express Lanes projects shown in Attachment A. The Implementation Plan will be brought to the VTA Board of Directors at a future date for its approval outlining the overall plan related to financing, legislation, policy decisions and communication.

The key objective of the Implementation Plan is to present a plan for the SR 237 and US 101/SR 85 Express Lanes projects currently under development. For the projects in Attachment B on SR 237, US 101/SR 85, the amount spent to environmentally clear the projects will total around $14 million with the funding having come from VTA CMA Local Program Reserve funds and federal funds acquired by VTA. The remaining cost for final design and construction is approximately $585 million.

The $585 million will fund three additional express lanes projects for VTA. The SR 237 Express Lanes (Phase II) project will convert the remaining 4 miles of existing carpool lane on SR 237 to Express Lanes between North First Street and Mathilda Avenue ($15 million). In addition, the SR 85 Express Lanes project (costing $170 million) will convert entire carpool lane segment on SR 85 (24 miles) to Express Lanes. This SR 85 project will also include adding a second express lane in the segment between SR 87 and I-280. Lastly, the US 101 Express Lanes project (costing $400 million) will convert existing carpool lane segment and also add a second express lane within the existing footprint between Morgan Hill and San Mateo County (34 miles) to express lanes.

This memorandum focuses on the spectrum of financing options for funding the completion of design and construction of the Express Lanes projects. The selected financing option would depend on VTA’s ability to assume certain risks in order to achieve the objectives of the Program.
At a high level, there are two options available to deliver these projects for VTA:

- **Standard Project Delivery Approaches** - Use standard design-bid-build processes for project delivery that are already used for highway projects with funding from a combination of grants. However, this approach would also include debt financing and potential partnerships with other public entities. In this scenario, the VTA Board of Directors would retain sole control of the Program and assume all of the associated risks (i.e. construction and revenue risk).

- **Alternative Project Delivery Approaches** - Use alternative project delivery processes that could require use of existing legislation through the California Transportation Commission (CTC) or the passage of a new legislation to grant the use of alternative delivery methods. Alternative delivery methods usually involve a partnership with the private sector whose participation could be minimal or could involve a significant level of up-front investment and contribution. In this type of approach, the greater the up-front private sector investment and level of risk transferred, the greater the transfer of control to the private sector.

The following are additional considerations regarding the above project delivery approaches:

- **Design-Bid-Build Approach** - At present, VTA does not have funds for the design phase of work for Express Lanes. Since the mid-1980s much of the highway development work in Santa Clara County has been funded by local sales tax measure, however, there is currently no local sales tax measure that provides for highway work in the county. If funding capacity is available in the upcoming 2014 State Transportation Improvement Program (STIP), it will most likely be in 2018 or 2019.

- **Design/Build Approach** - The existing legislation that can be used to gain access to design/build approach is Senate Bill 4 (SB 4) from 2009. Using this legislation requires that the project be fully funded and the design-build contract awarded before January 1, 2014. Projects are limited to those that have been programmed by the CTC for funding in the STIP, State Highway Operation and Protection Program (SHOPP), or one of the Proposition 1B bond programs. Use of this approach would require that Caltrans be the contract agency for the Design/Build contract. Under this current law, VTA could not be the contracting agency for construction work.

- **Variations of Public-Private Partnerships (P3s)** such as Design/Build/Finance or Design/Build/Operate/Maintain - SB 4 also provides this ability and requires that the P3 contract is awarded by January 1, 2017. Under this approach, VTA would have to form a Joint Powers Authority in order to be the contracting agency for the P3.

The following are key financing considerations:

- **Funding Shortfall** - There is a need to secure additional funds despite being able to bond against future revenues regardless of the financing methods used. Based on current revenue projections, the range of funding shortfall is between $50 million to $80 million depending on project scope, costs and market conditions.
• Financing of Project Costs - Private financing can be sought that may help to deliver projects sooner but will require sharing of revenue with the private entity. The level of private entity up-front investment and the amount of risk transferred to the private entity drives the level of revenue sharing specifically, the higher the investment and risk transferred, the higher the amounts of revenue that would be provided to the private entity as compensation for their contribution. The advantage to utilizing a financing method that incorporates private participation is earlier project delivery that typically includes innovation and design efficiencies as well as reduced cost of construction.

• Supplemental Funding - Regardless of public or private funding, the ability to secure credit assistance from programs such as the Transportation Infrastructure Finance and Innovation Act (TIFIA) Program or other fund sources is an essential component of funding these projects.

Among the key decisions that VTA will have to make are the following:

• Is VTA willing to forego all toll revenues and control over operational policies for a certain period of time (up to 50 years) in order to accelerate project delivery?

• Is VTA willing to share toll revenue for repayment to a private or public entity, but still maintain control of operational policies?

• Is VTA willing to accept construction and revenue risk in order to maintain full control of policies and revenues but be satisfied with potentially significant delays in project delivery while VTA searches for additional grant funding to supplement any debt financing?

Attachment B shows a general timeline of the Express Lanes projects. As mentioned above, under private financing, it is often desired that the design phase be completed by the private entity allowing for potential innovation and design efficiencies. Regardless of the route chosen to fund the projects, VTA is well positioned to move into the next project development phase as the environmental clearance work is expected to be completed for the US 101/SR 85 corridor in 2013.

In summary, the purpose of this memorandum is to advise VTA committees and VTA Board of Directors on the various potential approaches available to deliver the Program and to initiate discussions on the issues associated with these approaches. Staff will provide additional updates to the VTA Board of Directors on the same subject. Guidance provided from these set of initial discussions will be used to finalize a funding path that staff can deliver with recommendations in the fall of 2013.

**ADVISORY COMMITTEE DISCUSSION/RECOMMENDATION:**

The Citizen Advisory Committee (CAC) heard this item on March 13, 2013. The CAC requested that staff provide added information in order for the members to provide input on the item. Few members highlighted that the use of Pay As You Go funding model is appropriate even if it resulted in delay of completion of projects versus having private sector involvement to deliver projects early. There was also discussion that awaiting for state and federal funds indefinitely is
not recommended as the funds might not be available for an indefinite period of time. There was also an input that it is a reasonable approach to evaluate all financing options including private sector involvement at this point before deciding on the financing model. It was highlighted that additional information should be provided including the benefits and disadvantages of each options and background information on the financing undertaken by other successful projects.

The Citizen Advisory Committee (CAC) heard this item again on April 11, 2013 with additional information requested from the March 13, 2013 meeting. One of the committee member stated that VTA should not consider partnership with private sector which will require sharing of toll revenues.

The Technical Advisory Committee (TAC) heard this item on March 14, 2013 and had no comments.

The Policy Advisory Committee (PAC) heard this item on March 14, 2013. PAC asked staff to ensure that the express lanes website used for outreach be available to accommodate all platforms. Staff was asked why there was no improvement identified at the I-280/SR 85 interchange as part of the SR 85 Express Lanes project. Staff clarified the cost of the improvement is prohibitive but however ramp metering implementation is a near-term implementation that could provide some relief. PAC mentioned that staff should ensure that financial options considered does not limit future VTA control on operations. PAC also commented that all financial options should be explored at this point. PAC also commended VTA staff had done a good job to secure low interest rates on bonds for transit. Staff explained that toll revenue bonds not backed by secured funding source such as sales tax or enhanced enforcement to minimize toll leakage will have lower bond rating and higher interest rate.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Congestion Management Program and Planning Committee (CMPP) heard this item on March 21, 2013. CMPP advised staff to be aware of requirements tied to potential federal funding. There was discussion on SR 237 Express Lanes Phase II project as a potential near-term project due to its low capital cost. However, it was clarified that the revenues from the SR 237 Express Lane (Phase I) project will be insufficient to support the remaining Express Lanes projects in the Program. There was also discussion on the potential for how best to phase projects to support each project. Staff also clarified that while VTA has not had experience dealing with private partnership, this is a common approach for many managed lanes projects across the country.

The Transit Planning and Operations Committee (TP&O) heard this item on March 21, 2013. TP&O suggested to provide background on how the VTA Board of Directors came about to approve the Program. There was a request to share information about the operational efficiency of the SR 237 Express Lanes project that can help city staffs explain the benefits of getting potential contributions from project developments that might impact the highways adversely.

The Administration and Finance Committee (A&F) heard this item on April 18, 2013. Two committee members from A&F commented on the need to review double white line striping on SR 237 Express Lanes and how it might affect the local access from Calaveras Boulevard. In addition, one committee member queried how the Silicon Valley Express Lanes projects
interface with the MTC efforts to deliver Express Lanes projects. Staff replied that although VTA is not part of the BAIFA, there are several coordination meetings where staffs discuss various issues to be consistent in the regional approach to delivering these projects.

Prepared By: Murali Ramanujam, Kim Koenig and Casey Emoto
Memo No. 3764
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**Implementation Plan**

**Board Updates & Approval**

- Dec Board
- April Board
- June Board
- August Board

**Finance & Grants Programming**

- Funding Options
- Securing Funds

**Communications & Outreach**

- 85 Circ.
- 101 Circ.
- 237 Circ.

**Legislation & Policy Decisions**

Rev: 2/19/13
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief Engineering & Construction Officer, Mark S. Robinson


FOR INFORMATION ONLY

BACKGROUND:

Please find attached the Semi-Annual Report for the 2000 Measure A Transit Improvement Program for the period ending December 31, 2012. Highlights for this reporting period include the following accomplishments:

- On December 6, 2012, the California Transportation Commission (CTC) allocated $50 million in State Transportation Improvement Program (STIP) funding to help expand and improve BART’s Hayward Maintenance Complex to accommodate the operation of the BART Silicon Valley Berryessa Extension (SVBX).
- The SVBX project completed environmental mitigation work at Upper Penetencia Creek in December 2012. This restoration effort lessens the environmental impact of construction and improves the condition of the banks of Upper Penitencia Creek.
- All right-of-way required for critical Piper Drive early utility relocations was transferred to the SVBX Line, Track, Stations, and Systems (C700) contractor, and an encroachment permit was obtained from the City of Milpitas for the work.
- At its December 2012 meeting, the VTA Board of Directors amended the FY 2013 2000 Measure A Transit Improvement Program Fund Capital Budget to add $3.08 million for the Caltrain/High Speed Rail Early Investment Strategy.
- On October 5, 2012, a ribbon-cutting event was held to commemorate the completion of pedestrian safety and access improvements along Capitol Expressway for the future VTA rapid transit and light rail corridor.
- On September 28, 2012, a ribbon cutting ceremony was held for the public opening of the Blossom Hill Pedestrian Overcrossing Bridge with over 130 people in attendance. The
project constructed a bridge that spans the UPRR railroad corridor and Monterey Highway, enhancing bicycle/pedestrian safety.

- In August 2012, the **BART Silicon Valley Project** was allocated $40 million in Traffic Congestion Relief Program (TCRP) funds by the California Transportation Commission (CTC) at their August meeting. The $40 million installment is the fourth of six, totaling $239 million that BART Silicon Valley will receive under the State of California TCRP Allocation Plan which was adopted by the CTC in September 2008.

The goal of this report is to communicate overall progress in a simple yet informative manner. We look forward to your continued feedback on this report as the 2000 Measure A Transit Improvement Program moves forward.

**ADVISORY COMMITTEE DISCUSSION/RECOMMENDATION:**

The 2000 Measure A Citizens Watchdog Committee on March 13, 2013, received a brief staff presentation highlighting the more recent activities on the Measure A Program of projects including the advertisement of the Eastridge Transit Center Project (award contract in June), progress on the Light Rail Efficiency Project and advertisement of the Santa Clara/Alum Rock Bus Rapid Transit Project (award contract in September).

The Committee asked if progress on the Light Rail Efficiency Project included advancing the speed improvements along North First Street. Staff responded that discussions are underway to enhance traffic signal timing to the benefit of light rail. There were no further questions, concluding the discussion on this information item.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Transit Planning & Operations Committee, on March 21, 2013, received this information item on its Consent Agenda. There was no discussion of the item, and the Committee moved to place it on the Consent Agenda for the April 4, 2013 Board of Directors meeting.

Prepared By: Adolf Daaboul, Sr. Transportation Engineer
Memo No. 3933
Agenda Item #7.19.a

2000 Measure A Program
Semi-Annual Report -December 2012

is available on the VTA website at:

Please click here.
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief Financial Officer, Joseph T. Smith

SUBJECT: Substitution of Liquidity - 2008 Measure A Sales Tax Revenue Bonds

Resolution

ACTION ITEM

RECOMMENDATION:

Adopt a Resolution authorizing the General Manager or Chief Financial Officer to execute and deliver any and all documents, including a Remarketing Memorandum in connection with the 2000 Measure A Sales Tax Revenue Refunding Bonds, 2008 Series A, B, C and D that are required to (1) extend the liquidity facilities provided by Sumitomo Mitsui Banking Corporation as liquidity provider for 2008 Series C and D and (2) replace the liquidity facilities provided by JPMorgan Chase Bank, N.A (JPMorgan) for 2008 Series A and B with liquidity facilities provided by Sumitomo Mitsui Banking Corporation.

BACKGROUND:

In June 2008, the Santa Clara Valley Transportation Authority (VTA) issued its $236,730,000 2000 Measure A Sales Tax Revenue Refunding Bonds (the Bonds), of which $235,875,000 are currently outstanding, in four series of approximately equal amounts. The Bonds were structured as uninsured variable rate demand bonds (VRDBs) secured by VTA’s 2000 Measure A sales tax revenues. VRDBs are long term bonds that pay interest at rates that are reset weekly by remarketing agents. VRDBs provide investors with the option to “put” the bonds back to the issuer (in effect sell them back) at each interest reset date. If this occurs, remarketing agents remarket the bonds to other investors. VRDBs are supported by liquidity agreements from banks with high short-term ratings in order to assure bondholders that there is a source of funding to buy their bonds back if they cannot be readily remarketed. The liquidity facilities for the Bonds were provided by JPMorgan with respect to the 2008 Series A and B Bonds and Banco Bilbao
Vizcaya Argentaria S.A (BBVA) with respect to the 2008 Series C and D Bonds. The JPMorgan and BBVA liquidity facilities were structured in the form of standby bond purchase agreements.

In June 2010, VTA substituted Sumitomo Mitsui Banking Corporation (Sumitomo) for BBVA as the liquidity provider for the 2008 Series C and D Bonds because BBVA determined as a matter of corporate policy not to renew expiring credit and liquidity facilities that supported municipal bonds. JPMorgan renewed its commitment to VTA and extended its liquidity facility for the 2008 Series A and B Bonds. The Sumitomo and JPMorgan liquidity facilities expire on June 14, 2013. Annual fees for the JPMorgan and Sumitomo liquidity facilities are currently 0.77% and 0.75%, respectively. These fees amount to approximately $1.8 million per year.

**DISCUSSION:**

In light of changing banking regulatory conditions, JPMorgan offered to extend its liquidity facilities for only one year unless VTA agreed to convert the 2008 Series A and B Bonds to a new financial structure that, in the view of VTA staff and Financial Advisor, would have added complexity and risk to the existing Bonds. Sumitomo indicated its willingness both to extend its commitment to provide liquidity for the 2008 Series C and D Bonds as well as provide liquidity for the 2008 Series A and B Bonds, in each case for three additional years and for an annual fee of 0.52%. The reduction in annual liquidity fees provides annual savings of approximately $600,000.

VTA’s experience with Sumitomo as liquidity provider for the 2008 Series C and D Bonds has been excellent. The 2008 Series C and D that Sumitomo currently supports trade very well due to its relatively high ratings and scarcity value among bond investors.

Sumitomo’s proposed fee is competitive in the current marketplace based on a survey performed by VTA’s Financial Advisor in late 2012. Additionally, the use of a single liquidity bank adds efficiency in document preparation and eliminates the need for additional counsel - resulting in lower legal fees and easier implementation. Moreover, the existing Sumitomo liquidity facilities contain provisions that are generally more favorable to VTA than those typically provided by other banks, especially in the unlikely circumstance where a failed remarketing results in a draw on the liquidity facility.

The replacement of JPMorgan as liquidity provider for the Bonds requires VTA to provide an updated disclosure document to investors. This document is the Remarketing Memorandum (Exhibit A to the Resolution) that meets the updated disclosure requirements and is in substantially complete form. The most significant updates from the Official Statement that was approved by the Board in October 2010, when VTA issued the 2010 Measure A Sales Tax Revenue Bonds include:

- Disclosure about Sumitomo and 2013 Liquidity Agreement (pg 23-24);
- Disclosure about Ambac Assurance Corporation as reserve fund surety provider with respect to the 2000 Measure A Sales Tax Revenue Bonds, 2007 Series A (pg 22);
- Updated information about VTA and the 2000 Measure A sales tax (pg 35 and Appendix
A);

• Financial Statements for fiscal year ended June 30, 2012 (Appendix B)

The Remarketing Memorandum is a disclosure document that is required by the Securities Exchange Commission (SEC) under Rule 10b-5. Pursuant to this rule, it is a violation to make any untrue statement of a material fact or omit to state a material fact. It is a fiduciary responsibility of the Board to ensure that the Remarketing Memorandum is accurate. The Board should bring to the attention of Staff any discrepancies noted in the attached Remarketing Memorandum.

The form of the Sumitomo liquidity agreement will change from a standby bond purchase agreement to a standby letter of credit and reimbursement agreement (the 2013 Liquidity Agreement). This is a change in form only as the provisions that would be contained in a revised standby bond purchase agreement are contained in the 2013 Liquidity Agreement (See Exhibit B to the Resolution).

Alternatives:

The 2013 Liquidity Agreement and Remarketing Memorandum are required to extend the existing Sumitomo liquidity agreement and for Sumitomo to replace JP Morgan as liquidity provider for the 2008 Series A and B Bonds. If approval and distribution of these documents are not accomplished, or are delayed, VTA will not be able to implement the change in liquidity provider, will not be able to enjoy the lower liquidity fees and, upon expiration of the existing liquidity facilities, will be in default according to the terms of VTA's bond documents.

Fiscal Impact:

There are legal, financial advisory, rating agency and miscellaneous fees associated with the substitution of liquidity, which are estimated to be $130,000. Savings achieved as a result of the renewal with Sumitomo and substitution of JPMorgan Chase are approximately $600,000 per year for the next three years for projected total savings of approximately $1.8 milion.

Appropriation for the fees incurred through June 2013 are included in the FY13 Adopted 2000 Measure A Transit Improvement Program Fund Operating and Capital Budgets. Appropriation for the remainder of the contract period will be included in the Recommended FY14 & FY15 and subsequent Biennial Operating and Capital Budgets.

Standing Committee Discussion/Recommendations:

The Administration/Finance Committee received a brief presentation on this item at its April 18, 2013 meeting. Member Esteves inquired about the nature of the $130,000 of fees associated with the substitution. Staff explained that he fees were for legal, financial advisory, rating agency and miscellaneous fees. Member Cortese inquired about the financial impact from the demise of Ambac’s credit on the VTA Auction Rate Notes in 2008. Staff estimated that the loss to VTA was approximately between $3.5 million.

The Committee unanimously supported the staff recommendation for consideration by the Board.
## Contact List

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<th>Company</th>
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<td>Executive Director</td>
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<td>Executive Director</td>
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<td>Ian Parker <a href="mailto:ian.parker@gs.com">ian.parker@gs.com</a> Tel: (415) 393-7748 Fax: (212) 493-9668</td>
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<td>Peter Ross <a href="mailto:rossfinancial@smkc.com">rossfinancial@smkc.com</a> Tel: (415) 912-5612 Fax (415) 912-5611</td>
<td>Principal</td>
</tr>
</tbody>
</table>
Resolution No. ______


WHEREAS, the Santa Clara Valley Transportation Authority (the “Authority”) is a public transit district duly organized and existing under the provisions of the Santa Clara Valley Transportation Authority Act, being Part 12 of Division 10 of the Public Utilities Code of the State of California, Sections 100000 et seq. (the “Law”);

WHEREAS, the Board of Directors of the Authority (the “Board”) is authorized to issue bonds payable from the proceeds of a one-half of one percent (0.5%) retail transactions and use tax (the “2000 Measure A Sales Tax”) that was authorized pursuant to a ballot measure approved by more than two-thirds of the electorate of the County of Santa Clara, California voting on the ballot measure in November 2000 and is scheduled to expire March 31, 2036;

WHEREAS, the Authority previously issued its (i) $59,805,000 aggregate principal amount of Santa Clara Valley Transportation Authority 2000 Measure A Sales Tax Revenue Refunding Bonds, 2008 Series A (the “2008 Series A Bonds”), currently outstanding in the aggregate principal amount of $58,950,000, (ii) $58,975,000 aggregate principal amount of Santa Clara Valley Transportation Authority 2000 Measure A Sales Tax Revenue Refunding Bonds, 2008 Series B (the “2008 Series B Bonds”), (iii) $58,975,000 aggregate principal amount of Santa Clara Valley Transportation Authority 2000 Measure A Sales Tax Revenue Refunding Bonds, 2008 Series C (the “2008 Series C Bonds”), and (iv) $58,975,000 aggregate principal amount of Santa Clara Valley Transportation Authority 2000 Measure A Sales Tax Revenue Refunding Bonds, 2008 Series D (the “2008 Series D Bonds,” and together with the 2008 Series A Bonds, the 2008 Series B Bonds and the 2008 Series C Bonds, the “Bonds”);

WHEREAS, the Authority issued the Bonds pursuant to an Indenture, dated as of August 1, 2006 (the “Original Indenture”), between the Authority and Deutsche Bank National Trust Company, as trustee (the “Trustee”), and a First Supplemental Indenture, dated as of August 1, 2006 (the “First Supplemental” and, together with the Original Indenture, as further supplemented, the “Indenture”), between the Authority and the Trustee;

WHEREAS, the Authority, with the advice of Ross Financial (the “Authority Financial Advisor”), has selected Sumitomo Mitsui Banking Corporation, acting through its New York Branch (the “Liquidity Provider”), to continue as liquidity provider for the 2008 Series C Bonds and the 2008 Series D Bonds and to replace the existing liquidity provider for the 2008 Series A Bonds and the 2008 Series B Bonds;
WHEREAS, there has been prepared and distributed to the Board a proposed form of remarketing memorandum describing the Bonds and related matters (the “Remarketing Memorandum”), to be used in connection with the remarketing of the Bonds;

WHEREAS, there has been prepared and distributed to the Board a proposed form of standby letter of credit and reimbursement agreement (the “Reimbursement Agreement”), to be entered into between the Authority and the Liquidity Provider pursuant to which the Liquidity Provider will issue separate standby letters of credit to support each Series of Bonds;

WHEREAS, the Board now deems it necessary and advisable and in the financial interest of the Authority (i) to approve the form of, and to authorize the execution, delivery and distribution of the Remarketing Memorandum, (ii) to approve the form of, and to authorize the execution and delivery of the Reimbursement Agreement, and (iii) to authorize various other actions in connection therewith; and

WHEREAS, all acts, conditions and things required by the Constitution and laws of the State of California to exist, to have happened and to have been performed precedent to and in connection with the consummation of the transactions contemplated hereby do exist, have happened and have been performed as required by law, and the Authority is now duly authorized and empowered, pursuant to each requirement of law, to authorize and consummate the transactions for the purposes, in the manner and upon the terms provided in this Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Santa Clara Valley Transportation Authority as follows:

Section 1. The foregoing recitals are true and correct and the Board hereby so finds and determines.

Section 2. The proposed form of Remarketing Memorandum, attached hereto as Exhibit A, describing the Bonds and related matters, and the terms and provisions thereof, which are hereby incorporated by reference, are hereby approved. The Secretary is directed to file a copy of such form of Remarketing Memorandum with the minutes of this meeting. The General Manager of the Authority or the Chief Financial Officer of the Authority, or any designee appointed by either (each an “Authorized Officer”), acting alone, is hereby authorized and directed to execute and deliver the Remarketing Memorandum in substantially the form of the Remarketing Memorandum attached hereto as Exhibit A, with such additions thereto or changes therein as such Authorized Officer, with the advice of counsel to the Authority, may require or approve, the approval of such additions or changes to be conclusively evidenced by the execution and delivery of the Remarketing Memorandum. The Authority hereby authorizes the distribution of the Remarketing Memorandum in connection with the remarketing of the Bonds.

Section 3. The proposed form of Reimbursement Agreement attached hereto as Exhibit B, and the terms and provisions thereof, which are hereby incorporated by reference, are hereby approved. The Secretary is directed to file a copy of such form of Reimbursement Agreement with the minutes of this meeting. Each Authorized Officer, acting alone, is hereby authorized and directed to execute and deliver the Reimbursement Agreement in substantially the form attached hereto as Exhibit B, with such additions thereto or changes therein as such Authorized Officer, with the advice of counsel to the Authority, may require or approve, the
approval of such additions or changes to be conclusively evidenced by the execution and delivery of such Reimbursement Agreement.

Section 4. Each Authorized Officer and each other appropriate officer of the Authority, are authorized and directed, for and in the name and on behalf of the Authority, to execute and deliver any and all agreements, certificates, documents and instruments, including, without limitation, fee letters, signature certificates, no-litigation certificates, disclosure certificates and certificates concerning the contents of the Remarketing Memorandum, and to do any and all things and take any and all actions which may be necessary or advisable, in their discretion, to effectuate the actions which the Authority has approved in this Resolution, and to carry out, consummate and perform the duties of the Authority set forth in this Resolution and all other documents executed in connection with the remarketing of the Bonds.

Section 5. The General Counsel of the Authority is authorized and directed to provide such opinions, on behalf of the Authority, as are required to consummate any of the transactions authorized by this Resolution.

Section 6. Each Authorized Officer, with the advice of the Authority Financial Advisor, is authorized and directed, for and in the name and on behalf of the Authority to select one or more additional or replacement liquidity providers from time to time for one or more Series of Bonds, to execute and deliver any replacement or substitution for the Reimbursement Agreement.

Section 7. Each Authorized Officer, with the advice of the Authority Financial Advisor, is authorized and directed, for and in the name and on behalf of the Authority to select one or more additional or replacement remarketing agents from time to time for one or more Series of Bonds, to execute and deliver any amendment to or any replacement or substitution for any remarketing agent agreement in effect with respect to one or more Series of Bonds and to terminate any existing remarketing agent agreement entered into in connection with one or more Series of Bonds.

Section 8. All actions heretofore taken by the members of the Board, each Authorized Officer, the General Counsel of the Authority or any other officers, agents or employees of the Authority, with respect to the remarketing of the Bonds and the other transactions contemplated hereby and by the Remarketing Memorandum, are hereby ratified, confirmed and approved.

Section 9. This Resolution shall take effect immediately upon its adoption by the Board.
PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Transportation Authority this 2nd day of May, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

___________________________
Chairperson
Santa Clara Valley Transportation Authority

ATTEST:

___________________________
Assistant Board Secretary

Approved as to Form:

___________________________
General Counsel
Exhibit A

FORM OF REMARKETING MEMORANDUM
Exhibit B

FORM OF STANDBY LETTER OF CREDIT AND REIMBURSEMENT AGREEMENT
Agenda Item #8.1
Substitution of Liquidity – 2008 Measure A
Attachments C and D

are available on the VTA website at:

Please click here.
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: SR152 Trade Corridor AB3090 Project Funding

Policy-Related Action: No
Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Identify $17 million in local funding to advance the SR-152 New Alignment project, authorize VTA staff to submit Assembly Bill (AB) 3090 requests to the Metropolitan Transportation Commission (MTC) and California Transportation Commission (CTC), and authorize the General Manager to execute an AB 3090 Reimbursement Agreement with the CTC and/or Caltrans.

BACKGROUND:

VTA has been working with the California Transportation Commission (CTC), Caltrans, and the San Benito County Council of Governments (SBCOG) to develop project alternatives and environmentally clear the construction of a new alignment of State Route 152 (SR 152). Additionally, the Project is studying the feasibility of a toll road on SR 152 between US 101 and Casa De Fruta, south of Gilroy. VTA received an initial grant of $5 million from the CTC for this effort in 2009, matching it with $5 million in Local Program Reserve funds. This initial $10M has been used to examine corridor management strategies for the SR 152 corridor, commence preliminary engineering and environmental clearance efforts and conduct a study to determine the feasibility of a tolled facility to implement improvements. An additional $19.86 million is needed to complete the environmental clearance process and obtain a Record of Decision (ROD) from the Federal Highway Administration (FHWA).

In order to cover this $19.86 million funding gap, VTA is providing $2.86 million in Federal funds remaining from the SR 152/SR 156 Interchange project, and the CTC is programming $17 million to the project at its' June 2013 meeting.
DISCUSSION:

The CTC's IIP funding will not be available to VTA until State Fiscal Year 2017. In order to proceed with the project before 2017, VTA will need an Assembly Bill 3090 Amendment approved by the CTC. The AB 3090 process provides the mechanism by which the State can authorize VTA to proceed using its' own funds in advance of the CTC's fund allocation, then reimburse VTA with an allocation in the year that the funds are programmed.

The VTA Board will need to take the following actions:

(1) Identify a source of interim local funding. Staff recommends that the VTA Board of Directors authorize the use of up to $17 million in VTA Transit Fund Debt Reduction monies to advance the SR-152 Project as described. VTA will be reimbursed, based on actual expenses, when the CTC allocates the IIP grant funds in 2017. Staff also recommends that the VTA Board commit to programming future Regional Improvement Program (RIP) funds to an eligible transit capital project that would normally be funded through VTA's Transit Fund Capital program. This would be an amount equal to the opportunity cost of advancing $17 million from VTA's Debt Reduction fund from the time expenditures begin, to allocation of the IIP grant funds.

(2) Authorize VTA staff to request that MTC approve VTA's request for an AB 3090 amendment. MTC's approval will make VTA's reimbursement the Bay Area Region's top STIP funding priority in 2019.

(3) Authorize VTA staff to request that the CTC approve an Assembly Bill (AB) 3090 Amendment for the SR-152 project, and amend the SR-152 reimbursement into the CTC's AB3090 plan.

(4) Authorize the General Manager to execute an AB 3090 Reimbursement Agreement with Caltrans.

If VTA proceeds without an AB 3090 amendment, VTA will not be reimbursed for project expenditures when the IIP funds become available.

ALTERNATIVES:

The VTA Board may decline to identify local funds, and request an AB 3090 amendment. This would result in the delay of the preparation of the Environmental Document until such time as an alternative source of funding is identified.

FISCAL IMPACT:

When ultimately approved by the California Transportation Commission, this action would decrease the Transit Debt Reduction Fund by $17 million. These funds would be reimbursed by Interregional Improvement Program grant funds in 2017. Appropriation for the transfer of funds
from the VTA Transit Fund to the VTP Highway Improvement Program Fund will be included in the Recommended FY 2014 and FY 2015 VTA Transit Fund Capital Budget.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Congestion Management Program & Planning Committee approved this item at their April 18, 2013 meeting and unanimously recommended it to the full Board for approval.

The Administration and Finance Committee discussed and approved this item at their April 18, 2013 meeting and unanimously recommended it to the full Board for approval. Supervisor Cortese requested information on statistics, safety, and goods movement. VTA staff will provide additional information to Supervisor Cortese.

Prepared by: Marcella Rensi
Memo No. 3804
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: Addendum No. 2 to the November 2008 Final Environmental Impact Report for the Santa Clara-Alum Rock Bus Rapid Transit Project

Policy-Related Action: No
Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Consider the Addendum to the Final Environmental Impact Report (EIR) and approve the design changes to the Santa Clara/Alum Rock Bus Rapid Transit Project (“Project”), as discussed in Addendum No.2.

BACKGROUND:

In November 2008, the VTA Board of Directors certified the Santa Clara/Alum Rock Bus Rapid Transit Project Final Environmental Impact Report (FEIR). The analysis in the FEIR was based on early design plans prepared during the preliminary engineering design phase of the Project.

DISCUSSION:

The design of the Project has progressed since the FEIR was approved in November 2008. As the project advanced through preliminary engineering and the initial stage of final design, several project refinements are recommended to enhance the project or minimize project impacts. In order to provide the required environmental clearance for these scope changes, VTA is preparing an FEIR Addendum that analyzes the changes and identifies impacts resulting from these refinements.

The Board could decide to not to approve the design modification. This action could impact the schedule, and most likely will increase Project cost. The PAB can choose not to approve the scope changes described above. This would result in the elimination of the changes recommended by VTA and City of San Jose staff to improve the project benefit and minimize
the public impact.

The key scope changes for the environmental document addendum include the following:

- Refined layout of the Downtown San Jose BRT Station layout as previously approved by the DTEV PAB (Exhibit A). This configuration balances the pedestrian, bus passenger and automobile interests.

- Exclusive bus lane transitions into and out of the Downtown San Jose BRT Station (Exhibit B). These bus transitions improve bus operations and remove some on street parking and loading zones.

- New signalized pedestrian crossings requested by San Jose DOT at intersections on Alum Rock Avenue at Scharf Lane and Eastgate Avenue (Exhibit C). These intersections provide pedestrian access at particular locations where there is a significant distance between adjacent intersections.

- City Hall BRT Station location between 5th and 6th Streets in each direction (Exhibit D). This location is recommended to best serve access to City Hall and pedestrian connection to San Jose State University.

Staff recommends the approval of this design modification for the reasons set forth in the Addendum.

The Addendum concludes that no significant impact would result from the proposed design modification. However, staff has received public input to these proposed refinements from the public, downtown business owners and transit advocacy groups. Attached are several letters describing concerns and providing support for the proposed changes. Public feedback can be summarized as follows:

1. Downtown business owners commented that the existing downtown bus stop is not safe and increasing the service will increase the problem. Staff explained that the new plan will include improved lighting, closed circuit television, emergency phones, etc.

2. Downtown San Jose is working to attract businesses and taking parking stalls and loading zones will make this effort more difficult.

3. Eliminating right turns makes it less convenient to automobiles trying to use the parking lot and loading zones on First and Second Streets.

4. The downtown area should be a destination and provide a sense of place. Transit advocates and urban planners noted that the station layout with bus transitions supports these interests. Local business owners commented that the place should focus on business and not transit.

5. Business owners expressed concern about loss of parking and loading zones caused by the inclusion of bus transitions.

All mitigation measures described in the FEIR are still applicable.

**ALTERNATIVES:**

The Board can choose not to approve the scope changes described above. This would result in
the elimination of the changes recommended by VTA and City of San Jose staff to improve the project benefit and minimize the public impact.

**FISCAL IMPACT:**

No fiscal impact to implementing the recommended changes included in the FEIR Addendum.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Transit Planning & Operations Committee received a staff presentation on this item at its April 19, 2013 meeting. Staff presented the item with an overview of the recommended changes to the addendum for the environmental document related to the Downtown San Jose bus rapid transit station. Committee member Liccardo presented a memorandum he prepared and issued to the Committee outlining his recommendation to advance the project and the environmental process with several conditions. The conditions include a request for funds to perform a comprehensive circulation of the Downtown area, that transition lanes be phased into the community based on proven need during operations rather than implemented with BRT opening, and that right turns to First and Second Streets from Santa Clara Street be allowed when a bus is not present within the block along the bus platform. A Committee discussion ensued about the contents and timing of the memorandum, and what approach should be taken. Staff was requested to provide a formal response to the memorandum prior to the May 2013 Board meeting.

The Committee unanimously approved the staff-recommended design changes to be included in the environmental document with the understanding that the document will clear the maximum amount of impact identified for the project. Bus transition lanes and right turn movements will be evaluated during final engineering. The Committee recommended the item be placed on the Regular Agenda for approval at the May 2, 2013 Board of Directors meeting.

Prepared by: Roy Molseed
Memo No. 4074
Final Layout
Platform Architectural Plan
(Eastbound Photo Simulation)
Updated Proposed Layout of Bus Transitions

Existing:
- 14 Autos
- 3 motorcycles
- 60' Loading

Proposed:
- 11 Autos
- 60' Loading
- 0 motorcycles

Existing:
- 7 Autos
- 176' Loading (2 locations)

Proposed:
- 5 Autos
- 0' Loading (use 1st Street)

Existing:
- 7 Autos
- 80' Loading

Proposed:
- 6 Autos
- 60' Loading

Santa Clara BRT Station
Updated Proposed Layout of Bus Transitions
February 15, 2013

Exhibit B
Addendum No. 2 to the Environmental Impact Report
(State Clearinghouse # 2001092015)

Santa Clara-Alum Rock Transit Improvement Project

April 2013

Santa Clara Valley Transportation Authority
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APPENDICES

Appendix A Santa Clara Street BRT Station Exhibits
Appendix B Exclusive Bus Lane and Intersection Modifications
Appendix C Eastgate and Scharff Avenue Pedestrian Crossings
Appendix D City Hall BRT Station Exhibits
Appendix E Alum Rock Avenue Turning Movement Modifications
Appendix F Transportation Impact Analysis
Appendix G Station Renderings
SECTION 1: INTRODUCTION

1.1 Project Description
The project consists of Bus Rapid Transit (BRT) improvements in the Santa Clara-Alum Rock Corridor (SC-AR Corridor). The SC-AR Corridor is the most heavily used transit corridor in the Santa Clara Valley Transportation Authority’s (VTA) transit system. The project would provide residents of the Downtown and East Valley areas more efficient access to the existing bus and LRT systems, with improved connections and greater mobility options throughout the Silicon Valley.

The project would provide service for 7.4 miles from the Diridon Transit Center in Downtown San José to the Eastridge Transit Center in east San José using Capitol Expressway, Alum Rock Avenue and Santa Clara Street. The project would include special vehicles, enhanced stations, dedicated median bus-way on Alum Rock Avenue east of 34th street, and transit signal priority for faster travel time. The eleven BRT stations include: Arena, Downtown San José, City Hall, 17th, 24th, King, Jackson, Alum Rock, Story, Ocala, and Eastridge.

Construction of the project would begin in fall 2013 and continue through fall 2015. The project is the first of three BRT lines, followed by El Camino Real and Stevens Creek.

1.2 Project History
The SC-AR Corridor is one of three transportation corridors for which major transit improvements were proposed as part of the Downtown East Valley Major Investment Study (MIS) which began in early 1999. The purpose of the MIS was to identify study area transportation needs and develop an investment strategy for those needs.

In November 2000, Santa Clara County voters approved Measure A, which included partial funding for the Downtown / East Valley Project. Subsequently, VTA selected a project team in late 2000 to examine in more detail the preferred investment strategy supported by the MIS. Six different rail and enhanced bus transit improvement alternatives for the Corridor were evaluated and presented to the public in a series of community meetings. These alternatives are summarized in the Santa Clara-Alum Rock Corridor Study Evaluation Report (May 2003).

In 2005, VTA introduced the 522 Rapid Transit service, which was the Enhanced Bus Option evaluated in earlier studies. As a result, in 2007, the VTA Board of Directors selected BRT as the preferred near-term investment strategy for the Corridor, with the option to convert to LRT at a later time if desired.

1.3 Environmental Documents

1.3.1 Environmental Impact Report
An Environmental Impact Report (EIR) was prepared to study the BRT and LRT alternatives. A Draft EIR was circulated for public review and comment from July 7, 2008 to August 20, 2008. A Final EIR was presented to the VTA Board of Directors and certified on December 11, 2008.
1.3.2 Addendum #1 to the Environmental Impact Report
An Addendum to the EIR was prepared to evaluate the design changes to the Alum Rock segment, between King Road and Capitol Avenue along Alum Rock Avenue. The design changes were made by VTA and the City of San José and consisted of:

- Station relocations from 6<sup>th</sup> to 7<sup>th</sup> Street, 16<sup>th</sup> to 17<sup>th</sup> Street, and 28<sup>th</sup> to 24<sup>th</sup> Street,
- Reconfiguration of the Alum Rock BRT Station,
- Lane configuration and turning movement changes along Alum Rock Avenue, and an
- Update of right-of-way requirements for the project.

The design changes did not result in new significant effects to the environment under the California Environmental Quality Act (CEQA).

1.3.3 Addendum #2 to the Environmental Impact Report
This is the second Addendum to the EIR. This Addendum evaluates design changes as a result of final engineering, stakeholder meetings, and recommendations from the Downtown East Valley Policy Advisory Board. The proposed changes include:

- Refined layout of the Downtown San José BRT Station,
- Exclusive bus lane transitions into and out of the Downtown San José BRT Station,
- New pedestrian crossings at intersections on Alum Rock Avenue at Scharff Avenue and Eastgate Avenue,
- City Hall BRT Stations located between 5<sup>th</sup> and 6<sup>th</sup> Streets in each direction, and
- Refined lane alignments and turning movements along Alum Rock Avenue.

SECTION 2: CEQA PROCESS
Section 15164 of the California Environmental Quality Act (CEQA) Statutes and Guidelines describes the preparation of an Addendum as follows: “the lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.”

This Addendum is being prepared to address technical changes or minor additions to the project. Substantial changes which would require major revisions of the previous EIR are not proposed.

Circulation for public review is not required under CEQA [§15164(c)]. A community meeting was held on March 6, 2013 to provide the community a general update of the project, including construction schedule. This meeting was held at Dr. Martin Luther King, Jr. Library in San José.

SECTION 3: DISCUSSION OF PROPOSED CHANGES

3.1 Downtown San José BRT Station
The proposed BRT station platform would conform to the same elevation as the existing sidewalk. As indicated in Table 1, the overall sidewalk area would be widened by approximately
four feet into the street on both the south and north side to provide a total of approximately 18.5 feet from the building face to the face of curb. This results in an increase in the amount of sidewalk area from the existing face of buildings to the new face of curb. The platform elements and amenities would occupy the curb zone, the area from face of curb to approximately 8’8” from the back of curb face. This would leave approximately 9’10” of pedestrian thru zone (clear sidewalk) between the bus platform and the adjacent buildings.

No windscreens or railings would be installed between the station platform and the pedestrian thru zone. The station platform would be accessible along the entire length of the block. Construction of the station would remove 2 trees in each direction as shown in Table 2. Appendix A includes exhibits of the proposed sidewalk (curb zone and pedestrian thru zone).

To accommodate this platform layout and maintain two thru lanes in each direction for automobile traffic, BRT and local buses will stop in an exclusive bus lane for the entire block on Santa Clara Street between First and Second Streets. As shown on Exhibit A, this configuration results in the elimination of the existing median between First and Second Streets. In conjunction with these modifications, the exclusive left turn pockets at First and Second Streets in the eastbound and westbound directions would be removed.

To allow buses to leave the platform without blocking traffic, right turns would be restricted in the westbound direction at First Street and in the eastbound direction at Second Street. Right turns would be diverted to Third Street and Market Street in the westbound direction and Fourth Street and Market Street in the eastbound direction. Appendix B includes exhibits of intersection modifications.

As a result of this bus stop and platform location, all existing parking and loading zones on Santa Clara Street between First and Second Streets would be eliminated (no change in this area from the original environmental document). However, as noted below in Section 3.2, additional parking impacts result from the introduction of exclusive bus transition lanes into and out of the bus platform.

### Table 1: Sidewalk Widening at Santa Clara Street

<table>
<thead>
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<th>Block Face on Santa Clara Street</th>
<th>Existing Sidewalk</th>
<th>Proposed Sidewalk</th>
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<tbody>
<tr>
<td>South side</td>
<td>3045 square feet</td>
<td>3350 square feet</td>
</tr>
<tr>
<td>North side</td>
<td>3060 square feet</td>
<td>3350 square feet</td>
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</table>

Note: The pedestrian thru zone is unchanged. The sidewalk area near the curb returns are increased as reflected above. The curb zone is increased by approximately 800 square feet on each side of the roadway with the proposed bus platform area overlapping the widened curb zone.

### Table 2: Trees Removed at Santa Clara Street

<table>
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<th>Location</th>
<th>Existing Trees</th>
<th>Removed</th>
<th>Remaining Trees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Westbound</td>
<td>9</td>
<td>2</td>
<td>7</td>
</tr>
<tr>
<td>Eastbound</td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
</tbody>
</table>
3.2 Exclusive Bus Lane Modifications along Santa Clara Street

As part of the Downtown San José Station construction, bus transition lanes are proposed in both directions to allow buses to maneuver in and out of thru traffic to access the exclusive bus lanes. These bus lane transitions would be used between Market Street and First Street and between Second and Third Streets. Appendix B includes exhibits of the proposed layout of the bus transition lanes. The inbound bus transition lanes would be approximately 147 feet in length and located before the intersections (in the direction of bus flow and approximately 92 feet tangent with a taper length of approximately 55 feet). After the intersections, the outbound bus transition lanes in each direction would be approximately 115 feet in length (approximately 60 feet tangent with a taper length of approximately 55 feet).

As a result of these proposed lane and intersection modifications, some parking and loading zones would be affected. Table 3 summarizes the proposed changes to all of the on-street parking and loading zones between Market Street and Third Street. In this area, a total of 16 parking spaces and a majority of the loading zone would be removed (6 of the parking stalls are between First and Second Streets and included in the Final EIR).

Table 3: Santa Clara Street Parking Modifications

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Conditions</th>
<th>Proposed Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Segment</td>
<td>Block Face</td>
</tr>
<tr>
<td></td>
<td></td>
<td>North side</td>
</tr>
<tr>
<td></td>
<td></td>
<td>South side</td>
</tr>
<tr>
<td>Market Street to First Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>North side</td>
</tr>
<tr>
<td></td>
<td></td>
<td>South side</td>
</tr>
<tr>
<td>First Street to Second Street</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>North side</td>
</tr>
<tr>
<td></td>
<td></td>
<td>South side</td>
</tr>
</tbody>
</table>

Note: The parking loss between First Street and Second Street remains consistent with the impacts included in the Final EIR.

3.3 Signalized Pedestrian Crossings

New signalized pedestrian crossings were identified by the City of San José Department of Transportation to facilitate pedestrians crossing Alum Rock Avenue at two locations: Eastgate Avenue and Scharff Avenue. In this segment of the project, BRT would operate in the median of Alum Rock Avenue. The pedestrian-activated crossings would provide access at intersection locations. Appendix C includes exhibits of the proposed crossings.

3.4 Convention Center BRT Station

The original Convention Center BRT Station shown in the Final EIR, was located in front of the main building where VTA has an existing bus stop. However, in 2010 the City of San José began an expansion of the Convention Center and designed the new transit stop to allow all transportation including passenger vehicles, taxis, as well as tour buses, which would create conflict for transit service. VTA proposes the Convention Center BRT Station be moved west of the existing stop in front of new Convention Center expansion building and across from the LRT platform. This new location would provide a dedicated location for transit and provide service...
on the BRT 523, Line 23, and Line 168 and would provide a safe pedestrian crossing between BRT and Light Rail service.

### 3.5 City Hall BRT Station

The Final EIR analyzed two locations for a BRT station in this area. This addendum confirms the station location between 5th and 6th Streets in both directions. VTA coordinated with the First United Methodist Church, Vintage Towers, and City of San José to determine the layout of the stations. The westbound station would be located in front of the church while preserving the atrium view. The eastbound station would be located in front of City Hall. Appendix D includes exhibits of the City Hall BRT Station.

### 3.6 Turning Movements along Alum Rock Avenue

Refinements to lane alignments along Alum Rock Avenue were made during final design. As a result, turning movements made from Alum Rock Avenue to side streets have also been refined at the following locations: 34th Street, McCreery Avenue, Checkers Drive, and Jose Figueres Avenue. Exhibits of these turning movements are provided in Appendix E.

The proposed changes to turning movements would result in removal of street parking as shown in Table 4. A total of 16 parking stalls would be removed to accommodate turning movements.

<table>
<thead>
<tr>
<th>Location</th>
<th>Proposed On-Street Parking Stalls Removed</th>
<th>Proposed Side-Street Parking Stalls Removed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alum Rock Ave./ 34th St.</td>
<td>None</td>
<td>3</td>
</tr>
<tr>
<td>Alum Rock Ave./ McCreery Ave.</td>
<td>None</td>
<td>4</td>
</tr>
<tr>
<td>Alum Rock Ave./ Checkers Dr.</td>
<td>3</td>
<td>None</td>
</tr>
<tr>
<td>Alum Rock Ave./ Jose Figueres Ave.</td>
<td>6</td>
<td>None</td>
</tr>
<tr>
<td>Total</td>
<td>9</td>
<td>7</td>
</tr>
</tbody>
</table>

### SECTION 4: ENVIRONMENTAL ANALYSIS

**Introductory Note:** The analysis of environmental impacts follows the same order and addresses the same topics as those contained in Section 3 of the SC-AR Transit Improvement Project Final EIR. As required under CEQA, the impacts of the proposed changes are compared to those of the approved project.

#### 4.1 Transportation

Supplemental transportation analysis to the July 2008 Draft EIR was prepared by AECOM in 2010, 2011, and 2013. The May 2010 and June 2011 Supplemental Traffic Analysis were prepared for changes addressed in the first Addendum.

Traffic Analysis addressing changes in the second Addendum is currently underway. Conclusions will be provided here. The proposed changes to the project are not anticipated to result in significant or new environmental effects.
4.2 Air Quality

For the Final EIR, bus emissions were calculated using the Emission Factors (EMFAC) 2007 model emissions inventory and CALINE4 dispersion model. The emissions were found not to exceed federal, State or the Bay Area Air Quality Management District’s (BAAQMD) thresholds of significance. The EMFAC2007 model does not account for the use of hybrids, now incorporated into VTA’s operating fleet. Therefore emissions generated from the Project, including the proposed changes, would be even lower in future years.

The proposed changes to the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects to vehicle miles traveled, intersection level of service, delay, or volume-to-capacity ratios. These factors were used to evaluate the effect of the project on ozone precursors, particulate matter less than or equal to 10 microns in diameter (PM10), and carbon dioxide (CO) levels in the Final EIR.

4.3 Biological Resources

Because the SC-AR Corridor is almost completely urban, there is limited habitat for wildlife. Implementation of the proposed changes would not require modification to bridges crossing Coyote Creek, Los Gatos Creek, Guadalupe River, or Lower Silver Creek. Therefore, the project would have no impact on riparian and aquatic habitat at these locations. However, construction would result in the removal of street trees which would have potential impacts to bird nesting habitats. Mitigations Measures, BIO-4.1 and BIO-4.2, from the Final FEIR would reduce the effects related to tree removal to a less-than-significant level.

4.4 Community Services

The proposed changes include refinement of the City Hall BRT Station between 5th and 6th Streets. A series of meetings between VTA and representatives from the First United Methodist Church and Vintage Towers led to an agreement on a layout for the BRT westbound platform that is sufficient to serve three concurrent buses while preserving clear views of the new church atrium and three parking spaces in front of the Vintage Towers. For the eastbound platform, City of San José staff has agreed to a BRT platform location west of 6th Street.

Overall, implementation of the project, including the changes proposed herein, would result in an improvement in accessibility to existing schools, libraries, parks and community centers along the SC-AR Corridor. Because transit services would be enhanced to these community facilities, this is considered a beneficial impact. Furthermore, VTA will work with fire and police departments during final design to ensure that fire and life safety issues are adequately addressed. As a result, the proposed changes to the project would not result in new significant environmental effects to government facilities or other community services.

4.5 Cultural Resources

The project would not damage, alter or require the demolition of any historic properties in the study area previously evaluated in the Cultural Resources Investigations for the Final EIR. Implementation of Mitigation Measures CR-2.1, CR-2.2, and CR-3.1 would minimize any potentially adverse effects associated with ground-breaking activities by ensuring that archaeological and paleontological resources are appropriately treated, if encountered on the
project site. As a result, no new significant effects or an increase in severity of previously identified significant effects to cultural resources would occur from the proposed changes.

4.6 Electromagnetic Fields
The Final EIR concluded that the potential exposure to electromagnetic fields (EMFs) from the project is intermittent and below the public health threshold. The proposed changes to the project are not electrically powered and would not result in additional sources of EMF generation. Therefore, no significant effects to EMFs would occur.

4.7 Energy
The Final EIR evaluated the consumption of diesel fuel and electricity for the project. The project was determined to not lead to a wasteful, inefficient, or unnecessary usage of energy and to have a less-than-significant impact on regional energy supply and demand. However, the project was determined to increase demand on the statewide electrical transmission grid during peak hours and therefore, result in a significant and unavoidable impact for Phase 2 (LRT). Since the proposed changes to the project do not increase or decrease the consumption of fuel and electricity as evaluated in the Final EIR, the impact to California peak period electricity demand remains significant and unavoidable for Phase 2 (LRT).

4.8 Climate Change
The proposed design changes do not alter the conclusions in the Final EIR. The project continues to improve roadway congestion and have a beneficial impact on regional greenhouse gas emissions. Service will be provided by articulated hybrid diesel buses which are anticipated to reduce greenhouse emissions by 20 percent compared to standard diesel articulated buses.

4.9 Geology, Soils and Seismicity
The excavation and construction activities required by the proposed changes would follow the regulatory framework outlined in Section 3.10 of the Final EIR. As a result, the proposed changes would not result in new significant environmental impacts or an increase in the severity of previously identified significant impacts to people or structures from geologic or seismic conditions.

4.10 Hazardous Materials
A hazardous materials report prepared for the Final EIR, described the hazardous materials currently used by businesses or present in surface and subsurface soils and groundwater as a result of releases from current or historical land uses at and near the SC-AR Corridor. The proposed changes to the project do not extend beyond the boundary of the study area evaluated for the Final EIR. Mitigation Measures HAZ-1.1 and HAZ-1.2, from the Final EIR, would be implemented for the proposed changes to the project. As a result, no new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts regarding hazardous materials are expected to occur.

4.11 Hydrology and Water Quality
The proposed changes to the project would be constructed in compliance with water quality control regulations, permit programs, and Best Management Practices described in Section 3.12
of the Final EIR. As a result, the project would not result in new significant environmental impacts to hydrology and water quality.

4.12 Land Use
The SC-AR Corridor is designated by the City of San José’s General Plan as an Intensification Corridor characterized as generally suitable for higher residential densities, more intensive non-residential uses, and mixed uses. The project would not conflict with existing or planned land uses because the project would enhance the current transit service to support existing and intensified development. The proposed changes would have similar effects on land use as the approved project and would be developed in coordination with the City of San José. Therefore, the changes would not result in new, or increase the severity of, previously identified significant environmental impacts.

4.13 Noise and Vibration
There are no conditions in the proposed changes which are materially different from the approved project with regard to noise and vibration issues. As a result, the proposed changes would not alter the noise and vibration conclusions of the Final EIR.

4.14 Safety and Security
The proposed changes would not alter the safety and security conclusions of the Final EIR. As described in Section 3.15 of the Final EIR, pedestrian and passenger safety would be provided by fencing, railing, crosswalks, signal activation push buttons and pedestrian countdown heads, as necessary. Stations would be equipped with adequate lighting and closed-circuit television surveillance. The proposed changes include new signalized crossings at Eastgate and Scharff Avenue to facilitate safe and convenient access across Alum Rock Avenue. The project would continue to undergo safety review through the final design and construction phases and would meet or exceed the California Public Utilities Commission standards.

4.15 Population and Housing
Overall, the project would have a beneficial impact to projected and planned growth in the Corridor because of the improvements made to the existing transit infrastructure. No additional right-of-way is required for the proposed changes. As a result, the proposed changes to the project do not alter the conclusions related to population and housing in the Final EIR.

4.16 Visual Quality
The Final EIR determined that in order to preserve the visual character of the Corridor, any trees removed as part of the project would need to be replaced with similar tree types. The proposed changes to Santa Clara Street BRT Station result in the removal of four trees. These trees would be replaced with either a 2:1 or 3:1 ratio (new: removed), as described in BIO-4.2 of the Final EIR.

VTA has held several community meetings to seek input on the final design of the BRT stations. VTA has used stakeholder input to personalize key station elements to reflect the character of the surrounding neighborhoods. Renderings of station designs are provided in Appendix G. Station architecture is consistent with the character of the surrounding neighborhoods. A two artist team
has been selected to aid in station enhancements. As a result, no new significant environmental effects or a substantial increase in the severity of previously identified significant effects to visual quality result from the proposed changes. The mitigation measures outlined in the Final EIR would remain the same.

4.17 Construction Impacts
As described in Section 3.18 of the Final EIR, construction would occur in three stages, beginning fall 2013 and ending fall 2015. During construction, two lanes in each direction would generally be maintained. However, temporary lane closures may reduce the roadway to one lane in each direction during non-peak commute hours. Although major construction activities will generally be limited to one side of the corridor at a time, some activities are expected to occur on both sides concurrently. Temporary bus stops would be provided as necessary. Major construction efforts at each station platform would be completed in approximately three months. Mitigation measures approved in the Final EIR would be followed to reduce impacts to less-than-significant levels.

Overall, construction impacts of the proposed changes would be similar to the approved project, and would not differ materially in scope, length, or location of construction. As a result, the proposed changes to the approved project would not modify the conclusions in the Final EIR.

4.18 Cumulative Impacts
As described in Section 4.4 of the Final EIR, the approved project results in significant and unavoidable cumulative impacts to energy demand for Phase 2 (LRT). The proposed changes do not add to or change these conclusions.

4.19 Growth-Inducing Impacts
The Final EIR concludes that the project is generally consistent with the projected and planned growth in the project area and could have an indirect growth-inducing effect by accelerating planned growth in a more compact, transit oriented form. The proposed changes to the project would not affect these conclusions.

SECTION 5: CONCLUSION
Based upon the analyses of the proposed changes, the Santa Clara-Alum Rock Transit Improvement Project would not have any new significant environmental impacts not previously disclosed in the Final EIR nor substantially increase the severity of any previously identified significant effects. New information of substantial importance, which was not known at the time of the previous EIR, was not found. Therefore, an Addendum to the previous Final EIR is the appropriate environmental document and a subsequent EIR need not be prepared under CEQA §15162.
Appendix A

Santa Clara Street BRT Station Exhibits
Appendix B

Exclusive Bus Lane and Intersection Modifications
Appendix C

Eastgate and Scharff Avenue
Pedestrian Crossings
PEDESTRIAN CROSSING AT EASTGATE AVE.
Appendix D

City Hall BRT Station Exhibits
Appendix E

Alum Rock Avenue Turning Movement Modifications
<table>
<thead>
<tr>
<th>STATIONING</th>
<th>LOCATION</th>
<th>ON-STREET</th>
<th>SIDE-STREET</th>
<th>REASONS FOR LOSS</th>
</tr>
</thead>
<tbody>
<tr>
<td>AR 335+00</td>
<td>ALUM ROCK AVENUE &amp; 34TH STREET</td>
<td>0</td>
<td>3</td>
<td>ELIMINATE PARKING STALLS TO ACCOMMODATE VEHICLE TURN ON SIDE-STREET.</td>
</tr>
<tr>
<td>AR 354+00</td>
<td>ALUM ROCK AVENUE &amp; McCREEERY AVENUE</td>
<td>0</td>
<td>4</td>
<td>ELIMINATE PARKING STALLS TO ACCOMMODATE VEHICLE TURN ON SIDE-STREET.</td>
</tr>
<tr>
<td>TOTAL LOSSES</td>
<td></td>
<td>0</td>
<td>7</td>
<td></td>
</tr>
</tbody>
</table>

**LEGEND**

- Blue: Parking Stalls to be eliminated
- 3: Number of Parking Stalls
Appendix F

Transportation Impact Analysis And Parking Evaluations
Supplemental Transportation Analysis for
Santa Clara - Alum Rock Transit Improvement Project
Draft Environmental Impact Report

Final Report
April 2013
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1.0 Introduction

This report is a supplemental transportation analysis to the July 2008 Draft Environmental Impact Report (DEIR) for the Santa Clara / Alum Rock (SC-AR) Transit Improvement Project as amended in 2010 and 2011. This report focuses on the changes to the Santa Clara Street segment of the corridor, in particular changes to intersections at First and Second Streets. The report evaluates changes to traffic operations associated with the proposed lane modifications at these intersections.

Traffic evaluation is performed for two horizon years addressed in the original SC-AR DEIR: 2012 and 2030. The SC-AR DEIR identifies year 2012 as the projected opening year of BRT operations. Year 2030 is the future horizon year. For consistency with the previous analysis, this evaluation focuses only on the intersections that are included and analyzed in the original SC-AR DEIR.

2.0 Proposed Changes to Intersections

Two lane modifications have been proposed at the intersections of Santa Clara/First Street and Santa Clara/Second Street under the BRT conditions. The first involved prohibiting right turns along Santa Clara into First and Second Street, from the westbound and eastbound direction respectively. The second modification removed the left-turn pockets along Santa Clara at these two intersections, changing them to a shared through configuration.

Motorists originally making right turns at First Street are expected to use the right turns at Market and Third Street while those who used Second Street are expected to use Market and Fourth.

3.0 Intersection Traffic Operations Analysis

Several intersections are affected by the proposed lane changes. The intersections in the SC-AR DEIR affected are listed below:

1. Santa Clara Street / Market Street
   Additional right turn traffic rerouted from First and Second Street intersections

2. Santa Clara Street / First Street
   Westbound right-turn prohibited
   Eastbound left-turn pocket removed, changed to shared-through

3. Santa Clara Street / Second Street
   Eastbound right-turn prohibited
   Westbound left-turn pocket removed, changed to shared-through

4. Santa Clara Street / Third Street
   Additional right turn traffic rerouted from First Street intersection

5. Santa Clara Street / Fourth Street
   Additional right turn traffic rerouted from Second Street intersection
These five intersections are under the jurisdiction of the City of San Jose. No other intersections are expected to be affected by these proposed changes and are not included in this report.

### 3.1 Intersection Analysis Results

The intersections selected for evaluation are analyzed under the 2012 BRT and 2030 BRT conditions. The AM and PM peak hour volumes remain unchanged from the SC-AR DEIR except for the rerouted right turns. The No Build scenario remained unchanged and is not presented in this report.

Due to the left-turn pocket removal at the intersections of First and Second Streets, Santa Clara Street is expected to operate under the ‘permitted’ conditions. There is no change to the signal operations at other intersections.

Table 1 presents the analysis results for 2012 and Table 2 presents the results for 2030.

#### Table 1 2012 BRT Intersection Analysis Results

<table>
<thead>
<tr>
<th>Node</th>
<th>2012 BRT (From EIR)</th>
<th>2012 BRT (New)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>AM</td>
<td>PM</td>
</tr>
<tr>
<td></td>
<td>Vol</td>
<td>LOS</td>
</tr>
<tr>
<td># 8666 Market / Santa Clara</td>
<td>3119</td>
<td>B</td>
</tr>
<tr>
<td># 8468 First / Santa Clara*</td>
<td>1701</td>
<td>B</td>
</tr>
<tr>
<td># 6832 Second / Santa Clara*</td>
<td>1554</td>
<td>B+</td>
</tr>
<tr>
<td># 6673 Third / Santa Clara</td>
<td>2747</td>
<td>B-</td>
</tr>
<tr>
<td># 8460 Fourth / Santa Clara</td>
<td>2277</td>
<td>B</td>
</tr>
</tbody>
</table>


Notes: V/C = Volume to capacity ratio.

In 2012, the delay and V/C ratios at the intersections of Market, Third and Fourth under the proposed changes increased slightly due to the additional right-turn traffic rerouted from the intersections at First and Second Streets during both peak hours. The LOS remained the same except for the intersection at Market that changed from B to B- in the AM peak which is still within acceptable levels.

As a result of the proposed changes, the LOS intersections at First and Second Streets improved slightly during both peak hours. The proposed changes did not bring about any significant impact at all five intersections in 2012.
Table 2  2030 BRT Intersection Analysis Results

<table>
<thead>
<tr>
<th>Node</th>
<th>Intersection</th>
<th>2030 BRT (From EIR)</th>
<th>2030 BRT (New)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>AM</td>
<td>PM</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Vol</td>
<td>LOS</td>
</tr>
<tr>
<td>#8666</td>
<td>Market / Santa Clara</td>
<td>4616</td>
<td>C+</td>
</tr>
<tr>
<td>#8468</td>
<td>First / Santa Clara*</td>
<td>2246</td>
<td>B</td>
</tr>
<tr>
<td>#6832</td>
<td>Second / Santa Clara*</td>
<td>2096</td>
<td>B+</td>
</tr>
<tr>
<td>#6673</td>
<td>Third / Santa Clara</td>
<td>4317</td>
<td>C</td>
</tr>
<tr>
<td>#8460</td>
<td>Fourth / Santa Clara</td>
<td>4033</td>
<td>B-</td>
</tr>
</tbody>
</table>


Notes: V/C = Volume to capacity ratio.

In 2030, the LOS of the intersections at First and Second Streets improved under the proposed changes during both peak hours. As such, the proposed changes would not have any significant impact at these two intersections.

The LOS of Santa Clara/ Market remained at C+ and F with the proposed changes in the AM and PM peak hour respectively. As such, the proposed changes did not have significant impact in the AM peak. On the other hand, however, the City does not have any significance criteria in the downtown area.

The LOS of Santa Clara/ Third degraded slightly from C to C- in the AM peak with the proposed changes, which is within acceptable levels. As such, the proposed changes did not have significant impact in the AM peak. The LOS remained at F in the PM peak hour with the proposed changes. However, the City does not have any significance criteria in the downtown area.

The LOS of Santa Clara/ Fourth remained at B- and F with the proposed changes in the AM and PM peak hour respectively. As such, the proposed changes did not have significant impact in the AM peak. On the other hand, however, the City does not have any significance criteria in the downtown area.
To

Deborah Dagang

CC

Subject

Parking Evaluation for the Modified Proposed Location of the Santa Clara BRT Station

From

Aleksandr Zabyshny and Daniel Hartman

Date

April 15, 2013

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Appendix A – Proposed Bus Stop Location
1.0 Introduction and Background

This memorandum addresses parking evaluation for the modified design of the Santa Clara Station in conjunction with the Santa Clara Street / Alum Rock Avenue Bus Rapid Transit (SC-AR BRT) project. The evaluation includes on-street parking along Santa Clara Street as well as parking on cross streets for a half-block or approximately 200 feet, whichever is shorter, on both sides of the corridor.

In the Santa Clara Street / Alum Rock Avenue Bus Rapid Transit Project Parking Evaluation memorandum, dated August 3, 2011, the focus was on the impact of removing parking spaces. The methodology assumed that all loading zones would be relocated in kind even if it meant more parking spaces were removed. Due to this methodology, the previous parking utilization data collection focused solely on parking spaces. The design of the Santa Clara Street Station (between 1st Street and 2nd Street), impacts the parking and loading zones west of 1st Street and east of 2nd Street. The newest proposed design modification further reduces parking spaces and affects some loading zones. Appendix A shows the new design concept.

With the new impact to loading zones and parking spaces, new curb utilization data were required. In order to determine if the current design is the best mix of parking and loading spaces, the data collection process needed to record the utilization of both the loading and parking spaces at the same time. As loading zone usage is likely to vary throughout the day, the data collection occurred in the morning, mid-day, and evening time periods. The results of the previous study show that the parking utilization is slightly higher during weekdays as compared to weekends and with an anticipation of less loading usage on weekends, no new parking utilization data for Saturdays were collected.

The existing parking demand data for two weekdays, Wednesday and Thursday were collected along the proposed BRT alignment on Santa Clara Street, between Market Street and 3rd Street. On these days, the data were collected during the morning (8 AM to 10 AM), mid-day (11:30 AM to 1:30 PM), and afternoon (3:30 PM to 5:30 PM) periods. The projected future parking supply was determined from the project drawings provided by CH2M Hill. The future parking demand is assumed to equal the existing demand.

Detailed information is provided about the parking restrictions, e.g. time restrictions, whether a permit is needed, loading zones, etc. Average parking and loading zone spaces needs are calculated and summarized by block face. A rolling three-block average parking utilization is also calculated for both the existing and projected future parking. The rolling three-block parking utilization assessment is needed to determine, whether a parking deficit in one block can be offset by a parking surplus in adjacent blocks.

In this memorandum, the block faces along Santa Clara Street are referred to as “North” and “South.” The block faces on cross streets are referred to as “West” and “East.”

2.0 Analysis of Existing Parking

Parking surveys conducted by the project team documented parking supply, including loading zones, along Santa Clara Street between Market Street and 3rd Street.

2.1 Existing Loading Zone and Parking Supply

Table 1 summarizes the locations and lengths of the existing loading zones for the segment of Santa Clara Street between Market Street and 3rd Street. The table also shows the estimated number of vehicles that a particular loading zone can accommodate (equivalent spaces).
Table 1  Existing Loading Zones between Market Street and 3rd Street for Santa Clara Street

<table>
<thead>
<tr>
<th>Segment</th>
<th>Block Face</th>
<th>Passenger Loading</th>
<th>Freight Loading</th>
</tr>
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<tbody>
<tr>
<td></td>
<td></td>
<td>Total White Curb (ft)</td>
<td>Total White Curb (equivalent spaces)</td>
</tr>
<tr>
<td><strong>On Santa Clara Street</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Market Street - Lightston Alley</td>
<td>South</td>
<td>58</td>
<td>2</td>
</tr>
<tr>
<td>Lightston Alley – 1st Street</td>
<td>North</td>
<td>45</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>South</td>
<td>66</td>
<td>3</td>
</tr>
<tr>
<td>1st Street – 2nd Street</td>
<td>North</td>
<td>44</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>South</td>
<td>32</td>
<td>1</td>
</tr>
<tr>
<td>2nd Street - 3rd Street</td>
<td>North</td>
<td>91</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>South</td>
<td>52</td>
<td>2</td>
</tr>
<tr>
<td><strong>On Cross-Streets (Approximately Half-Block)</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Market Street - North of Santa Clara Street</td>
<td>West</td>
<td>50</td>
<td>2</td>
</tr>
<tr>
<td>Market Street - South of Santa Clara Street</td>
<td>East</td>
<td>40</td>
<td>2</td>
</tr>
<tr>
<td>Lightston Alley - South of Santa Clara Street</td>
<td>East</td>
<td>28</td>
<td>1</td>
</tr>
<tr>
<td>3rd Street - North of Santa Clara Street</td>
<td>West</td>
<td>46</td>
<td>2</td>
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<tr>
<td>3rd Street - South of Santa Clara Street</td>
<td>West</td>
<td>128</td>
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</tbody>
</table>

Table 2A shows the number of parking spaces and the time restrictions along Santa Clara Street by each block face. Parking available on cross streets is not reported in this table. On Santa Clara Street between Market Street and 3rd Street, 42 spaces are available. All of the spaces have some restrictions posted. There is no on-street permit parking on Santa Clara Street within the segment boundaries.

Table 2A  Existing Parking between Market Street and 3rd Street for Santa Clara Street

<table>
<thead>
<tr>
<th>Segment</th>
<th>Block Face</th>
<th>Total Existing Parking</th>
<th>12-min</th>
<th>24-min</th>
<th>30-min</th>
<th>1-hr</th>
<th>2-hr</th>
</tr>
</thead>
<tbody>
<tr>
<td>Market Street -- Lightston Alley</td>
<td>Northside</td>
<td>7</td>
<td>0</td>
<td>0</td>
<td>7</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Southside</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Lightston Alley -- First Street</td>
<td>Northside</td>
<td>7</td>
<td>0</td>
<td>0</td>
<td>7</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Southside</td>
<td>7</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>1st Street -- 2nd Street</td>
<td>Northside</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Southside</td>
<td>4</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>2nd Street -- 3rd Street</td>
<td>Northside</td>
<td>7</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Southside</td>
<td>8</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>42</td>
<td>1</td>
<td>1</td>
<td>18</td>
<td>14</td>
<td>8</td>
</tr>
</tbody>
</table>

Table 2B shows the number of parking spaces and type of parking on cross streets between Market Street and 3rd Street. These data are reported for a half-block or approximately 200 feet, whichever is shorter, on both sides of the corridor. The cross streets have 31 spaces available. All of the spaces have some restrictions.
### Table 2B: Existing Parking between Market Street and 3rd Street for Cross Streets (Half-Block/200 feet)

<table>
<thead>
<tr>
<th>Segment</th>
<th>Block Face</th>
<th>Total Existing Parking</th>
<th>H/C</th>
<th>12-min</th>
<th>24-min</th>
<th>30-min</th>
<th>1-hr</th>
<th>2-hr</th>
</tr>
</thead>
<tbody>
<tr>
<td>Market Street -- N. of Santa Clara Street</td>
<td>East</td>
<td>11</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>9</td>
<td>0</td>
</tr>
<tr>
<td>N. of Santa Clara Street</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Market Street -- S. of Santa Clara Street</td>
<td>East</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>S. of Santa Clara Street</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lightston Alley -- S. of Santa Clara Street</td>
<td>West</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>S. of Santa Clara Street</td>
<td>East</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>1st Street -- N. of Santa Clara Street</td>
<td>West</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>1st Street -- S. of Santa Clara Street</td>
<td>East</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2nd Street -- S. of Santa Clara Street</td>
<td>West</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>3rd Street -- N. of Santa Clara Street</td>
<td>West</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>3rd Street -- S. of Santa Clara Street</td>
<td>West</td>
<td>6</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>6</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>31</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td>12</td>
<td>15</td>
</tr>
</tbody>
</table>

Note: H/C = Handicap spaces.

### 2.2 Existing Loading Zone and Parking Demand

A total of 45 parking utilization surveys were conducted for the segment between Market Street and 3rd Street. The parking data were collected during weekday morning, mid-day, and afternoon periods. Average parking demand was then calculated for the time periods. Table 3 summarizes the dates and time periods of the surveys.

### Table 3: Parking Survey Dates and Times between Market Street and 3rd Street

<table>
<thead>
<tr>
<th>Day</th>
<th>Time Period</th>
<th>Number of Surveys</th>
<th>Dates</th>
<th>Day</th>
<th>Time Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weekday</td>
<td>AM</td>
<td>6</td>
<td>12/19/2012</td>
<td>Wednesday</td>
<td>8:00 AM - 10:00 AM</td>
</tr>
<tr>
<td></td>
<td>Mid-day</td>
<td>7</td>
<td></td>
<td></td>
<td>11:30 AM - 1:30 PM</td>
</tr>
<tr>
<td></td>
<td>PM</td>
<td>8</td>
<td></td>
<td></td>
<td>3:30 PM - 5:30 PM</td>
</tr>
<tr>
<td>Weekday</td>
<td>AM</td>
<td>8</td>
<td>12/20/2012</td>
<td>Thursday</td>
<td>8:00 AM - 10:00 AM</td>
</tr>
<tr>
<td></td>
<td>Mid-day</td>
<td>9</td>
<td></td>
<td></td>
<td>11:30 AM - 1:30 PM</td>
</tr>
<tr>
<td></td>
<td>PM</td>
<td>7</td>
<td></td>
<td></td>
<td>3:30 PM - 5:30 PM</td>
</tr>
</tbody>
</table>

Table 4A shows the average number of occupied loading zone spaces (the average of two weekdays) and additional spaces required between Market Street and 3rd Street along the Santa Clara Street corridor (excluding cross streets). A negative number for the additional spaces required indicates that there are enough spaces to meet the demand. The positive number indicates that additional spaces are required to meet the demand. Under the existing conditions, loading zone demand is lower than the number of available spaces; hence all demand can be accommodated.
Table 4A Existing Loading Zone Utilization between Market Street and 3rd Street for Santa Clara Street

<table>
<thead>
<tr>
<th>Segment</th>
<th>Block Face</th>
<th>Total Existing Loading Supply</th>
<th>Weekday AM (Average)</th>
<th>Weekday Mid-Day (Average)</th>
<th>Weekday PM (Average)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Occupied Spaces</td>
<td>Additional Spaces Required</td>
<td>Occupied Spaces</td>
</tr>
<tr>
<td>Market Street --</td>
<td>North</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Lightston Alley</td>
<td>South</td>
<td>2</td>
<td>1</td>
<td>-1</td>
<td>1</td>
</tr>
<tr>
<td>1st Street</td>
<td>North</td>
<td>2</td>
<td>1</td>
<td>-1</td>
<td>0</td>
</tr>
<tr>
<td>1st Street</td>
<td>South</td>
<td>3</td>
<td>2</td>
<td>-1</td>
<td>1</td>
</tr>
<tr>
<td>2nd Street</td>
<td>North</td>
<td>2</td>
<td>0</td>
<td>-2</td>
<td>1</td>
</tr>
<tr>
<td>2nd Street</td>
<td>South</td>
<td>1</td>
<td>0</td>
<td>-2</td>
<td>0</td>
</tr>
<tr>
<td>3rd Street</td>
<td>North</td>
<td>4</td>
<td>2</td>
<td>-2</td>
<td>1</td>
</tr>
<tr>
<td>3rd Street</td>
<td>South</td>
<td>2</td>
<td>0</td>
<td>-2</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>16</strong></td>
<td><strong>6</strong></td>
<td><strong>-10</strong></td>
<td><strong>5</strong></td>
</tr>
</tbody>
</table>

Notes: NA applies where block faces do not exist or the parking is not allowed at the block face.

1 Negative number represents that demand is lower than supply; positive number represents demand is greater than supply.

Loading zone demand data for the cross streets were collected for a half-block or 200 feet, whichever is shorter, on both sides of the corridor. Table 4B shows the average number of occupied parking spaces (the average of two surveys) along the cross streets to the north and south of the corridor, for the west and east block faces. Under the existing conditions, loading zone demand is lower than the number of available spaces; hence all demand can be accommodated.

Table 4B Existing Loading Zone Utilization between Market Street and 3rd Street for Cross Streets (Half-Block/200 feet)

<table>
<thead>
<tr>
<th>Segment</th>
<th>Block Face</th>
<th>Total Existing Loading Supply</th>
<th>Weekday AM (Average)</th>
<th>Weekday Mid-Day (Average)</th>
<th>Weekday PM (Average)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Occupied Spaces</td>
<td>Additional Spaces Required</td>
<td>Occupied Spaces</td>
</tr>
<tr>
<td>Market Street -- South of</td>
<td>East</td>
<td>2</td>
<td>1</td>
<td>-1</td>
<td>0</td>
</tr>
<tr>
<td>Santa Clara Street</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lightston Alley -- South of</td>
<td>East</td>
<td>5</td>
<td>2</td>
<td>-3</td>
<td>0</td>
</tr>
<tr>
<td>Santa Clara Street</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3rd Street -- North of 3rd</td>
<td>West</td>
<td>2</td>
<td>0</td>
<td>-2</td>
<td>1</td>
</tr>
<tr>
<td>Street</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3rd Street -- South of 3rd</td>
<td>West</td>
<td>6</td>
<td>0</td>
<td>-6</td>
<td>3</td>
</tr>
<tr>
<td>Street</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>15</strong></td>
<td><strong>3</strong></td>
<td><strong>-12</strong></td>
<td><strong>4</strong></td>
</tr>
</tbody>
</table>

Notes: 1 Negative number represents that demand is lower than supply; positive number represents demand is greater than supply.

Table 5A shows the average number of occupied parking spaces (the average of two weekdays) between Market Street and 3rd Street along Santa Clara Street corridor (excluding cross streets) as well as additional spaces required for each block face. A negative number for additional spaces required indicates that there are enough spaces to meet the demand, and the positive number indicates additional...
spots that are required to meet the demand. Under the existing conditions, parking demand is lower than the number of available spaces; hence all demand can be accommodated.

Table 5A Existing Parking Utilization between Market Street and 3rd Street for Santa Clara Street

<table>
<thead>
<tr>
<th>Segment</th>
<th>Block Face</th>
<th>Total Existing Parking Supply</th>
<th>Weekday AM (Average)</th>
<th>Weekday Mid-Day (Average)</th>
<th>Weekday PM (Average)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Market Street -- Lightston Alley</td>
<td>North</td>
<td>7 NA</td>
<td>1 NA</td>
<td>4 NA</td>
<td>4 NA</td>
</tr>
<tr>
<td></td>
<td>South</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Lightston Alley -- 1st Street</td>
<td>North</td>
<td>7 7</td>
<td>4 7</td>
<td>6 7</td>
<td>6 7</td>
</tr>
<tr>
<td></td>
<td>South</td>
<td>7 0</td>
<td>0 0</td>
<td>0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>1st Street -- 2nd Street</td>
<td>North</td>
<td>2 1</td>
<td>1 1</td>
<td>1 1</td>
<td>2 0</td>
</tr>
<tr>
<td></td>
<td>South</td>
<td>4 3</td>
<td>3 1</td>
<td>3 1</td>
<td>4 0</td>
</tr>
<tr>
<td>2nd Street -- 3rd Street</td>
<td>North</td>
<td>7 4</td>
<td>4 3</td>
<td>4 3</td>
<td>7 0</td>
</tr>
<tr>
<td></td>
<td>South</td>
<td>8 5</td>
<td>5 3</td>
<td>5 3</td>
<td>7 1</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>42 25</td>
<td>-17 -3</td>
<td>37 -3</td>
<td>37 -3</td>
</tr>
</tbody>
</table>

Notes: NA applies where block faces do not exist or the parking is not allowed at the block face.

1 Negative number represents that demand is lower than supply; positive number represents demand is greater than supply.

The information is aggregated by block face to determine the average parking needs between any two intersections on each side of the street. No regard is given to parking restrictions. For example, in a block that has three one-hour metered spaces and ten two-hour metered spaces, the average parking is aggregated for the thirteen spaces regardless of their time restrictions.

Parking demand data for the cross streets were collected for a half-block or 200 feet, whichever is shorter, on both sides of the corridor. Table 5B shows the average number of occupied parking spaces (the average of two surveys) along the cross streets to the north and south of the corridor, for the west and east block faces. Under the existing conditions, parking demand is lower than available spaces; hence all demand can be accommodated.

2.3 Existing Three-Block Parking Utilization

The segment between Market Street and 3rd Street consists of three blocks:

- Market Street to 1st Street (assuming that the south block face between Market Street and 1st Street is continuous and adding the parking information from Lightston Alley to that block)
- 1st Street to 2nd Street, and
- 2nd Street to 3rd Street.

Figure 1 illustrates how the block faces are included in the three-block calculation.

For the north side of the segment, the existing parking supply within the three blocks is 38 spaces. The existing demand for the north side is 14 spaces during the weekday morning, 29 spaces during mid-day, and 30 spaces during afternoon period. The demand during all time periods is lower than the number of available spaces.

For the south side of the segment, the existing parking supply is 35 spaces. The existing weekday demand is 27 spaces during weekday morning period, 32 spaces during mid-day and afternoon periods. The demand during all time periods is lower than the number of available spaces.
Table 5B  Existing Parking Utilization between Market Street and 3rd Street for Cross Streets
(Half-Block/200 feet)

<table>
<thead>
<tr>
<th>Segment</th>
<th>Block Face</th>
<th>Total Existing Parking Supply</th>
<th>Weekday AM (Average)</th>
<th>Weekday Mid-Day (Average)</th>
<th>Weekday PM (Average)</th>
<th>Additional Spaces Required  1</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Occupied Spaces</td>
<td>Additional Spaces</td>
<td>Occupied Spaces</td>
<td>Additional Spaces</td>
<td>Occupied Spaces</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Market Street - North of</td>
<td>East</td>
<td>11</td>
<td>1</td>
<td>-10</td>
<td>7</td>
<td>-4</td>
</tr>
<tr>
<td>Santa Clara Street</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>7</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>-4</td>
</tr>
<tr>
<td>Market Street - South of</td>
<td>East</td>
<td>5</td>
<td>4</td>
<td>-1</td>
<td>4</td>
<td>-1</td>
</tr>
<tr>
<td>Santa Clara Street</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>-1</td>
</tr>
<tr>
<td>Lightston Alley - South of</td>
<td>West</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Santa Clara Street</td>
<td>East</td>
<td>5</td>
<td>5</td>
<td>0</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>1st Street - North of</td>
<td>West</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Santa Clara Street</td>
<td>East</td>
<td>5</td>
<td>5</td>
<td>0</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>1st Street - South of</td>
<td>West</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Santa Clara Street</td>
<td>East</td>
<td>5</td>
<td>5</td>
<td>0</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>2nd Street - North of</td>
<td>West</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Santa Clara Street</td>
<td>East</td>
<td>5</td>
<td>5</td>
<td>0</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>2nd Street - South of</td>
<td>West</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Santa Clara Street</td>
<td>East</td>
<td>5</td>
<td>5</td>
<td>0</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>3rd Street - North of</td>
<td>West</td>
<td>4</td>
<td>3</td>
<td>-1</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>Santa Clara Street</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>3rd Street - South of</td>
<td>West</td>
<td>6</td>
<td>3</td>
<td>-3</td>
<td>4</td>
<td>-2</td>
</tr>
<tr>
<td>Santa Clara Street</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>-1</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>31</td>
<td>16</td>
<td>-15</td>
<td>24</td>
<td>-7</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>25</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>-6</td>
</tr>
</tbody>
</table>

Notes: NA applies where block faces do not exist or the parking is not allowed at the block face.

1 Negative number represents that demand is lower than supply; positive number represents demand is greater than supply.
3.0 Analysis of Future Parking

This section addresses the expected parking changes along the SC-AR BRT corridor between Market Street and 3rd Street.

3.1 Projected Loading Zone and Parking Changes

The new design of the Santa Clara Street Station (between 1st and 2nd Street) impacts the parking and loading zones west of 1st Street and east of 2nd Street (see Appendix A).

3.1.1 Projected Loading Zone Changes

Table 6 summarizes the locations and lengths of both the projected and existing loading zones. The information for the existing loading zones is shown in parentheses. On the south side, between Market Street and 3rd Street, three equivalent spaces are removed. On the north side the loading zones are reduced by six equivalent spaces. No change in loading zones is proposed on the cross streets.

<table>
<thead>
<tr>
<th>Segment</th>
<th>Block Face</th>
<th>Passenger Loading</th>
<th>Freight Loading</th>
</tr>
</thead>
<tbody>
<tr>
<td>On Santa Clara Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Market Street - Lightston Alley</td>
<td>South</td>
<td>0 (58)</td>
<td>0 (2)</td>
</tr>
<tr>
<td>Lightston Alley – 1st Street</td>
<td>North</td>
<td>45 (45)</td>
<td>2 (2)</td>
</tr>
<tr>
<td></td>
<td>South</td>
<td>60 (66)</td>
<td>3 (3)</td>
</tr>
<tr>
<td>1st Street – 2nd Street</td>
<td>North</td>
<td>0 (44)</td>
<td>0 (2)</td>
</tr>
<tr>
<td></td>
<td>South</td>
<td>0 (32)</td>
<td>0 (1)</td>
</tr>
<tr>
<td>2nd Street – 3rd Street</td>
<td>North</td>
<td>0 (91)</td>
<td>0 (4)</td>
</tr>
<tr>
<td></td>
<td>South</td>
<td>52 (52)</td>
<td>2 (2)</td>
</tr>
<tr>
<td>On Cross-Streets (Approximately Half-Block)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Market Street - North of Santa Clara Street</td>
<td>West</td>
<td>50 (50)</td>
<td>2 (2)</td>
</tr>
<tr>
<td>Market Street - South of Santa Clara Street</td>
<td>East</td>
<td>40 (40)</td>
<td>2 (2)</td>
</tr>
<tr>
<td>Lightston Alley - South of Santa Clara Street</td>
<td>East</td>
<td>28 (28)</td>
<td>1 (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>100 (100)</td>
<td>5 (5)</td>
</tr>
<tr>
<td>3rd Street - North of Santa Clara Street</td>
<td>West</td>
<td>46 (46)</td>
<td>2 (2)</td>
</tr>
<tr>
<td>3rd Street - South of Santa Clara Street</td>
<td>West</td>
<td>128 (128)</td>
<td>6 (6)</td>
</tr>
</tbody>
</table>

Notes: Projected (Existing).

3.1.2 Projected Parking Supply Changes

Table 7 shows the projected and existing parking supply, including parking restrictions, along Santa Clara Street, between Market Street and 3rd Street. The existing parking data are shown in parentheses and the block faces where the changes are projected are highlighted.

Along Santa Clara Street between Market Street and 3rd Street, 26 parking spaces are projected, a reduction of 16 spaces from 42 spaces currently available. One 12-minute, one 24-minute, five 30-minute, five 1-hour spaces and four 2-hour spaces are projected to be removed.
### Table 7: Projected (Existing) Parking between Market Street and 3rd Street on Santa Clara Street

<table>
<thead>
<tr>
<th>Segment</th>
<th>Block Face</th>
<th>Total Parking Supply</th>
<th>12-min</th>
<th>24-min</th>
<th>30-min</th>
<th>1-hr</th>
<th>2-hr</th>
</tr>
</thead>
<tbody>
<tr>
<td>Market Street --</td>
<td>Northside</td>
<td>7 (7)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>7 (7)</td>
<td>0 (0)</td>
<td>0 (0)</td>
</tr>
<tr>
<td>Lightston Alley</td>
<td>Southside</td>
<td>3 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>3 (0)</td>
<td>0 (0)</td>
</tr>
<tr>
<td>Lightston Alley --</td>
<td>Northside</td>
<td>4 (7)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>4 (7)</td>
<td>0 (0)</td>
<td>0 (0)</td>
</tr>
<tr>
<td>First Street</td>
<td>Southside</td>
<td>3 (7)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>2 (2)</td>
<td>1 (5)</td>
<td>0 (0)</td>
</tr>
<tr>
<td>1st Street --</td>
<td>Northside</td>
<td>0 (2)</td>
<td>0 (0)</td>
<td>0 (1)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
</tr>
<tr>
<td>2nd Street --</td>
<td>Northside</td>
<td>0 (4)</td>
<td>0 (0)</td>
<td>0 (1)</td>
<td>0 (0)</td>
<td>0 (3)</td>
<td>0 (0)</td>
</tr>
<tr>
<td>2nd Street --</td>
<td>Southside</td>
<td>5 (7)</td>
<td>0 (1)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>5 (6)</td>
<td>0 (0)</td>
</tr>
<tr>
<td>3rd Street</td>
<td>Southside</td>
<td>4 (8)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>4 (8)</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>26 (42)</strong></td>
<td><strong>0 (1)</strong></td>
<td><strong>13 (18)</strong></td>
<td><strong>9 (14)</strong></td>
<td><strong>4 (8)</strong></td>
<td></td>
</tr>
</tbody>
</table>

**Notes:** Projected (Existing).

Block faces with changes are highlighted.

Cross street parking is not expected to change from the existing 31 spaces. For details on cross street parking supply, please refer to Table 2B.

#### 3.2 Projected Loading Zone and Parking Utilization

##### 3.2.1 Projected Loading Zone Utilization

Table 8 shows the projected and existing loading zone utilization along Santa Clara Street between Market Street and 3rd Street. The future needs are calculated using the projected loading zone supply and the existing demand.

### Table 8: Projected (Existing) Loading Zone Utilization between Market Street and 3rd Street for Santa Clara Street

<table>
<thead>
<tr>
<th>Segment</th>
<th>Block Face</th>
<th>Total Loading Supply</th>
<th>Weekday AM (Average)</th>
<th>Weekday Mid-Day (Average)</th>
<th>Weekday PM (Average)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Demand 1</td>
<td>Additional Spaces Required 2</td>
<td>Demand 1</td>
</tr>
<tr>
<td>Market Street --</td>
<td>North</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Lightston Alley</td>
<td>South</td>
<td>0 (2)</td>
<td>1</td>
<td>-1 (-1)</td>
<td>0</td>
</tr>
<tr>
<td>Lightston Alley --</td>
<td>North</td>
<td>2 (2)</td>
<td>2</td>
<td>-1 (-1)</td>
<td>1</td>
</tr>
<tr>
<td>1st Street --</td>
<td>South</td>
<td>3 (3)</td>
<td>2</td>
<td>-1 (-1)</td>
<td>0</td>
</tr>
<tr>
<td>1st Street --</td>
<td>North</td>
<td>0 (2)</td>
<td>0</td>
<td>0 (0)</td>
<td>1</td>
</tr>
<tr>
<td>2nd Street --</td>
<td>South</td>
<td>0 (1)</td>
<td>0</td>
<td>0 (0)</td>
<td>0</td>
</tr>
<tr>
<td>3rd Street</td>
<td>North</td>
<td>0 (4)</td>
<td>2</td>
<td>2 (-2)</td>
<td>1</td>
</tr>
<tr>
<td>3rd Street</td>
<td>South</td>
<td>2 (2)</td>
<td>0</td>
<td>-2 (-2)</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>7 (16)</strong></td>
<td><strong>6</strong></td>
<td><strong>-1 (-10)</strong></td>
<td><strong>5</strong></td>
</tr>
</tbody>
</table>

**Notes:** Projected (Existing).

NA applies where block faces do not exist or the parking is not allowed at the block face or there is no demand.

1. The future parking demand is assumed to equal the existing parking demand.
2. Negative number represents that demand is lower than supply; positive number represents demand is greater than supply.
For cross-street loading zone utilization, refer to the existing conditions section of this memorandum. As there are no projected loading zone supply changes for cross streets, the cross-street loading zone utilization remains unchanged.

### 3.2.2 Projected Parking Utilization

Table 9 shows the projected and existing parking utilization along Santa Clara Street between Market Street and 3rd Street. The future parking utilization is calculated using the projected parking supply and the existing demand. The existing parking utilization is shown in parentheses.

<table>
<thead>
<tr>
<th>Table 9</th>
<th>Projected (Existing) Parking Utilization between Market Street and 3rd Street for Santa Clara Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Segment</td>
<td>Block Face</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Market Street - Lightston Alley</td>
<td>North</td>
</tr>
<tr>
<td></td>
<td>South</td>
</tr>
<tr>
<td>Lightston Alley - 1st Street</td>
<td>North</td>
</tr>
<tr>
<td></td>
<td>South</td>
</tr>
<tr>
<td>1st Street - 2nd Street</td>
<td>North</td>
</tr>
<tr>
<td></td>
<td>South</td>
</tr>
<tr>
<td>2nd Street - 3rd Street</td>
<td>North</td>
</tr>
<tr>
<td></td>
<td>South</td>
</tr>
<tr>
<td>Total</td>
<td>26 (42)</td>
</tr>
</tbody>
</table>

Notes: Projected (Existing).
- NA applies where block faces do not exist or the parking is not allowed at the block face.
- Block faces with changes are highlighted.
- 1 The future parking demand is assumed to equal the existing parking demand.
- 2 Negative number represents that demand is lower than supply; positive number represents demand is greater than supply.

The projected demand along Santa Clara Street between Market Street and 3rd Street exceeds the proposed parking space supply during mid-day and afternoon periods.

There are no projected changes in parking supply for cross streets. Consequently, the cross-street parking utilization remains unchanged from the existing conditions. For details on cross street parking supply, please refer to Table 5B.

### 4.0 Conclusion

The design of the Santa Clara Street Station affects the loading zones and parking between Market Street and 3rd Street. The parking and loading zone demand for the blocks where spaces would be removed would have to be accommodated on the cross streets.

#### 4.1 Loading Zone Utilization

During the weekday morning period, there is a demand of three equivalent loading spaces on the south block face between Market Street and 3rd Street. With a supply of five spaces the result is underutilization and no use of the cross streets would be required. For the north block face between Market Street and 3rd Street there is a demand of three equivalent loading spaces. With a supply of two spaces the overflow would use the underutilized spaces on the cross streets.
In the weekday mid-day period, there is a demand of three equivalent loading spaces on the south block face between Market Street and 3\textsuperscript{rd} Street. With a supply of five spaces the result is underutilization and no use of the cross streets would be required. For the north block face between Market Street and 3\textsuperscript{rd} Street there is a demand of two equivalent loading spaces. With a supply of two spaces there would be no need to use the underutilized spaces on the cross streets.

In the weekday afternoon period, there is a demand of three equivalent loading spaces on the south block face between Market Street and 3\textsuperscript{rd} Street. With a supply of five spaces the result is underutilization and no use of the cross streets would be required. For the north block face between Market Street and 3\textsuperscript{rd} Street there is a demand of two equivalent loading spaces. With a supply of two spaces there would be no need to use the underutilized spaces on the cross streets.

### 4.1 Parking Utilization

For the north side of the segment, the projected parking supply within the three blocks is 31 spaces. The projected demand for the north side is 14 spaces, 29 spaces, and 30 spaces during the weekday morning, mid-day, and afternoon time periods, respectively. The projected parking demand is below the proposed supply during all three time periods.

For the south side of the segment, the projected parking supply is 26 spaces. The projected weekday demand is 27 spaces during the morning period and 32 spaces during the mid-day and afternoon periods. During the morning period, there will be shortfall of one space. The shortfall is six spaces during both the mid-day and afternoon periods.
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Appendix A
1.0 Introduction and Background

A recent Santa Clara Street / Alum Rock Avenue Bus Rapid Transit project (SC-AR BRT) design decision proposes to relocate the future City Hall Station. The westbound platform, on the north side of Santa Clara Street, is proposed to be relocated from the previously planned location between 7th Street and 8th Street to the block face between 5th Street and 6th Street. The eastbound platform, on the south side of Santa Clara Street, would be relocated from the block face between 6th Street and 7th Street to the block between 5th Street and 6th Street. The station relocation changes the proposed number of parking spaces in the affected blocks. This memorandum addresses modifications to the Santa Clara Street / Alum Rock Avenue Bus Rapid Transit Project Parking Evaluation memorandum, dated August 3, 2011, based on the changed location of the proposed westbound City Hall Station. Appendix A shows the new proposed location of the westbound City Hall Station platform. The new proposed location of the eastbound platform has no affect on parking.

The relocation of the proposed station directly affects four block faces on Santa Clara Street:

1. North block face between 5th Street and 6th Street
   Construction of the westbound City Hall Station platform within this block would result in a loss of seven one-hour parking spaces.

2. North block face between 7th Street and 8th Street
   No loss of parking spaces would occur as compared to a reduction of two one-hour parking spaces if the Civic Station platform is constructed within this block.

3. South block face between 5th Street and 6th Street
   The eastbound City Hall Station platform would be relocated to this block. No parking spaces are currently provided on this block face.

4. South block face between 6th Street and 7th Street
   No loss of parking spaces would occur as compared to a reduction of three one-hour parking spaces if the Civic Station platform is constructed within this block.

This memorandum focuses on the analysis of the affected block faces and incorporates parking data for the block faces between 9th Street and 10th Street to appropriately integrate the changes into the rolling three-block occupancy assessment.

Block faces between 5th Street and 6th Street were beyond the scope of the original analysis and no parking data were collected at the time. In January 2013, the existing parking supply and demand data were collected for these block faces and for the block faces on 5th Street and 6th Street to the north of Santa Clara Street. The data were collected for weekday afternoon and Saturday mid-day periods. The supply and demand data collected previously in 2010 were used for the rest of the re-evaluated segment. The projected future parking supply was determined from the project drawings provided by CH2M Hill. The future parking demand is assumed to equal the existing demand.

Similar to the analysis described in the August 3, 2011 memorandum, the evaluation includes on-street parking along Santa Clara Street as well as parking on cross streets for a half-block or approximately 200 feet, whichever is shorter, on both sides of the corridor. Although the proposed new station location has no effect on the previous analysis of the south block faces on Santa Clara Street, the data for the south are included for consistency purposes.

Detailed information is provided about the parking restrictions, e.g. time restrictions, whether a permit is needed, loading zones, etc. Average parking occupancies for weekday afternoon and Saturday mid-day periods are calculated and summarized by block face. A rolling three-block average occupancy is also calculated for both the existing and projected future parking. The rolling three-block occupancy
assessment is needed to determine, whether a parking deficit in one block can be offset by a parking excess in adjacent blocks.

In this memorandum, the block faces along Santa Clara Street are referred to as “North” and “South”. The block faces on cross streets are referred to as “West” and “East.”

2.0 Analysis

This section addresses parking conditions at the block faces impacted by the City Hall Station relocation. The analysis also shows the data for blocks on Santa Clara Street between 5th Street and 10th Street for reference.

2.1 Analysis of Existing Parking

Parking surveys conducted by the project team in January 2013 documented parking supply, including parking restrictions, and demand on Santa Clara Street between 5th Street and 6th Street and on 5th Street and 6th Street to the north of Santa Clara Street.

2.1.1 Existing Parking Supply

No loading zones addressed in the August 2011 analysis are affected by the proposed City Hall Station relocation from the previously planned location. A 20-foot parking space exists next to white curb on the east side of 5th Street immediately north of Santa Clara Street. The space is unmetered and no signs are provided. This memorandum assumes this space is a loading zone without including it in the calculations.

Table 1A shows the number of parking spaces and the type of parking (time restricted, permit, unrestricted, etc.) along Santa Clara Street by each block face. Parking available on cross streets is not reported in this table. On Santa Clara Street, between 5th Street and 6th Street, ten one-hour spaces are available on the north block face. Between 7th Street and 8th Street on the north block face, six one-hour spaces are available. Three one-hour spaces are available on the south block face between 6th Street and 7th Street. As noted above, no parking exists on the south block face between 5th Street and 6th Street.

Table 1A Existing Parking between 5th Street and 10th Street for Santa Clara Street

<table>
<thead>
<tr>
<th>Segment</th>
<th>Block Face</th>
<th>Total Existing Parking</th>
<th>H/C</th>
<th>12-min</th>
<th>15-min</th>
<th>30-min</th>
<th>1-hr</th>
<th>2-hr</th>
<th>Permit</th>
<th>Unrestricted</th>
</tr>
</thead>
<tbody>
<tr>
<td>5th Street -</td>
<td>North</td>
<td>10</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>10</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>6th Street</td>
<td>South</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>6th Street</td>
<td>North</td>
<td>9</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>7th Street</td>
<td>South</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>7th Street</td>
<td>North</td>
<td>6</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>6</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>8th Street</td>
<td>South</td>
<td>9</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>7</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>8th Street</td>
<td>North</td>
<td>8</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>8</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>9th Street</td>
<td>South</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>9th Street</td>
<td>North</td>
<td>8</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>8</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>10th Street</td>
<td>South</td>
<td>8</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>8</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>66</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>15</td>
<td>42</td>
<td>9</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Notes:  
H/C = Handicap spaces.

1 Two of the Loading Zone spaces convert to 30-minute parking in the mid-day and the PM peak hour.
Table 1B shows the number of parking spaces and type of parking on cross streets in the corridor. These data are reported for a half-block or approximately 200 feet, whichever is shorter, on both sides of the Santa Clara Street corridor. The new proposed location of the City Hall Station has no effect on the cross street parking supply.

### Table 1B Existing Parking between 5th Street and 10th Street for Cross Streets (Half-Block/200 feet)

<table>
<thead>
<tr>
<th>Segment</th>
<th>Block Face</th>
<th>Total Existing Parking</th>
<th>H/C</th>
<th>12-min</th>
<th>15-min</th>
<th>30-min</th>
<th>1-hr</th>
<th>2-hr</th>
<th>Permit</th>
<th>Unrestricted</th>
</tr>
</thead>
<tbody>
<tr>
<td>5th Street --</td>
<td>West</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>N. of Santa Clara</td>
<td>East</td>
<td>9</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>9</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>6th Street --</td>
<td>West</td>
<td>6</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>6</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>N. of Santa Clara St</td>
<td>East</td>
<td>11</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>8</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>6th Street --</td>
<td>West</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>S. of Santa Clara St</td>
<td>East</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>0</td>
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</tr>
<tr>
<td>7th Street --</td>
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<td>6</td>
<td>0</td>
<td>0</td>
<td>6</td>
<td>0</td>
<td>0</td>
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<td>0</td>
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</tr>
<tr>
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<td>10</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>6</td>
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</tr>
<tr>
<td>7th Street --</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>S. of Santa Clara St</td>
<td>East</td>
<td>11</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>8th Street --</td>
<td>West</td>
<td>10</td>
<td>0</td>
<td>3</td>
<td>0</td>
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<td>0</td>
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<td>3</td>
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<td>11</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>11</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>8th Street --</td>
<td>West</td>
<td>6</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>S. of Santa Clara St</td>
<td>East</td>
<td>10</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>6</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>9th Street --</td>
<td>West</td>
<td>6</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>6</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>N. of Santa Clara St</td>
<td>East</td>
<td>10</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>9th Street --</td>
<td>West</td>
<td>12</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td>S. of Santa Clara St</td>
<td>East</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>10th Street --</td>
<td>West</td>
<td>8</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>N. of Santa Clara St</td>
<td>East</td>
<td>8</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>10th Street --</td>
<td>West</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>S. of Santa Clara St</td>
<td>East</td>
<td>6</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>154</strong></td>
<td><strong>1</strong></td>
<td><strong>4</strong></td>
<td><strong>9</strong></td>
<td><strong>10</strong></td>
<td><strong>57</strong></td>
<td><strong>58</strong></td>
<td><strong>1</strong></td>
<td></td>
</tr>
</tbody>
</table>

Notes:  
H/C = Handicap spaces.  
1 Four parking spaces are present but two of these spaces are permanently reserved for Zipcar operations.

### 2.1.1 Existing Parking Demand

Four parking utilization surveys were conducted between 5th Street and 6th Street, and the data from the previous surveys were used between 6th Street and 10th Street. The parking data were collected on weekday afternoons and on Saturdays during mid-day. Average parking demand was then calculated for a weekday and Saturday. Table 2 summarizes the locations, dates, and time periods of the surveys.

Table 3A shows the number of occupied parking spaces between 5th Street and 6th Street along the Santa Clara Street (excluding cross streets) as well as an occupancy percentage for each block face. The number of occupied parking spaces reported in the table is an average of two surveys. The occupancy values represent the average weekday afternoon and average Saturday mid-day demand, except as noted above.
Table 2  Parking Survey Dates and Times between 5th Street and 10th Street

<table>
<thead>
<tr>
<th>Period</th>
<th>Number of Surveys</th>
<th>Dates</th>
<th>Day</th>
<th>Time Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weekday PM 5th Street to 6th Street</td>
<td>2</td>
<td>1/9/2013, 1/10/2013</td>
<td>Wednesday, Thursday</td>
<td>4:00-6:00 PM, 4:00-6:00 PM</td>
</tr>
<tr>
<td>Weekday PM 6th Street to 10th Street</td>
<td>2</td>
<td>10/12/2010, 10/13/2010</td>
<td>Tuesday, Wednesday</td>
<td>4:00-6:00 PM, 4:00-6:00 PM</td>
</tr>
<tr>
<td>Saturday Noon 5th Street to 6th Street</td>
<td>2</td>
<td>1/12/2013, 1/19/2013</td>
<td>Saturday</td>
<td>11:00-1:00 PM</td>
</tr>
<tr>
<td>Saturday Noon 6th Street to 10th Street</td>
<td>2</td>
<td>10/9/2010, 10/23/2010</td>
<td>Saturday</td>
<td>11:00-1:00 PM</td>
</tr>
</tbody>
</table>

Table 3A  Existing Occupancy between 5th Street and 10th Street for Santa Clara Street

<table>
<thead>
<tr>
<th>Segment</th>
<th>Block Face</th>
<th>Total Existing Parking</th>
<th>Weekday</th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td>5th Street -- 6th Street</td>
<td>North 2</td>
<td>10</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>South NA</td>
<td></td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>6th Street -- 7th Street</td>
<td>North 3</td>
<td>9</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>South 3</td>
<td></td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>7th Street -- 8th Street</td>
<td>North 6</td>
<td>6</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>South 9</td>
<td></td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>8th Street -- 9th Street</td>
<td>North 8</td>
<td>8</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>South 5</td>
<td></td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>9th Street -- 10th Street</td>
<td>North 8</td>
<td>8</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>South 3</td>
<td></td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>66</td>
<td>18</td>
<td>17</td>
</tr>
</tbody>
</table>

Notes:  NA applies where block faces do not exist or the parking is not allowed at the block face.
1 Due to rounding in calculating the average of two surveys, the sum of the block average parking demands is larger than the sum of the block parking demands in either of the surveys.
2 New occupancy data from January 2013.
3 Two of the Loading Zone spaces convert to regular spaces in the mid-day and the PM peak hour and are included in the occupancy calculation.

The information is aggregated by block face to determine the average occupancy between any two intersections on each side of the street. No regard is given to parking restrictions. For example, in a block that has three two-hour metered spaces and ten unrestricted spaces, the average occupancy for the thirteen spaces is calculated regardless of their time restrictions.

For Saturday mid-day time period, due to rounding in calculating the average of two surveys, the sum of the block average parking demands is larger than the sum of the block parking demands in either of the surveys.

Table 3B shows the number of occupied parking spaces along the cross streets to the north and south of the corridor, for the west and east block faces. The number of occupied parking spaces reported in the table is an average of two surveys. The occupancy percentages are also provided. The cross street occupancy is aggregated for a particular block face regardless of parking restrictions within the block. Parking demand data for the cross streets were collected for a half-block or 200 feet, whichever is shorter, on both sides of the corridor.
### Table 3B: Existing Occupancy between 5th Street and 10th Street for Cross Streets (Half-Block/200 feet)

<table>
<thead>
<tr>
<th>Segment</th>
<th>Block Face</th>
<th>Total Parking</th>
<th>Weekday (Average)</th>
<th>Saturday (Average)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Existing</td>
<td>Occupied Spaces</td>
<td>% Occupied</td>
</tr>
<tr>
<td>5th Street --</td>
<td>West 1</td>
<td>2</td>
<td>2</td>
<td>100%</td>
</tr>
<tr>
<td>N. of Santa Clara St</td>
<td>East 1</td>
<td>9</td>
<td>3</td>
<td>33%</td>
</tr>
<tr>
<td>6th Street --</td>
<td>West 1</td>
<td>6</td>
<td>2</td>
<td>33%</td>
</tr>
<tr>
<td>N. of Santa Clara Street</td>
<td>East 1</td>
<td>11</td>
<td>1</td>
<td>9%</td>
</tr>
<tr>
<td>6th Street --</td>
<td>West 1</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>S. of Santa Clara Street</td>
<td>East</td>
<td>5</td>
<td>3</td>
<td>60%</td>
</tr>
<tr>
<td>7th Street --</td>
<td>West 1</td>
<td>6</td>
<td>2</td>
<td>33%</td>
</tr>
<tr>
<td>N. of Santa Clara Street</td>
<td>East</td>
<td>10</td>
<td>3</td>
<td>30%</td>
</tr>
<tr>
<td>7th Street --</td>
<td>West 1</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>S. of Santa Clara Street</td>
<td>East</td>
<td>11</td>
<td>6</td>
<td>55%</td>
</tr>
<tr>
<td>8th Street --</td>
<td>West 1</td>
<td>10</td>
<td>5</td>
<td>50%</td>
</tr>
<tr>
<td>N. of Santa Clara Street</td>
<td>East</td>
<td>11</td>
<td>2</td>
<td>18%</td>
</tr>
<tr>
<td>8th Street --</td>
<td>West 1</td>
<td>6</td>
<td>6</td>
<td>100%</td>
</tr>
<tr>
<td>S. of Santa Clara Street</td>
<td>East</td>
<td>10</td>
<td>3</td>
<td>30%</td>
</tr>
<tr>
<td>9th Street --</td>
<td>West 1</td>
<td>6</td>
<td>2</td>
<td>33%</td>
</tr>
<tr>
<td>N. of Santa Clara Street</td>
<td>East</td>
<td>10</td>
<td>6</td>
<td>60%</td>
</tr>
<tr>
<td>9th Street --</td>
<td>West 1</td>
<td>12</td>
<td>11</td>
<td>92%</td>
</tr>
<tr>
<td>S. of Santa Clara Street</td>
<td>East</td>
<td>2</td>
<td>1</td>
<td>50%</td>
</tr>
<tr>
<td>10th Street --</td>
<td>West 1</td>
<td>8</td>
<td>4</td>
<td>50%</td>
</tr>
<tr>
<td>N. of Santa Clara Street</td>
<td>East</td>
<td>8</td>
<td>3</td>
<td>38%</td>
</tr>
<tr>
<td>10th Street --</td>
<td>West 1</td>
<td>5</td>
<td>2</td>
<td>40%</td>
</tr>
<tr>
<td>S. of Santa Clara Street</td>
<td>East</td>
<td>6</td>
<td>3</td>
<td>50%</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>154</td>
<td>70</td>
<td>45%</td>
</tr>
</tbody>
</table>

**Notes:**  
- NA applies where block faces do not exist or the parking is not allowed at the block face.  
- New occupancy data from January 2013.

The occupancy for the north block face between 5th Street and 6th Street along Santa Clara Street is 40 percent during both the average weekday afternoon and the average Saturday mid-day period. The north block face between 7th Street and 8th Street has occupancies of zero percent and 17 percent during the average weekday afternoon and the average Saturday mid-day period, respectively. For the south block face between 6th Street and 7th Street, the occupancy is 33 percent during weekday afternoon and zero percent on Saturday.

The west block face on 5th Street north of Santa Clara Street is fully utilized during the average weekday afternoon time period. The east block face weekday afternoon occupancy is 33 percent. During the Saturday mid-day time period, the east and west block faces on 5th Street are not utilized.

The new data were collected in January 2013 for the block faces on 6th Street north of Santa Clara Street and the occupancies for these block faces slightly changed from the August 2010 analysis. While the calculations using new data result in reduced occupancies, the changes are not material.
2.1.2 Existing Rolling Three-Block Occupancy

This section summarizes the existing rolling three-block occupancy calculated for block faces along Santa Clara Street between 5th Street and 10th Street. Figure 1 illustrates how the block faces are included in the rolling three-block calculation.

![Figure 1 Block faces included in the three-block calculation](image)

For any block face along Santa Clara Street (except for the block listed as exception), the calculations include parking spaces located in the immediately adjacent block faces and cross streets. For the methodology details please refer to the original memorandum.

Table 4 summarizes the existing rolling three-block calculations for the re-analyzed segment. The calculations in Table 4 are consistent with the above methodology with one exception, where instead of three blocks, two blocks are included in the calculations. For the south block face between 6th Street and 7th Street, the calculation is limited to two blocks since this block is adjacent to a block (between 5th Street and 6th Street) where no parking is allowed.

No block faces on Santa Clara Street between 5th Street and 10th Street, have the rolling three-block occupancy percentages of 80 percent or greater.

<table>
<thead>
<tr>
<th>Evaluated Block</th>
<th>North</th>
<th></th>
<th>South</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total Ext Park</td>
<td>Weekday</td>
<td>Saturday</td>
<td>Total Ext Park</td>
</tr>
<tr>
<td></td>
<td>Occ. Spaces</td>
<td>% Occ.</td>
<td>% Occ.</td>
<td>Occ. Spaces</td>
</tr>
<tr>
<td>6th Street - 7th Street</td>
<td>77</td>
<td>21</td>
<td>27%</td>
<td>12</td>
</tr>
<tr>
<td>7th Street - 8th Street</td>
<td>77</td>
<td>18</td>
<td>23%</td>
<td>15</td>
</tr>
<tr>
<td>8th Street - 9th Street</td>
<td>77</td>
<td>24</td>
<td>31%</td>
<td>29</td>
</tr>
</tbody>
</table>

Notes: Occ. = Occupied.  
1 Two-block rolling occupancy for the south block face.
2.2 Analysis of Future Parking

This section addresses the expected parking changes occurring in conjunction with the modification of the proposed location for the City Hall Station.

2.2.1 Projected Parking Supply Changes

Table 5 shows the projected and existing parking supply, including parking restrictions, along Santa Clara Street between 5th Street and 10th Street. The existing parking data are shown in parentheses.

In the previous analysis, the planned location of the westbound City Hall Station platform was between 7th Street and 8th Street at the north block face of Santa Clara Street. The eastbound City Hall Station platform was at the south block face between 6th Street and 7th Street. Accommodating the station platforms would have required removal of two and three one-hour parking spaces from the north block face and south block face, respectively.

Constructing the station between 5th Street and 6th Street would cause a loss of seven one-hour spaces at the north block face on Santa Clara Street. No parking spaces would be removed from the north block face between 7th Street and 8th Street and the south block face between 6th Street and 7th Street. The south block face between 5th Street and 6th Street has no existing parking.

Cross street parking supply is not expected to change from the existing conditions. For details on cross street parking supply, refer to Table 1B.

Table 5 Projected (Existing) Parking between 5th Street and 10th Street for Santa Clara Street / Alum Rock Avenue

<table>
<thead>
<tr>
<th>Segment</th>
<th>Block Face</th>
<th>Total Parking</th>
<th>H/C</th>
<th>12-min</th>
<th>15-min</th>
<th>30-min</th>
<th>1-hr</th>
<th>2-hr</th>
<th>Permit</th>
<th>Unrestricted</th>
</tr>
</thead>
<tbody>
<tr>
<td>5th Street -- North</td>
<td>3 (10)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>3 (10)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
</tr>
<tr>
<td>5th Street -- South</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
</tr>
<tr>
<td>6th Street -- North</td>
<td>9 (9)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>9 (9)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
</tr>
<tr>
<td>6th Street -- South</td>
<td>3 (3)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
</tr>
<tr>
<td>7th Street -- North</td>
<td>6 (6)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>6 (6)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
</tr>
<tr>
<td>7th Street -- South</td>
<td>9 (9)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>2 (2)</td>
<td>7 (7)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
</tr>
<tr>
<td>8th Street -- North</td>
<td>8 (8)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>8 (8)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
</tr>
<tr>
<td>8th Street -- South</td>
<td>5 (5)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>5 (5)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
</tr>
<tr>
<td>9th Street -- North</td>
<td>8 (8)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>8 (8)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
</tr>
<tr>
<td>9th Street -- South</td>
<td>8 (8)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>8 (8)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
</tr>
<tr>
<td>10th Street -- North</td>
<td>8 (8)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>8 (8)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
</tr>
<tr>
<td>10th Street -- South</td>
<td>8 (8)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>8 (8)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
<td>0 (0)</td>
</tr>
</tbody>
</table>

Total | 60 (66) | 0 (0) | 0 (0) | 0 (0) | 15 (15) | 34 (42) | 9 (9) | 0 (0) | 0 (0) |

Notes: Projected (Existing).

H/C = Handicap spaces.

Two of the Loading Zone spaces convert to 30-minute parking in the mid-day and the PM peak hour.

2.2.1 Projected Parking Occupancy

Table 6 shows the projected and existing parking occupancies between 5th Street and 10th Street on Santa Clara Street. The future occupancy is calculated using the projected parking supply and the existing demand. The existing parking occupancy is shown in parentheses.
Table 6: Projected (Existing) Occupancy between 5th Street and 10th Street for Santa Clara Street

<table>
<thead>
<tr>
<th>Segment</th>
<th>Block Face</th>
<th>Parking Supply</th>
<th>% Occupied</th>
<th>% Occupied</th>
</tr>
</thead>
<tbody>
<tr>
<td>5th Street --</td>
<td>North</td>
<td>3 (10)</td>
<td>4</td>
<td>OVFL (40%)</td>
</tr>
<tr>
<td>6th Street</td>
<td>South</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>6th Street --</td>
<td>North</td>
<td>9 (9)</td>
<td>3</td>
<td>33% (33%)</td>
</tr>
<tr>
<td>7th Street</td>
<td>South</td>
<td>3 (3)</td>
<td>1</td>
<td>33% (33%)</td>
</tr>
<tr>
<td>7th Street --</td>
<td>North</td>
<td>6 (6)</td>
<td>0</td>
<td>0% (0%)</td>
</tr>
<tr>
<td>8th Street</td>
<td>South</td>
<td>9 (9)</td>
<td>2</td>
<td>22% (22%)</td>
</tr>
<tr>
<td>8th Street --</td>
<td>North</td>
<td>8 (8)</td>
<td>1</td>
<td>13% (13%)</td>
</tr>
<tr>
<td>9th Street</td>
<td>South</td>
<td>5 (5)</td>
<td>2</td>
<td>40% (40%)</td>
</tr>
<tr>
<td>9th Street --</td>
<td>North</td>
<td>8 (8)</td>
<td>2</td>
<td>25% (25%)</td>
</tr>
<tr>
<td>10th Street</td>
<td>South</td>
<td>8 (8)</td>
<td>3</td>
<td>38% (38%)</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>60 (66)</td>
<td>18</td>
<td>31% (27%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>17</td>
<td>29% (26%)</td>
</tr>
</tbody>
</table>

Notes: Projected (Existing).
NA applies where block faces do not exist or the parking is not allowed at the block face.
OVFL = overflow. Denotes locations where parking demand exceeds supply.
1 The future parking demand is assumed to equal the existing parking demand.

During the weekday afternoon and Saturday mid-day periods, parking demand exceeds the projected supply at the north block face between 5th Street and 6th Street along Santa Clara Street. The north block face between 7th Street and 8th Street has occupancies of zero percent and 17 percent during the average weekday afternoon and the average Saturday mid-day period, respectively. For the south block face between 6th Street and 7th Street, the calculated occupancy is 33 percent during the weekday afternoon and zero percent on Saturday.

There are no projected changes in parking supply for the cross streets and, consequently, the cross-street occupancies remain unchanged from the existing conditions.

2.2.1 Projected Rolling Three-Block Occupancy

This section summarizes the future (projected) rolling three-block occupancy calculated for block faces along Santa Clara Street between 5th Street and 10th Street. Table 7 and Table 8 show the projected rolling three-block occupancy results for the average weekday and Saturday, respectively. The existing parking occupancy is also shown in parentheses for reference.

Table 7: Projected (Existing) Rolling Three-Block Occupancy (Weekday) between 5th Street and 10th Street

<table>
<thead>
<tr>
<th>Evaluated Block</th>
<th>North</th>
<th>% Occ.</th>
<th>South</th>
<th>% Occ.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking Supply</td>
<td>Demand</td>
<td>Parking Supply</td>
<td>Demand</td>
<td></td>
</tr>
<tr>
<td>6th Street - 7th Street</td>
<td>70 (77)</td>
<td>21</td>
<td>30% (27%)</td>
<td>34 (34)</td>
</tr>
<tr>
<td>7th Street - 8th Street</td>
<td>77 (77)</td>
<td>18</td>
<td>23% (23%)</td>
<td>61 (61)</td>
</tr>
<tr>
<td>8th Street - 9th Street</td>
<td>77 (77)</td>
<td>24</td>
<td>31% (31%)</td>
<td>68 (68)</td>
</tr>
</tbody>
</table>

Notes: Projected (Existing).
Occ. = Occupied.
1 The future parking demand is assumed to equal the existing parking demand.
Table 8  Projected (Existing) Rolling Three-Block Occupancy (Saturday) between 6th Street and 10th Street

<table>
<thead>
<tr>
<th>Evaluated Block</th>
<th>North</th>
<th></th>
<th>South</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Parking</td>
<td>% Occ.</td>
<td>Parking</td>
<td>% Occ.</td>
</tr>
<tr>
<td></td>
<td>Supply</td>
<td>Demand 1</td>
<td>Supply</td>
<td>Demand 1</td>
</tr>
<tr>
<td>6th Street - 7th Street</td>
<td>70 (77)</td>
<td>12</td>
<td>17% (16%)</td>
<td>34 (34)</td>
</tr>
<tr>
<td>7th Street - 8th Street</td>
<td>77 (77)</td>
<td>15</td>
<td>19% (19%)</td>
<td>61 (61)</td>
</tr>
<tr>
<td>8th Street - 9th Street</td>
<td>77 (77)</td>
<td>29</td>
<td>38% (38%)</td>
<td>68 (68)</td>
</tr>
</tbody>
</table>

Notes:  Projected (Existing).

Occ. = Occupied.

1 The future parking demand is assumed to equal the existing parking demand.

No block faces on Santa Clara Street between 5th Street and 10th Street, have the rolling three-block occupancy percentages of 80 percent or greater.
APPENDIX A

CITY HALL STATION

NEW DESIGN CONCEPT
APPENDIX A

SANTA CLARA STATION

NEW DESIGN CONCEPT
Appendix G

Station Renderings
Figure 8 Station Materials. IBI Group
### Station Materials

<table>
<thead>
<tr>
<th>STATION COMPONENTS</th>
<th>PROPOSED MATERIALS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ICONIC COLUMN</strong></td>
<td></td>
</tr>
<tr>
<td>1 Beacon Light</td>
<td>Glass Lens / Resin Lens / Fixture Enclosure</td>
</tr>
<tr>
<td>2 Architectural Wrap</td>
<td>Powder Coated Metal / Textured Rigid Metal / Integral Color Resin</td>
</tr>
<tr>
<td>3 Backlit Edge</td>
<td>Glass Lens / Resin Lens / Fixture Enclosure</td>
</tr>
<tr>
<td><strong>CANOPY</strong></td>
<td></td>
</tr>
<tr>
<td>1 Roof Panel</td>
<td>Laminated Glass / Integral Color Resin / Powder Coated Metal</td>
</tr>
<tr>
<td>2 Thin-Film PV Module</td>
<td></td>
</tr>
<tr>
<td>3 Profile Edge</td>
<td>Powder Coated Metal Extrusion / Integral Color Resin Extrusion</td>
</tr>
<tr>
<td>4 Lighting Raceway Edge</td>
<td>Powder Coated Metal Extrusion / Integral Color Resin Extrusion</td>
</tr>
<tr>
<td>5 Exposed Structural Frame</td>
<td>Powder Coated Steel</td>
</tr>
<tr>
<td>6 Back-to-Back LED VMS</td>
<td></td>
</tr>
<tr>
<td><strong>TOUCH ZONE</strong></td>
<td></td>
</tr>
<tr>
<td>1 Backlit Edge</td>
<td>Glass Lens / Resin Lens / Fixture Enclosure</td>
</tr>
<tr>
<td>2 Architectural Wrap</td>
<td>Powder Coated Metal / Textured Rigid Metal / Integral Color Resin</td>
</tr>
<tr>
<td><strong>LEFT PIER</strong></td>
<td></td>
</tr>
<tr>
<td>1 Architectural Wrap</td>
<td>Powder Coated Metal / Textured Rigid Metal / Integral Color Resin</td>
</tr>
<tr>
<td>2 Backlit Community Info Poster</td>
<td>Stainless Steel / Textured Rigid Metal / Powder Coated Metal (with Laminated Glass Door)</td>
</tr>
<tr>
<td>3 Electrical Cabinet</td>
<td>Stainless Steel / Textured Rigid Metal / Powder Coated Metal</td>
</tr>
<tr>
<td>4 Base</td>
<td>Thicked Concrete Slab</td>
</tr>
<tr>
<td><strong>RIGHT PIER</strong></td>
<td></td>
</tr>
<tr>
<td>5 Backlit Station Signage</td>
<td>Powder Coated Metal / Integral Color Resin (with Resin Lens)</td>
</tr>
<tr>
<td>6 Architectural Wrap</td>
<td>Powder Coated Metal / Textured Rigid Metal / Integral Color Resin</td>
</tr>
<tr>
<td>7 Backlit System Route Map</td>
<td>Stainless Steel / Textured Rigid Metal / Powder Coated Metal (with Laminated Glass Door)</td>
</tr>
<tr>
<td>8 LCD Screen</td>
<td></td>
</tr>
<tr>
<td>9 Base</td>
<td>Thicked Concrete Slab</td>
</tr>
<tr>
<td><strong>WINDSCREEN</strong></td>
<td></td>
</tr>
<tr>
<td>1 Vertical Support</td>
<td>Stainless Steel / Powder Coated Steel</td>
</tr>
<tr>
<td>2 Panel</td>
<td>Laminated Glass / Integral Color Resin / Perforated Metal / Art</td>
</tr>
<tr>
<td>3 Perpendicular Panel</td>
<td>Laminated Glass / Integral Color Resin / Perforated Metal / Art</td>
</tr>
<tr>
<td>4 Perpendicular Support</td>
<td>Stainless Steel / Powder Coated Steel</td>
</tr>
<tr>
<td><strong>FURNITURE</strong></td>
<td></td>
</tr>
<tr>
<td>5 Leaning Rail / Seating Backrest</td>
<td>Thicked Concrete Slab</td>
</tr>
<tr>
<td>6 Individual Seating</td>
<td></td>
</tr>
<tr>
<td><strong>GUARDRAIL</strong></td>
<td></td>
</tr>
<tr>
<td>7 Railing</td>
<td>Stainless Steel / Powder Coated Steel / Art</td>
</tr>
<tr>
<td>8 Vertical Support</td>
<td>Stainless Steel / Powder Coated Steel</td>
</tr>
<tr>
<td><strong>CURB</strong></td>
<td></td>
</tr>
<tr>
<td>1 Windscreen / Guardrail Base</td>
<td>Thicked Concrete Slab</td>
</tr>
</tbody>
</table>
Appendix H

Convention Center
BRT Station Exhibits
TO: Transit Planning & Operations Committee

THROUGH: General Manager, Michael T. Burns

FROM: Sam Liccardo, Chair

SUBJECT: Santa Clara/Alum Rock Bus Rapid Transit Project

RECOMMENDATION:

Accept the Staff recommendation, with the following modifications:

Environmental Clearance
Clarify that the adoption of this EIR Addendum does not bind VTA or the City of San Jose to a specific set of operational mandates, but rather that it provides environmental clearance for the “envelope” containing various options for the regulation of traffic in this corridor. Further clarify that the Board has no intention of creating a rigid set of operational procedures that will require new environmental clearance for any modification, particularly as the VTA and the City learn more about the impacts of BRT operations in this corridor.

Downtown Circulation
- In light of the substantial impacts to auto, bike, and pedestrian circulation with the confluence of impacts from BRT implementation, Light Rail efficiency improvements, BART construction, and Bike Share, explore with MTC and ABAG staff about obtaining planning grant funding for study and a plan for current and future Downtown circulation.

Transition Zones
- For all outbound transitions, work with the City to provide signal prioritization/queue jumping to ensure BRT transit priority;
- Do not provide dedicated transition zones for inbound transitions, and maintain current parking in those areas;
- For outbound transitions, maintain current parking arrangement, with one exception: provide additional transition area only on westbound Santa Clara Street, for the two spaces fronting Lincoln Law, where off-peak loading will be permitted;
- Mitigate parking impacts on customers through the provision of parking at the VTA-owned lot on the Mitchell Block, or through other means.
Turn Restrictions
- Right-hand turns shall be permitted, with the following limitations (with appropriate signage to be posted and enforced):
  1. Right turns may only be made from the curb lane/BRT lane;
  2. No auto may enter the BRT lane when a bus is present on that block;
  3. No right turn may be made from the middle lane;
- Work with DOT staff and interested stakeholders to discuss any restrictions on left-hand turns necessary for basic circulation;

Review and Modification
Return to this committee within 12 months with a report and recommendation for possible modification(s) to any or all of these suggested changes; or return sooner if there is substantial inference with transit efficiency or safety.

Inverse Condemnation Issues
Consult with owners of the Fountain Alley parking lot and all affected property owners on the “Zero Blocks” of 1st and 2nd Streets, and return to closed session to consult with the Board regarding potential claims that might arise under the Fifth Amendment of the U.S. Constitution.

BACKGROUND:
After several meetings and discussions with VTA staff, DOT staff, and property and business owners in the Downtown core, it has become abundantly clear that we need to employ a nuanced, phased approached to integrating BRT into this corridor.

Simply, nobody wants to see a first-class transit service operating through a corridor full of vacant storefronts. The ease of loading, circulation, and customer access constitute important factors for getting vacant storefronts occupied. For these reasons, I am suggesting a revised approach for the initial BRT operations, which gives greater priority to “activating” the land uses first, before optimizing BRT operations. Ultimately, the BRT system benefits by having more transit customers to serve, and a safer (more “eyes on the street”) environment surrounding the BRT stations.

Over time, as BRT operations increase with El Camino, BART, and other projects coming to completion, we expect that a more transit-focused approach will be warranted. During this transitory period, we need to weigh competing needs in this corridor, with the expectation that we will learn and modify our approach over time.

I share VTA’s concerns for the safety of pedestrians, and DOT’s concerns about corridor circulation both mandate that we not permit right turns from the middle traffic lane across the BRT lane. However, we have heard repeatedly, complete 24/7 restrictions of right-hand turns raise huge concerns for the business community, and for the viability of those blocks. For this reason, I suggest that right-hand turns be allowed on a limited basis, recognizing that during peak hours of bus operation, right turns will be infrequent. Of course, we will need to be attentive to
the need to modify or revise our plan as we see the actual impact of operations, and all parities—VTA, City, and the business community—must recognize the imperative of flexibility.
April 18, 2013

To: VTA Transit Planning and Operations Committee

Re: Item #12: Addendum to the Final Environmental Impact Report and approve the design changes to the Santa Clara/Alum Rock Bus Rapid Transit Project

Dear Committee Members:

SPUR strongly supports the Santa Clara/Alum Rock Bus Rapid Transit (SC/AR BRT) Project as presented in the EIR Addendum. Specifically, we support the proposed redesign of the Downtown station, the layout of the City Hall BRT station, and the proposed transition lanes through downtown San Jose.

There are many stakeholders who will benefit from this project, including residents and workers along the entire SC/AR corridor. VTA’s 2009 BRT Strategic Plan found that the SC/AR BRT corridor has existing demand for high frequency and high-capacity (10-15) BRT service. The SC/AR project supports existing and future land uses; demand is expected to grow more in the Santa Clara Street/Alum Rock corridor than any other VTA BRT corridor through 2030.

**Downtown San Jose Santa Clara Station Design**

SPUR worked with City of San Jose DOT, VTA staff, their consultants, and the San Jose Downtown Association to refine the Santa Clara (station located between First and Second Street) station design and configuration to create a more context-appropriate layout. Staff and consultants made considerable modifications to the station design through this process, creating a station we believe will be much better integrated with the urban, downtown streetscape. The changes will maximize both pedestrian flow on the sidewalk and patron comfort while waiting for transit.

**City Hall Station Layout**

As per our letter dated September 17, 2012 to this body, SPUR continues to support locating the City Hall BRT station between 5th and 6th Streets in each direction. Deciding to locate a bus rapid transit (BRT) station directly in front of City Hall, instead of one block further east, provides an opportunity to integrate BRT with major destinations, improve City Hall plaza security through increased activation and use, and connect to the planned bike sharing program at City Hall. A City Hall station is a less costly option and would be a public demonstration of San Jose’s commitment to prioritizing transit, in keeping with the City’s stated policies and priorities.
Santa Clara Station Transition Lanes

SPUR supports the full implementation of the downtown transition lanes in and out of the Santa Clara Station (as proposed by staff). At the March 7th Downtown/East Valley (DTEV) Policy Advisory Board meeting, the City of San Jose Department of Transportation suggested that transition lanes should be implemented incrementally through downtown, in order to minimize impacts to businesses. While we understand some stakeholder concerns around modifying Santa Clara Street, SPUR disagrees with an incremental approach to BRT facility implementation through downtown San Jose.

Downtown San Jose deserves high quality transit service. The proposed BRT project has already conceded space needed for optimal service. VTA’s 2008 EIR included dedicated curbside lanes and bulbouts for BRT stations. This was already a compromise with the City of San Jose from center-running dedicated lanes, which are BRT best practice.

VTA was asked by the City to include the study of a dedicated lane transit for buses between First and Second Street to pull out of traffic in order to reduce the impact on auto flow. VTA developed the transition lanes on the blocks before and after the station block as a way to achieve most of those benefits but with less impact to parking and turning movements. We appreciate VTA’s lengthy efforts to work with downtown stakeholders on the design.

The proposed design only impacts 10-13 on-street parking spaces for minimal loading zones, and the elimination of two right turns in order to accommodate the transit flow while maintaining pedestrian safety and reducing the conflict between turning autos and forward destined buses. This is a very reasonable accommodation for a high-capacity transit system, especially when there are 4,500 spaces in surface parking lots/garages within two blocks of the impacted parking spaces.

The City of San Jose General Plan defines a policy goal of 40% reduction in drive-alone commuting by 2040. Achieving this worthwhile goal will be impossible if auto uses are consistently favored over transit uses. It should be noted that the existing auto congestion on Santa Clara Street is minimal by the standards of any urban downtown and the downtown intersections are specifically exempted from LOS considerations.

We support the staff recommendations in the EIR addendum, and look forward to the full implementation of the Santa Clara/Alum Rock BRT service.

Sincerely,

[Signature]

Ratna Amin
SPUR Transportation Policy Director
April 11, 2013

Sam Liccardo, Chairperson TP&O Committee  
Office of the Board Secretary  
Santa Clara Valley Transportation Authority  
3331 North First Street, Building B-1st Floor  
San Jose, CA 95134-1927

Dear Mr. Liccardo,

While we are pleased to learn that there is a possible compromise in the works for the transition lanes in front of our property on Santa Clara Street, we feel it is important to give our support to other businesses who undoubtedly will suffer from the proposed addition of these transition lanes and limited traffic access.

As we have stated before, we feel that the removal of loading zones and street parking is contrary to the City’s desire to be a retail/entertainment destination. Ease of access to vendors who supply products to these retail establishments is key. The removal of street parking and limiting of right hand turns gives the impression that we don’t want the traffic downtown and moreover could be confusing and seen as a hassle by those who may have wanted to quickly “pop” into one of these businesses.

Additionally we feel that these proposed dedicated bus lanes could increase congestion and create delays for motorists. Limited stops along the route seem as though they would create an inconvenience for riders who may have to travel beyond their destination and back-track. Businesses along the “old route” might now potentially be made inconvenient.

Furthermore, it is still unclear if the ridership, at present, lends itself to this need. There is currently in place an Express Bus, the 522, that is essentially the same run in addition to light rail service and both seem underused.

We feel a great uptick in the momentum downtown and this proposal does not seem to fit in line with that energy. We want to encourage lingering foot traffic downtown, not rush them past us.

We appreciate your consideration in this matter.

Sincerely,

LEGACY PARTNERS COMMERCIAL, INC.

Andria Souza  
Director, Property Management/Leasing

cc: Margaret Abe-Koga, Vice Chairperson  
Rose Herrera, Member  
Donald Rocha, Member  
Michael Hursh, Staff Liaison  
Menominee McCarter, Board Assistant  
Hans Larsen, Director of Transportation  
Scott Knies, Executive Director, SJDA
April 11, 2013

Mike Mohebbi, Property Coordinator
CIM Group
Twenty Five South Third Street #110
San Jose, California 95113

Sam Liccardo, Chairperson TP&O Committee
Office of the Board Secretary
Santa Clara Valley Transportation Authority
3331 North First Street, Building B-1st Floor
San Jose, California 95134-1927

Re: Bus Rapid Transit Santa Clara Street Station

Dear Mr. Liccardo,

I have noticed the common concerns voiced during community meetings about the BRT expansion are: (1) security and safety; (2) traffic control; and (3) environmental impact.

High-quality mass transit systems add real value to growing urban markets. However, the same systems also attract crime and create other forms of urban pollution. Therefore a successful transit plan must include a sustainable strategy that addresses negative issues associated with expanding urbanization: loitering, drugs, theft and other violent crime.

Well planned intermodal transport hubs relieve traffic congestion. It is expected that current traffic patterns will change when adding new stations or modifying existing ones. However, as driving lanes change and parking/loading zones are removed from some areas then the lanes and zones in adjacent areas must be improved to prepare for overflow. A good plan will include alternative routes.

The first two items feed into the third: to gain community support the environmental impact of any plan must be net positive. Any potential benefit from improving transportation will be squandered without positive strategies to handle traffic control, security and safety. Even the best designs will result in some negative consequences; the successful plan will anticipate and address these issues.

Thank you for the effort the City puts forth to improve quality of life in downtown San Jose. Being accessible to local business managers and property owners is essential to understanding real-time needs and trends in the area so your consideration is greatly appreciated.

Sincerely,

Mike Mohebbi
Office : (408) 279 8880 ext 1
Mobile : (408) 207 9234
mmohebbi@cimgroup.com

cc: Margaret Abe-Koga, Vice Chairperson; Rose Herrera, Member; Donald Rocha, Member; Michael Hursh, Staff Liaison; Menominee McCarter, Board Assistant; Hans Larsen, Director of Transportation; Scott Knies, Executive Director, SJDA
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief Engineering & Construction Officer, Mark S. Robinson

SUBJECT: Light Rail Efficiency Project - Special Trackwork Procurement Contract

Policy-Related Action: No
Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to execute a contract with Cleveland Track Material, Inc., the lowest responsible bidder, in the amount of $1,423,550 for the Light Rail Efficiency Project - Special Trackwork procurement contract.

BACKGROUND:

The Light Rail Efficiency Project is a coordinated program of capital projects and operating changes to speed up the light rail system, increase service hours, introduce a new line of service, expand express service, and prepare for seamless, high-quality service to BART. In May 2010, the VTA Board recommended these projects for their high potential to generate the most effective improvements to travel times and ridership on the system.

These projects are time constrained and driven by the need for a productive feeder and distribution for the 2017 extension of BART service to the Montague Station in Milpitas, the 2014 stadium opening in Santa Clara, and anticipated large scale development along the North First Street corridor.

The first phase of infrastructure construction for the project includes the construction of light rail turnback/storage tracks on Tasman Dive and a second mainline track at the end-of-line in Mountain View (Exhibit A). These improvements will support proposed light rail operations to and from events at the stadium in Santa Clara.
Construction of the proposed track and related improvements is anticipated to start in early 2014 and be completed for revenue service by July 2014, in time for the opening of the stadium. To support this construction schedule, the long lead special trackwork components are being procured under this advanced procurement contract.

**DISCUSSION:**

The Light Rail Efficiency Project - Special Trackwork procurement contract was advertised on March 12, 2013. Three bids were submitted on April 12, 2013 with the following results:

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cleveland Track Material, Inc.</td>
<td>$1,423,550</td>
</tr>
<tr>
<td>Progress Rail Services</td>
<td>$1,549,275</td>
</tr>
<tr>
<td>HK Skelton Canada</td>
<td>$1,613,706</td>
</tr>
<tr>
<td>Engineer’s Estimate</td>
<td>$1,718,250</td>
</tr>
</tbody>
</table>

Cleveland Track Material, Inc. is the lowest responsible and responsive bidder. The bid is 17% below the Engineer’s Estimate. Staff has completed a bid analysis, has determined the bid to be fair and reasonable, and recommends award of this contract to Cleveland Track Material, Inc.

The procurement contract is scheduled to begin in June 2013 with special trackwork deliveries expected in February 2014.

**ALTERNATIVES:**

There are no practical alternatives to the recommended action. Delaying the award of this contract would increase the risk of overloading the system and creating significant delays to light rail patrons especially after August 2014 when stadium events are expected to commence in Santa Clara.

**FISCAL IMPACT:**

This action will authorize funds for procurement of special trackwork for the Light Rail Efficiency Project. Appropriation for this expenditure is included in the FY13 Adopted 2000 Measure A Transit Improvement Program Fund Capital Budget. This contract is funded primarily by 2000 Measure A funds.

**SMALL BUSINESS ENTERPRISE (SBE) PARTICIPATION:**

Based on the limited scope of work and no identifiable subcontracting opportunities, no specific goal has been established for this contract. Contractor is encouraged to make reasonable efforts to utilize SBEs in its procurement of ancillary services and products associated with the performance of this contract.
STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Transit Planning & Operations Committee received a brief staff presentation on this item at its April 19, 2013 meeting. The Committee asked if having a special procurement contract separate from the major civil contract was a more costly approach. Staff responded that because of the favorable bidding environment, very competitive bids were submitted, which might not be the case when the civil contract is let. Because the staff recommendation was preliminary pending completion of the bid review process, the Committee directed staff to place the item on the May 2, 2013 Board of Directors meeting without a Committee recommendation.

Prepared by: Ken Ronsse, Deputy Director
Memo No. 4048
Congestion Management Program and Planning Committee Meeting Minutes of April 18, 2013

WILL BE FORWARDED UNDER SEPARATE COVER
Administration and Finance Committee Meeting Minutes of April 18, 2013

WILL BE FORWARDED UNDER SEPARATE COVER
Transit Planning and Operations Committee Meeting
Minutes of April 18, 2013

WILL BE FORWARDED UNDER SEPARATE COVER
Committee for Transit Accessibility
Meeting Minutes of April 10, 2013

WILL BE FORWARDED UNDER SEPARATE COVER
CALL TO ORDER

The Regular Meeting of the Citizens Advisory Committee (CAC) was called to order at 4:00 p.m. by Chairperson Brownley, in Conference Room B-104, VTA River Oaks Campus, 3331 North First Street, San Jose, California.

1. ROLL CALL

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
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</thead>
<tbody>
<tr>
<td>Jeremy Barousse</td>
<td>Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Stephen Blaylock</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Clinton Brownley</td>
<td>Chairperson</td>
<td>Present</td>
</tr>
<tr>
<td>Bena Chang</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Chris Elias</td>
<td>Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Sharon Fredlund</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>William Hadaya</td>
<td>Vice Chairperson</td>
<td>Present</td>
</tr>
<tr>
<td>Ray Hashimoto</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Roberta Hughan</td>
<td>Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Aaron Morrow</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Charlotte Powers</td>
<td>Member</td>
<td>Present</td>
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<tr>
<td>Connie Rogers</td>
<td>Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Martin Schulte</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Noel Tebo</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Mike Torres</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Herman Wadler</td>
<td>Member</td>
<td>Present</td>
</tr>
</tbody>
</table>

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

2. ORDERS OF THE DAY

There were no Orders of the Day.

3. PUBLIC PRESENTATIONS

There were no Public Presentations.

   Member Torres took his seat at 4:02 p.m. and a quorum was established.  
   Member Hashimoto took his seat at 4:03 p.m.
Stakeholder Input on the VTA General Manager Recruitment

VTA Board of Directors Chairperson Joe Pirzynski noted that Michael T. Burns, General Manager, would be retiring at the end of 2013, and expressed appreciation to Mr. Burns for his dedication and exceptional work.

VTA Board of Directors Chairperson Pirzynski reported that the Selection Committee comprised of himself as Chairperson, Vice Chairperson Kalra, and Board Members Yeager, Abe-Koga, and Matthews would be leading the recruitment process working to identify potential candidates for the position of General Manager. VTA Board of Directors Chairperson Pirzynski reported the Selection Committee would be seeking information from the various Advisory bodies to receive a profile for the new General Manager and the information would be provided to Gilbert Tweed and Associates, Executive Recruiter. He noted the proposed timeline a recommendation would be provided to the Board of Directors.

VTA Board of Directors Chairperson Pirzynski noted the following major challenges for the new General Manager: 1) Bringing BART to Silicon Valley; 2) Reduction of Greenhouse Gases to preserve the environment; and 3) Improvement of VTA’s transportation system efficiencies.

VTA Board of Directors Chairperson Pirzynski asked the Committee the following questions: 1) What are Mr. Burns’ best qualities you would want to replicate, and how do these qualities relate to the success of an organization; 2) What should we avoid in a General Manager; and 3) Are there characteristics of other organizational leaders that you feel would be viable to VTA.

Member Schulter took his seat at 4:13 p.m.

Members of the Committee noted the following characteristics for the new General Manager: 1) would like to see a problem solver; 2) impressed with Mr. Burns’ genuine openness, leadership and management skills; 3) needs a General Manager that hears all the issues and who builds relationships with various organizations; 4) noted Mr. Burns inherited many issues at VTA during a difficult time and was impressed with how he addressed/managed the issues and that VTA needs a good overall manager; 5) impressed with Mr. Burns’ leadership to drive a project to completion and noted VTA needs a General Manager who is aware of what the priorities are and has the leadership to complete projects.; 6) impressed with Mr. Burns’ clear/calm communication skills when providing presentations to the Committees and other organizations, noting a General Manager needs to possess these type of qualities; 7) Mr. Burns is a real gentleman/friendly, open to suggestions/change and has a collaborative type of style and sensed there was an upward morale in VTA employees; 8) new General Manager must possess a good business sense, needs to be a generalist, have the ability to delegate and have confidence in their staff, noting it takes a team to run an organization of this size. Mr. Burns possesses these qualities; 9) ability to work with other organizations, such as BART, the Metropolitan Transportation Commission (MTC), One Bay Area Initiative; 10) must possess good political skills; 11) suggested hiring a local person and provided a person of interest; 12) needs to have the capacity to manage a large organization and be open-minded to do something different and not just live with the status quo; 13) noted the
diversity makes VTA unique and the General Manager has to have the skills to be able to juggle his/her interest/focus equally on what is important; and 14) an attribute to avoid, do not just try to protect and maintain.

VTA Board of Directors Chairperson Pirzynski asked what are going to be the primary challenges VTA will face within the next five to ten years.

Members of the Committee made the following comments: 1) issue of pension and benefits, noting they are skyrocketing at an alarming rate; 2) issue of keeping money in the pipeline; 3) issue of financial forecasting, noting VTA relies heavily on sales tax; 4) Caltrain funding issue; 5) technology forecasting will be even more critical over the next ten years, so keeping the staff open to any new things that could change the plans is critical; and 6) referenced the Measure A projects and noted the General Manager would have to look at locating additional funding sources to implement these projects.

VTA Board of Directors Chairperson Pirzynski thanked the Committee for their input and expressed appreciation for all of their hard work.

On order of Chairperson Brownley and there being no objection, the Committee provided input regarding the qualification and attributes the VTA Board of Directors might consider to use as a criteria for the recruitment and selection of a new General Manager.

5. Committee Staff Report

Greta Helm, Chief External Affairs Officer and Staff Liaison, provided a report, highlighting: 1) Thanked and acknowledged Committee Members’ attendance at the April 5, 2013, BART Silicon Valley One-Year Milestone Celebration; 2) April 20, 2013, VTA participation in the Earth Day Great American Litter Pick-Up; 3) May 8, 2013, Joint Advisory Committee Budget Workshop meeting at 4:00 p.m.; and 4) VTA sponsoring a bike contest in April leading up to Bike to Work Day.

On order of Chairperson Brownley and there being no objection, the Committee received the Committee Staff Report.

6. Chairperson’s Report

There was no Chairperson’s Report.

7. Committee for Transit Accessibility (CTA) Report

Member Morrow provided a report, highlighting: 1) Attendance at the April 5, 2013, BART Silicon Valley One-Year Milestone Celebration/Tour; 2) Meeting with Chief Operating Officer, Michael Hursh; and 3) Items agendized for the June 2013 CTA meeting.

On order of Chairperson Brownley and there being no objection, the Committee received the CTA Report.
8. **Bicycle and Pedestrian Advisory Committee (BPAC) Report**

Member Wadler reported that Michelle DeRobertis, Senior Transportation Planner, would be retiring and expressed appreciation for all of hard work.

**On order of Chairperson Brownley** and there being no objection, the Committee received the BPAC Report.

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

**COMBINED CAC AND 2000 MEASURE A CITIZENS WATCHDOG COMMITTEE CONSENT AGENDAS**

9. **Regular Meeting Minutes of March 13, 2013**

   M/S/C (Morrow/Powers) to approve the Regular Meeting Minutes of March 13, 2013.

10. **Citizens Advisory Committee (CAC) Quarterly Attendance Report**

   M/S/C (Morrow/Powers) to receive the Citizens Advisory Committee (CAC) Quarterly Attendance Report.

11. **Monthly Legislative History Matrix**

   M/S/C (Morrow/Powers) to review the Monthly Legislative History Matrix.

**2000 MEASURE A CITIZENS WATCHDOG COMMITTEE REGULAR AGENDA**

12. **Compliance Audit Report on 2000 Measure A Program Revenues and Expenditures for FY12**


    Member Chang took her seat at 4:47 p.m.

    M/S/C (Morrow/Schulter) to receive and accept the compliance audit report from the Citizens Watchdog Committee's independent compliance auditor, Macias, Gini & O'Connell, for Fiscal Year 2012 (FY12) 2000 Measure A revenues and expenditures.

13. **Determine Date and Location of CWC Public Hearing**

    Stephen Flynn, Advisory Committee Coordinator, provided the staff report.

    The Committee confirmed that the CWC public hearing would begin at 6:00 p.m., with the CAC/CWC general meeting commencing at the conclusion of the CWC public hearing on May 8, 2013.
M/S/C (Powers/Hadaya) to satisfy the requirements of Measure A, approve the following: 1. Conduct the 2000 Measure A Citizens Watchdog Committee's (CWC) annual public hearing on May 8, 2013 in combination with the monthly Citizens Advisory Committee (CAC)/CWC meeting; 2. Hold the combined public hearing and CAC/CWC meeting in Conference Room B-104 of VTA’s River Oaks Administration Facility; and 3. Start the CWC public hearing time specific at 6:00 p.m., with the CAC/CWC general meeting commencing at the conclusion of the CWC public hearing.

14. **Publication Strategy for Combined Public Hearing Notice and Compliance Audit Results**

Mr. Flynn and Dino Guevarra, Market Development Manager, provided the staff report.

M/S/C (Wadler/Hashimoto) to satisfy the 2000 Measure A requirement that the Citizens Watchdog Committee publicly notice its annual public hearing, as well as the results of the annual independent audit, approve the following: 1. The content/format of the combined summary notice for publication in local newspapers; and 2. The content/format of the combined notice for placement on VTA’s website.

M/S/C (Chang/Powers) to satisfy the 2000 Measure A requirement that the Citizens Watchdog Committee publicly notice its annual public hearing, as well as the results of the annual independent audit, approve the following: 3. A publication strategy for publishing the combined notice in local newspapers; and 4. Additional methods to publicize the public hearing and results of the compliance audit. Further, accepted staff’s recommended publication strategy and requested that staff provide a report on the effectiveness of the electronic media strategy at a future meeting.

**CITIZENS ADVISORY COMMITTEE REGULAR AGENDA**

15. **Local Program Reserve – Administrative Clean-Up**

**Public Comment**

Omar Chatty, Interested Citizen, expressed an interest in acquiring a copy of the Local Program Reserve (LPR) projects list and queried about the amount of dollars set aside.

Members of the Committee questioned about the status of the Mary Avenue Extension Project.

M/S/C (Powers/Morrow) to recommend that the VTA Board of Directors amend the Local Program Reserve (LPR) programming for the Mathilda/US 101 Interchange project in Sunnyvale and the Mary Avenue Extension project in Sunnyvale to address accounting issues and return unused funds to the program.

16. **Transportation Impact Analysis (TIA) Guidelines Update**

Robert Swierk, Senior Transportation Planner, provided the staff report.

Members of the Committee made the following comments: 1) requested that staff provide the TIA Guidelines update to CTA and asked that staff focus on the area of pedestrians;
2) noted various organizations to contact to receive feedback on the update; 3) referenced the draft Auto Trip Reduction Statement and suggested that it should cover pedestrian access to transit and bicycle repair facilities at developments; and 4) expressed concern about traffic management around large arenas/stadiums.

On order of Chairperson Brownley and there being no objection, the Committee received a report on the Transportation Impact Analysis (TIA) Guidelines Update.

17. Silicon Valley Express Lanes Project Reports:

A. Silicon Valley Express Lanes Program Update

Murali Ramanujam, Transportation Engineering Manager, provided an update on the Silicon Valley Express Lanes Program. He reported on the following: 1) Santa Clara County Express Lanes Projects; and 2) Express Lanes efforts elsewhere in the Bay Area, California, and in the Nation.

Public Comment

Mr. Chatty provided the following comments: 1) expressed concern about the narrow six lanes freeways, noting SR 85 was dangerous and hoped that an EIR would be done to correct the issue, and expressed concern about the extended hours; 2) expressed opposition to the program and VTA partnering with the private sector; and 3) inquired if there was a plan to map the toll lanes to nearby transportation facilities, and if so, would like a copy.

Members of the Committee made the following comments: 1) recommended that there be one standard transponder (tag), so that the public does not have to use several tags to travel different corridors; and 2) noted that decisions made by the Bay Area Infrastructure Financing Authority (BAIFA) should not impact the operational policies adopted by VTA.

On order of Chairperson Brownley and there being no objection, the Committee received an update on Express Lanes projects.

B. Silicon Valley Express Lanes Implementation Plan

Mr. Ramanujam provided a presentation entitled, Silicon Valley Express Lanes Implementation Plan, highlighting: 1) Silicon Valley Express Lanes Program; 2) Implementation plan; 3) Conventional model; 4) Alternative delivery and finance options; 5) Potential finance and delivery options; 6) Delivery models and responsibilities; 7) Conventional option, noting benefits/disadvantages; 8) Alternative delivery approach, noting benefits/disadvantages; 9) Finance elements; 10) Key VTA decisions moving forward, noting comments received from other VTA Committees; and 11) Next steps.

Members of the Committee expressed concern regarding the sharing of toll revenues and commented that VTA should not consider a partnership with the private sector.
Member Morrow left the meeting at 5:45 p.m.

On order of Chairperson Brownley and there being no objection, the Committee received an update on Silicon Valley Express Lanes Implementation Plan.

18. San Jose LRT Efficiency Project Alternative Study

Sarah Syed, Senior Transportation Planner, provided a presentation entitled, San Jose LRT Improvement Study Light Rail Efficiency Project: Planning and Preliminary Engineering, highlighting: 1) Purpose and need; 2) VTA response to feedback on proposed capital improvement in San Jose; 3) Alternatives study evaluation measures; 4) San Jose LRT improvement alternatives study, noting alternatives being carried forward for further consideration; 5) Alternatives screening; 6) Stakeholder feedback; 7) Temporary visual impacts; 8) St. James Square Historic District; 9) Applicable guidance-Federal; 10) Applicable guidance-City of San Jose; 11) Transit in the St. James Square District; 12) VTA findings; 13) Examples of other projects in historic districts; and 14) San Jose LRT improvement alternatives study: Spring 2013 activities, which listed the upcoming Community meetings on April 19, 2013 and April 22, 2013, and April 9, 2013, publication of the definition of alternatives on VTA’s website.

On order of Chairperson Brownley and there being no objection, the Committee received an update on San Jose LRT Efficiency Project Alternative Study.

COMBINED CAC AND CITIZENS WATCHDOG COMMITTEE ITEMS

19. Citizens Advisory Committee and Citizens Watchdog Committee Work Plans

On order of Chairperson Brownley and there being no objection, the Committee reviewed the Citizens Advisory Committee and Citizens Watchdog Committee Work Plans.

OTHER

20. ANNOUNCEMENTS

There were no Announcements.

21. ADJOURNMENT

On order of Chairperson Brownley and there being no objection, the meeting was adjourned at 6:05 p.m.

Respectfully submitted,

Tracene Y. Crenshaw, Board Assistant
VTA Office of the Board Secretary
Bicycle and Pedestrian Advisory Committee Meeting Minutes of April 10, 2013

WILL BE FORWARDED UNDER SEPARATE COVER
TECHNICAL ADVISORY COMMITTEE

Thursday, April 11, 2013
1:30 PM

MINUTES

CALL TO ORDER

The Regular Meeting of the Technical Advisory Committee (TAC) was called to order at 1:33 p.m. by Chairperson Borden in Conference Room B-104, Santa Clara Valley Transportation Authority (VTA), 3331 North First Street, San José, California.

1. ROLL CALL

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Representing</th>
<th>Status</th>
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<tbody>
<tr>
<td>Rajeev Batra</td>
<td>Member</td>
<td>City of Santa Clara</td>
</tr>
<tr>
<td>Creer, Scott</td>
<td>Alternate Member</td>
<td>City of Morgan Hill</td>
</tr>
<tr>
<td>Timm Borden</td>
<td>Chairperson</td>
<td>City of Cupertino</td>
</tr>
<tr>
<td>Todd Capuroso</td>
<td>Member</td>
<td>Town of Los Gatos</td>
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<tr>
<td>Steve Chan</td>
<td>Alternate Member</td>
<td>City of Milpitas</td>
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<tr>
<td>John Cherbone</td>
<td>Member</td>
<td>City of Saratoga</td>
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<tr>
<td>Richard Chiu</td>
<td>Member</td>
<td>Town of Los Altos Hills</td>
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<td>John Chau</td>
<td>Alternate Member</td>
<td>Town of Los Altos Hills</td>
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<tr>
<td>Dan Collen</td>
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<td>County of Santa Clara</td>
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<tr>
<td>Helen Kim</td>
<td>Member</td>
<td>City of Mountain View</td>
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<tr>
<td>Cedric Novenario</td>
<td>Member</td>
<td>City of Los Altos</td>
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<tr>
<td>Michelle Quinney</td>
<td>Vice Chairperson</td>
<td>City of Campbell</td>
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<tr>
<td>Jaime Rodriguez</td>
<td>Member</td>
<td>City of Palo Alto</td>
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<tr>
<td>Hans Larsen</td>
<td>Alternate Member</td>
<td>City of San José</td>
</tr>
<tr>
<td>Henry Servín</td>
<td>Member</td>
<td>City of Gilroy</td>
</tr>
<tr>
<td>Mo Sharma</td>
<td>Member</td>
<td>City of Monte Sereno</td>
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<tr>
<td>Lee Taubeneck</td>
<td>Ex-Officio Member</td>
<td>California Department of Transportation (Caltrans)</td>
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<tr>
<td>Carmen Talavera</td>
<td>Alternate Member</td>
<td>City of Sunnyvale</td>
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A quorum was present.

Member Cherbone took his seat at 1:34 p.m.

2. PUBLIC PRESENTATIONS

There were no Public Presentations.
3. **ORDERS OF THE DAY**

There were no Orders of the Day.

4. **Committee Staff Report**

John Ristow, Chief Congestion Management Agency (CMA) Officer and Staff Liaison, reported:

1. The TAC members are invited to attend VTA’s budget workshop to be held in the auditorium on May 8, 2013; 2) iTEAM was approved by the VTA Board of Directors (Board) at its April 4, 2013, meeting. The next step will be for Caltrans to execute the agreement at a signing ceremony attended by local elected officials; 3) Staff is working on the final pieces of the programmed projects for the One Bay Area Grant (OBAG) Program; it is expected to be brought before the TAC at its May 16, 2013, meeting; 4) The Metropolitan Transportation Commission (MTC) is holding meetings for Planned Bay Area, the regional transportation plan. The local environmental impact report (EIR) meetings will be held on April 17, 2013, at the Dr. Martin Luther King, Jr. Library and on May 1, 2013, at the Hilton, Downtown San José. MTC will make a presentation to the Board on May 2, 2013. On May 16, 2013, MTC will provide a presentation to all VTA member agencies’ elected officials and the Policy Advisory Committee (PAC) in VTA’s auditorium. A notice will be sent to all member agencies.

At its April 4, 2013, meeting, the VTA Board heard the Habitat Conservation Plan/One Bay Area Grant. With a vote of 6 to 3, the Board voted to follow staff’s recommendation to not to move forward on this item.

5. **Chairperson's Report**

Chairperson Borden welcomed Carmen Talavera to her first meeting as the Alternate Member from Sunnyvale.

6. **TAC Working Group Reports**

- **Capital Improvement Program (CIP)**
  
  Celeste Fiore, Transportation Planner III, reported the CIP Working Group met on March 26, 2013, to review: 1) an update on the Bicycle Expenditure Program Project List; and 2) Vehicle Emissions Reductions Based at Schools (VERBS)/Safe Route to School Program.

  The next meeting of the CIP Working Group is scheduled for April 23, 2013.

- **Systems Operations & Management (SOM)**
  
  Eugene Maeda, Senior Transportation Planner, reported the SOM Working Group met on March 27, 2013, to review: 1) One Bay Area Project Proposals; 2) Draft 2012 Congestion Management Program (CMP) Monitoring Performance Report; 3) Multi-modal Level Service Testing; and 4) evaluation of traffic level of service software.

  The next meeting of the SOM Working Group is scheduled for May 22, 2013.

Member Rodriquez took his seat at 1:40 p.m.
Land Use/Transportation Integration (LUTI)

The LUTI Working Group has not met since the last TAC meeting.
The next meeting of the LUTI Working Group will be held on May 8, 2013.

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

CONSENT AGENDA

7. **Regular Meeting Minutes of March 14, 2013**
   
   M/S/C (Batra/Larsen) to approve the Regular Meeting Minutes of March 14, 2013.

8. **2012 Monitoring Conformance Report**

   M/S/C (Batra/Larsen) to recommend that the Board of Directors adopt the 2012 Monitoring and Conformance Findings.

REGULAR AGENDA

9. **Vehicle Emissions Reductions Based at Schools (VERBS) Cycle 2 Projects**

   Ms. Fiore provided the staff report.

   Ms. Fiore stated that the Bicycle and Pedestrian Advisory Committee (BPAC) voted unanimously to approve this item.

   Alternate Member Larsen reported the City of San José (San José) is in the second year of its VERBS program and has had tremendous success. He noted San José had received a climate initiative grant from MTC to develop a program to be a model program for the entire Bay Area. He encouraged VTA’s member agencies to review San José’s efforts. San José is trying to create a sustainable model by working with school administrators and parents to encourage walking and biking to school. He noted the positive results that have been achieved from this effort and stated congestion around the schools has been greatly reduced. San José is planning to expand its program from the current 20 schools to 50 schools.

   Member Servín took his seat at 1:47 p.m.

   M/S/C (Batra/Kim) to recommend that the Board of Directors approve a program of projects for the Vehicle Emissions Reductions Based at Schools (VERBS) Program as discussed in the memorandum.

10. **Bicycle Expenditure Program Project List for VTP 2040**

    Ying Smith, Transportation Planning Manager, provided the staff report.

**NOTE:** M/S/C MEANS MOTION SECONDED AND CARRIED AND, UNLESS OTHERWISE INDICATED, THE MOTION PASSED UNANIMOUSLY.
Member Batra referenced the City of Santa Clara’s (Santa Clara) Category 2 Tasman Drive Bike Lanes project, Calabazas Creek to Guadalupe River, connecting Santa Clara’s bike lanes with San José’s bike lanes, and noted the project is important to his city.

Member Rodriguez questioned whether Category 2 projects will be eligible for funding. Ms. Smith noted that although Category 1 projects are a priority there is still a possibility for Category 2 projects to receive funding.

Mr. Ristow noted: 1) the importance that the member agencies’ priority projects be listed in Category 1; 2) Category 2 projects may be worked on to achieve a higher score; and 3) the priority is to move the projects forward.

Member Servín noted the importance of developing plans for interregional bike trails/routes that will benefit all of the member agencies.

Ms. Smith noted that the BPAC had approved staff’s recommendation.

**M/S/C (Batra/Quinney)** to recommend that the Board of Directors adopt the Bicycle Expenditure Program (BEP) Project List for VTP 2040.

### 11. FY 2014 & FY 2015 CMP Work Program

Mr. Ristow provided the staff report.

Alternate Member Larsen noted: 1) the cities, counties and state are underfunded on overall transportation investments, with the Statewide Needs Assessment Report, Planned Bay Area, and the Valley Transportation Plan (VTP) 2040 all identifying the lack of funds; 2) the importance of focusing some effort on education and outreach, identifying what the backlogs are and what strategies are being developed to support this issue; 3) the need for a discussion on how to best invest in transportation infrastructure; and 4) VTA should provide education and identify preferred strategies. Mr. Ristow noted this will be added into both years of the work program and the capital and operations increasing maintenance funding shortfalls will be listed in VTP 2040. Alternate Member Larsen noted because new funding for the CMP Work Program is such an important issue it should be specifically highlighted in the work plan and then brought through the committees and the Board for follow-up.

Member Rodriguez stated cities that have advanced their own funds for pavement improvements should be rewarded for being proactive. Alternate Member Larsen noted it is not just about pavement, but how to grow the overall pie. He stated the member agencies have always advocated for local flexibility, recognizing that not every city has the same level of needs and priorities and the importance of being able to accommodate those needs whenever possible. He requested that further description for advocacy efforts to find new funding be included in the FY14/15 CMP Work Program.

Member Rodriguez noted Palo Alto will soon release an architectural request for proposals (RFP) for the design of its U.S. Highway 101 at Adobe Creek Bicycle and Pedestrian Bridge and would like the iTEAM to participate in that process. He noted Palo Alto’s plan is to go from design to construction within one year.
Member Batra requested that the issue of litter and graffiti be included in the iTEAM efforts in the FY14/15 CMP Work Program.

**On Order of Chairperson Borden** and there being no objection, the Committee reviewed the Fiscal Year 2014 and Fiscal Year 2015 Congestion Management Work Program.

12. **Transportation Impact Analysis (TIA) Guidelines Update**

Rob Swierk, Senior Transportation Planner, provided the staff report.

**On Order of Chairperson Borden** and there being no objection, the Committee received a report on the Transportation Impact Analysis (TIA) Guidelines Update.

13. **Silicon Valley Express Lanes Program Update**

Murali Ramanujam, Transportation Engineering Manager, provided the staff report.

**On Order of Chairperson Borden** and there being no objection, the Committee received an update on Express Lanes projects.

**OTHER**

14. **MTC Activities and Initiatives**

Mr. Ristow noted discussions regarding the expressways program and the Planned Bay Area were covered under the other topics.

**On Order of Chairperson Borden** and there being no objection, the Committee received an update on MTC Activities and Initiatives.

15. **TAC Committee Work Plan**

**On Order of Chairperson Borden** and there being no objection, the Committee reviewed the TAC Committee Work Plan as contained in the agenda packet.

16. **ANNOUNCEMENTS**

Member Rodriguez reported on the completion of two green bike lane projects in Palo Alto: 1) an extension of Channing Avenue; and 2) Park Boulevard over Oregon Expressway.

17. **ADJOURNMENT**

**On order of Chairperson Borden** and there being no objection, the meeting was adjourned at 2:42 p.m.

Respectfully submitted,

Susan E. Garcia, Board Assistant
VTA Office of the Board Secretary
The Regular Meeting of the Policy Advisory Committee (PAC) was called to order at 4:07 p.m. by Chairperson Price in Conference Room B-104, Valley Transportation Authority (VTA), 3331 North First Street, San Jose, California.

1. ROLL CALL

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
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</tr>
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<tbody>
<tr>
<td>Rich Waterman</td>
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<td>John McAlister</td>
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<td>Teresa O’Neill</td>
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<td>Howard Miller</td>
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<td>Chuck Page (Alternate)</td>
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<tr>
<td>Mike Wasserman</td>
<td>SCC Board of Supervisors</td>
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A quorum was present.

2. ORDERS OF THE DAY

There were no Orders of the Day.
3. **PUBLIC PRESENTATIONS**  
There were no Public Presentations.

4. **Committee Staff Report**  
Jim Lawson, Executive Policy Advisor and Staff Liaison, reminded and distributed to the Committee Members the Marketing Outreach Effort 10 Free Rides/Survey Program token packets.

Mr. Lawson provided a brief report, highlighting: 1) Michael T. Burns, General Manager, retirement effective December 31, 2013; 2) Formation of a General Manager Selection Committee comprised of Chairperson Pirzynski, Vice Chairperson Kalra, and Board Members Abe-Koga, Liccardo, and Matthews; 3) April 5, 2013, BART Silicon Valley One Year Milestone Celebration Tour and Ribbon Cutting Event for the Kato Road Grade Separation; 4) VTA’s overall system-wide ridership increased; 5) March 20, 2013 marked the 1st year of operation for State Route (SR) 237 Express Lanes Project in Milpitas; 6) The California Transportation Foundation (CTF) selected VTA’s State Route 237 Express Lanes Project as Project of the Year; and 7) VTA joining with other partners in the “Great American Litter Pick Up” event scheduled on Saturday, April 20, 2013 in honor of Earth Day.

Mr. Lawson provided a report of the April 4, 2013 Board of Director’s Regular Meeting, highlighting: 1) Approved Resolutions of Necessity for the for the BART Silicon Valley Berryessa Extension (SVBX) Project; 2) Amended the Construction Contractor Prequalification Program; 3) Approved the Master Agreement with Caltrans for the Implementation/Operation of the Innovative Delivery Team Program (iTEAM); 4) Deferred action of the Reallocation of Other Post-Employment Benefits (OPEB) Liability Reduction Fund to OPEB Trust Fund; 5) Noted the VTA Board of Directors Workshop meeting scheduled on Friday, April 19, 2103 at 8:30 a.m. held in Board of Supervisors Chambers; and 6) Update on Habitat Conservation Plan (HCP) and One Bay Area Grant (OBAG) Program, noting item failed on a vote of 6 ayes to 3 noes to accept staff’s findings on the and not move forward with a nexus study; therefore, no future action required.

5. **Chairperson’s Report**  
Chairperson Price reminded the Committee Members of the Joint Advisory Committee Budget Workshop Meeting scheduled on Wednesday, May 8, 2013 at 4:00 p.m. held at VTA River Oaks Campus in Building A – Auditorium.

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

**CONSENT AGENDA**

6. **Regular Meeting Minutes of March 14, 2013**  
M/S/C (Wasserman/Mahoney) to approve the Regular Meeting Minutes of March 14, 2013.

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

7. REGIONAL REPORTS

A. Metropolitan Transportation Commission (MTC)

Mr. Lawson provided a brief report, highlighting: 1) The Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) released the Draft Plan Bay Area and the Draft Environmental Impact Report (EIR). Open houses/public hearings will be offered in all nine bay area counties. The Draft Plan Bay Area will be reviewed on Wednesday, May 1, 2013 at Hilton Hotel in San Jose and Draft EIR reviewed on Wednesday, April 17, 2013 at Dr. Martin Luther King, Jr. Library in San Jose; and 2) The Draft Plan Bay Area will be presented by ABAG and MTC at the May 16, 2013 PAC Committee Meeting at VTA River Oaks Campus in Building A – Auditorium.

B. California Transportation Commission (CTC)

There was no California Transportation Commission Report.

8. Stakeholder Input on the VTA General Manager Recruitment

Joe Pirzynski, VTA Board of Directors Chairperson, and Sandra Weymouth, VTA Board Secretary, provided a brief overview of VTA’s General Manager Recruitment process, proposed schedule, and requested input on the essential characteristics required in VTA’s new General Manager.

VTA Board Chairperson Pirzynski expressed appreciation to Michael T. Burns, General Manager, for his outstanding and dedicated work.

The GM Selection Committee, comprised of Chairperson Pirzynski, Vice Chairperson Kalra, and Board Members Abe-Koga, Liccardo, and Matthews, will work collaboratively with the Executive Recruiter, Gilbert Tweed Associates, to identify candidates. VTA Board Chairperson Pirzynski noted three major challenges for the new General Manager: 1) Delivery of all the 2000 Measure A Projects, particularly, the BART Extension Project; 2) Reduction of Greenhouse Gases to preserve the environment; and 3) Improvement of VTA’s transportation system efficiencies.

VTA Board Chairperson Pirzynski asked the Committee to reflect on positive characteristics the new GM should embody as well as negative characteristics to avoid.

Members of the Committee noted the following characteristics for the new General Manager:

1. Good Communicator with a strong financial background - an individual who speaks firmly, is candid, delivers on commitments and not a “yes man”;
2. Works collaboratively with the other transit agencies to maintain regional focus;
3. Professional, educated, experienced - an individual who doesn’t require a long learning curve;
4. Articulates and promotes innovative practices and policies. Ability to work collaboratively with a variety of groups, such as labor unions, employees, middle management, and elected officials. Exhibits strong commitment to diversity within the organization to ensure that employees have leadership opportunities and are visible within VTA. Promotes professional development and training of employees to increase employee expertise within VTA. Focus on VTA’s transportation vision over the next 10 – 15 years;
5. Vision to move VTA forward. An individual who is able to facilitate employees to complete assignments without being a micromanager; and

6. An individual who is visible and attends city council meetings, meets with mayors in an effort to build relationships.

VTA Board Chairperson Pirzynski asked the Committee to reflect on the biggest challenges VTA will face within the next five to ten years in the valley as a transportation agency.

Members of the Committee made the following comments:
1) Concerned that the transportation system will become more of a public burden instead of the costs being funded by the riders;
2) Concerned that public will choose to drive instead of utilizing public transit due to service in their areas;
3) Concerned with the class bias of using public transportation;
4) Noted the need to change the mentality and mindset associated with public transit; and
5) Concerned about the future challenges associated to implement the following projects, such as High Speed Rail (HSR), North County and South County Caltrain, BART, and light rail.

VTA Board Chairperson Pirzynski expressed appreciation for the PAC Committee Members comments on the essential characteristics required in VTA’s new General Manager.

On order of Chairperson Price and there being no objection, the Committee provided input on the VTA General Manager Recruitment.

The Agenda was taken out of order.

10. Vehicle Emissions Reductions Based at Schools (VERBS) Cycle 2 Projects

Marcella Rensi, Transportation Planning Manager, provided a brief overview of the report, noting a revision to Attachment B - Vehicle Emissions Reductions Based at Schools (VERBS) 2013 Project Recommendations and addition of Attachment C - 2013 VERBS Cycle 2 Projects. Ms. Rensi commented on staff’s recommendation for the following Infrastructure and Non-Infrastructure Projects:

**Infrastructure Projects**
- Palo Alto – Arastradero Road School Scape Multiuse Trail Project;
- Mountain View – complete Streets and Road Diet Castro Street between El Camino Real and Miramonte Avenue Project; and
- Campbell – Virginia Avenue Sidewalk Project.

**Non-Infrastructure Projects**
- San Jose – Walk N’ Roll Phase II Project;
- Mountain View – Non-Infrastructure Safe Routes to School Project;
- Santa Clara – Non-Infrastructure Program Phase II Project; and
- County of Santa Clara – Strengthening Safe Routes to School for Santa Clara County Project.

**Public Comment**

Omar Chatty, Interested Citizen, expressed his support to replace Caltrain with BART. Mr. Chatty noted the need to determine if VERBS funding could be used for bike lanes to the schools and implement safety improvements along the Caltrain Corridor.
M/S/C (Davis/Bruins) to recommend that the Board of Directors approve a program of projects for the Vehicle Emissions Reductions Based at Schools (VERBS) Program.

11. **Bicycle Expenditure Program (BEP) Project List for Valley Transportation Plan (VTP) 2040**

Michelle DeRobertis, Senior Transportation Planner, provided a brief overview of the report, noting a revision to the memorandum and Appendix A – VTP 2040 BEP Projects by Jurisdiction. Ms. DeRobertis commented on the two main steps involved with the development of the BEP Project List.

**Public Comment**

Jim Stallman, Saratoga Trails Advisory Committee Chairperson, invited the PAC Committee Members to attend a trail ribbon cutting event in the City of Saratoga scheduled on Thursday, May 2, 2013 at 3:00 p.m.

Member Mahoney directed attention to the Revised Appendix A - VTP 2040 BEP Projects by Jurisdiction, Projects in Category 2, Cupertino Project – Saratoga Creek Trail extension Project on Page 3 of 6, noting the description for the Cupertino Project was missing. Ms. DeRobertis responded that staff will update the information.

M/S/C (Bruins/Wasserman) to recommend that the Board of Directors adopt the Bicycle Expenditure Program (BEP) Project List for VTP 2040.

Member Wasserman left the meeting at 5:05 p.m., the quorum was lost, and a Committee of the Whole was declared.


John Ristow, Chief CMA Officer, provided a brief overview of the staff report, highlighting: 1) Capital Improvement Program; 2) Congestion Management Program Conformance; 3) Land Use and Transportation Integration; 4) Plans and Studies; and 5) iTEAM.

Mr. Ristow reported that the Technical Advisory Committee (TAC) requested that staff include the following items to the program: 1) funding shortfalls on operations and maintenance of local roadways and 2) utilize iTEAM Initiative to coordinate with Caltrans regarding graffiti and litter control.

On order of Chairperson Price and there being no objection, the Committee of the Whole reviewed the Fiscal Year 2014 and Fiscal Year 2015 Congestion Management Work Program.

12. **Silicon Valley Express Lanes Implementation Plan**

Murali Ramanujam, Transportation Engineer Manager, provided a brief update on the current activities of the Silicon Valley Express Lanes Program, highlighting: 1) Implementation of switchable toll transponders known as toll tags by 2015, which will provide drivers with the option to declare occupancy levels. The toll tags are currently used in Los Angeles and Washington DC; 2) Update on the Bay Area Infrastructure Financing Authority (BAIFA), governing board responsible for Metropolitan Transportation Commission (MTC) Projects; and 3) State Route 237 Express Lanes Project Phase I selected as the recipient of the prestigious Transportation Project of the Year Award for 2012 from the California Transportation Foundation.

Member Miller queried about the plan to add capacity and requested that staff reflect the information in future maps.
Public Comment

Mr. Chatty noted his opposition to toll lanes and stated that motorists are paying enough already. Mr. Chatty noted the importance to utilize funding better to implement transportation improvements.

On order of Chairperson Price and there being no objection, the Committee of the Whole received the report on the Silicon Valley Express Lanes Implementation Plan.

OTHER

13. Committee Work Plan

Mr. Lawson noted that the Committee Workplan will be revised to reflect the Metropolitan Transportation Commission (MTC) and ABAG presentation at the May 16, 2013 PAC Meeting.

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

14. Announcement

There were no Announcements.

15. ADJOURNMENT

On order of Chairperson Price and there being no objection, the Committee of the Whole meeting was adjourned at 5:40 p.m.

Respectfully submitted,

Michelle M. Garza, Board Assistant
VTA Office of the Board Secretary