BOARD OF DIRECTORS MEETING

Thursday, May 6, 2010

5:30 P.M.

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

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. 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 the meeting or prior to the Consent Agenda being heard.
• 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 compliance with the Americans with Disabilities Act (ADA), those requiring accommodations for this meeting should notify the Board Secretary’s Office 48 hours prior to the meeting at (408) 321-5680 or e-mail: board.secretary@vta.org or TDD (408) 321-2330. VTA’s Home page is on the Web at: www.vta.org

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

1. ROLL CALL

2. ORDERS OF THE DAY

3. AWARDS AND COMMENDATIONS

Employees of the Month for May 2010

Recognize Charles Barber, Information Services Representative, Customer Service Department, Administration; John Marini, Light Rail Operator, Guadalupe Operations Division; and Isaac Tembrina, Transit Center Maintenance Worker, River Oaks Maintenance, as Employees of the Month for May 2010.

4. PUBLIC PRESENTATIONS

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. REPORT FROM THE GENERAL MANAGER (Verbal Report)

A. Report on the Joint Workforce Investment (JWI) Program

B. Status Report on Property Acquisition Program for the BART Silicon Valley Project

6. REPORT FROM THE CHAIRPERSON (Verbal Report)

- Chairperson’s Standing Informational Update
  - Technology in Transit


CONSENT AGENDA

10. Approve the Board of Directors Regular Meeting Minutes of April 1, 2010.

11. ACTION ITEM - Adopt a support position for AB 1670 (Beall), which authorizes the California Transportation Commission (CTC) to relinquish the following to the city of
San Jose: (a) the portion of State Route 82 from U.S. 101 to I-880; and (b) the portion of State Route 130 within the San Jose city limits.


13. **ACTION ITEM** - Authorize the General Manager to execute a Communications Site Lease with ClearWireless LLC for a period of 5 years, rent to commence at $25,500/year with increases at 4% per annum, with the first 5 years' rent totaling $138,116. The lease contains four - 5 year options at VTA's discretion.

14. **ACTION ITEM** - Adopt a resolution for a State Proposition 116 Allocation Request for $137,957 to the California Transportation Commission (CTC), and authorize the General Manager to execute the Fund Transfer Agreements upon their receipt from the state.

15. **ACTION ITEM** - Authorize the General Manager to execute a contract amendment with Advantel, Inc. for telephone system and voice network maintenance. The contract amendment will extend the contract term for an additional six months for a cost of $100,000, for a new contract value of $904,080.

16. **ACTION ITEM** - Approve the cost allocation in the amount of $910,092 for an increase of $129,525 and budget for the Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan.

17. **ACTION ITEM** - Authorize the General Manager to submit an application for a total of $5,785,957 in state Proposition 1B funds for two Lifeline projects; authorize the General Manager to execute agreements with Caltrans as necessary to receive these funds; and authorize the General Manager to execute an agreement with Outreach & Escort, Inc. as needed to implement the Paratransit Vehicles and Equipment project.

18. **INFORMATION ITEM** - Receive Sustainability Program Update.


20. **ACTION ITEM** - Authorize the General Manager to amend a construction contract with Gordon N. Ball Inc. to accommodate scope additions and construction change orders on the Kato Road Flood Control Improvements contract in the amount of $645,000 for a new authorized amount of $2,741,031. This contract is 100% funded by the 2000 Measure A Program.

21. **ACTION ITEM** - Recommend that the VTA Board of Directors approve the proposed transit service modifications to Community Bus Lines 11 and 34 to take effect on July 12, 2010.
22. ACTION ITEM - Authorize the General Manager to execute a Cooperative Agreement with the City of San Jose for design services for traffic signals and street lights on the Santa Clara-Alum Rock Bus Rapid Transit (BRT) Project. The agreement shall be for a period of one year and for a total value not to exceed $152,000.

23. ACTION ITEM - Authorize the General Manager to enter into a Cooperative Agreement with the City of San Jose for street lighting and landscape design services for the Capitol Expressway Pedestrian Improvement Project. The agreement shall be for a one year period for a total value not to exceed $375,000, and is 100% funded by the 2000 Measure A Program.

24. ACTION ITEM - Authorize the General Manager to execute a Memorandum of Understanding with the City of Milpitas which conditions the use of City facilities for the Wrigley Creek Improvement Project.

25. ACTION ITEM - Approve sixteen engineering firms for Systems Engineering Design Consultant Services and authorize the General Manager to execute contracts with some or all of the selected firms to perform systems design services for light rail, facilities renovation and bus rapid transit projects. The list will be valid for a five-year period. The total amount of all contracts shall not exceed $5,000,000.

26. ACTION ITEM - Authorize the General Manager to enter into a master agreement with the City of San Jose in support of the BART Silicon Valley Project. This agreement will include provisions to ensure a commitment of cooperation from both parties.

REGULAR AGENDA

27. ACTION ITEM - Adopt a Resolution finding that use of the design-build process for the Silicon Valley Berryessa Extension (SVBX) Project will reduce project costs and expedite the project’s completion; and authorize the General Manager to proceed with the solicitation of design-build contractors for the SVBX Project.

28. ACTION ITEM - Recommend the Board of Directors adopt the Light Rail System Analysis Improvement Plan.

OTHER ITEMS

29. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

30. MONTHLY LEGISLATIVE HISTORY MATRIX

31. REPORTS (UNAPPROVED MINUTES) FROM STANDING COMMITTEES

A. Administration and Finance Committee
B. Congestion Management Program and Planning Committee
C. Transit Planning and Operations Committee
D. Audit Committee (No Meeting Scheduled)
32. REPORTS (UNAPPROVED MINUTES) FROM ADVISORY COMMITTEES
   A. Committee for Transit Accessibility (CTA)
   B. Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC)
   C. Bicycle & Pedestrian Advisory Committee (BPAC)
   D. Technical Advisory Committee (TAC)
   E. Policy Advisory Committee (PAC)

33. REPORTS FROM JOINT POWERS BOARDS (JPBs) & REGIONAL COMMISSIONS
   A. Peninsula Corridor JPB
   B. Capitol Corridor JPB
   C. Dumbarton Rail Corridor Policy Committee
   D. Metropolitan Transportation Commission (MTC)
   E. Sunol Smart Carpool Lane Joint Powers Authority

34. REPORTS FROM VTA POLICY ADVISORY BOARDS (PABs)
   A. Vasona Light Rail PAB (No Meeting Scheduled)
   B. Silicon Valley Rapid Transit Corridor & BART Warm Springs Extension PAB (No Meeting Scheduled)
   C. Downtown East Valley PAB (No Meeting Scheduled)

35. ANNOUNCEMENTS

36. 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 2010

FOR INFORMATION ONLY

BACKGROUND:

Charles Barber, Information Services Representative in the Customer Service Department at River Oaks, is the Administration Award Winner for May. In his current role, Charles helps VTA customers get from point A to point B with information about light rail and bus routes, schedules and fares. Charles’ supervisor recognizes the initiative and commitment to teamwork that he has demonstrated throughout his 14 years of dedicated service. His willingness to assist others contributes to a positive work environment at VTA and Charles is very deserving of this award. Congratulations to Charles Barber, Administration Employee of the Month for May!

John Marini, Guadalupe Division Light Rail Operator, is May’s Operations Award Winner. Throughout his 12 years at VTA, John has performed his job with high standards. He is known for being a dependable and highly skilled train operator who strives to provide his passengers with safe, comfortable, on-time service. Appreciated by his supervisors for his exceptional professionalism and attention to detail, John sets a great example for his fellow Operators. John upholds VTA’s commitment to community-focused transportation, and has earned this special recognition. Congratulations to John Marini, Operations Employee of the Month for May!

Isaac Tembrina, Transit Center Maintenance Worker for the Bus Stop Maintenance department at River Oaks, is our Maintenance Employee of the Month for May. An employee of VTA since 1998, Isaac performs a variety of repair services at bus stops and transit centers, taking great pride in his work, and ensuring that these facilities are clean, safe and well-maintained for our customers. Known for his attention to detail and his great attitude, Isaac is an excellent role model for his coworkers. Isaac truly upholds VTA’s standards of quality job performance. Congratulations to Isaac Tembrina, Maintenance Employee of the Month for May!

Prepared By: Mitsuno Baurmeister
Memo No. 2608
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: AB 1670 (Beall)

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

ACTION ITEM

RECOMMENDATION:

Adopt a support position for AB 1670 (Beall), which authorizes the California Transportation Commission (CTC) to relinquish the following to the city of San Jose: (a) the portion of State Route 82 from U.S. 101 to I-880; and (b) the portion of State Route 130 within the San Jose city limits.

BACKGROUND:

State Routes 82 and 130 are commonly known as The Alameda/Monterey Highway and Alum Rock Avenue, respectively. Although they function primarily as urban arterials within the city limits of San Jose, these facilities are part of the state highway system and are under the jurisdiction of Caltrans. Therefore, any public improvements within the rights-of-way of these corridors are subject to the department’s design standards and approval.

Over the past several years, a variety of projects of interest to the city of San Jose and VTA have emerged along State Routes 82 and 130. These projects include:

State Route 82 from I-880 to I-280 (The Alameda/Downtown San Jose Area): 3.5 Miles
- BART Silicon Valley
- El Camino Real Bus Rapid Transit (BRT)
- Diridon Station Area Plan
- Potential Baseball Stadium
- Alameda Business District Streetscape Improvements
- Convention Center Expansion
State Route 82 from I-280 to U.S. 101/Blossom Hill (Monterey Highway): 7.5 Miles
- California High-Speed Rail
- Monterey/Blossom Hill Pedestrian Overcrossing

State Route 130 from U.S. 101 to I-680 (Alum Rock Avenue): 2.25 Miles
- Santa Clara-Alum Rock BRT

These projects align with the city of San Jose’s overall economic, transportation and land-use goals. To support these goals, the city approached Caltrans about the possibility of relinquishing State Routes 82 and 130. In October 2009, the department expressed its support for this idea.

The relinquishment process is detailed in Caltrans’ Project Development and Procedures Manual. Key activities associated with this process include the enactment of state legislation in support of the relinquishment, and the development of an agreement listing the terms and conditions of relinquishment between Caltrans and the interested city. Final approval of any relinquishment of a state route rests with the CTC.

To begin the relinquishment process, the city of San Jose approached Assembly Member Jim Beall with a request to author the required legislation. Assembly Member Beall agreed, and AB 1670 was introduced on January 20, 2010. The city is now asking that VTA consider supporting this bill.

DISCUSSION:

Over the years, State Routes 82 and 130 have evolved to serve more as local arterial streets than as part of the state highway system. However, given that State Routes 82 and 130 are under the jurisdiction of Caltrans, any changes to these roadways resulting from a development project, or from other local- or community-based improvements require Caltrans’ involvement at all levels-administration, planning, construction, and operations. This results in increases in project costs and delivery times. Furthermore, projects developed along state routes are required to meet Caltrans’ rigid, auto-oriented design and operational standards, which oftentimes may be in conflict with local development and multi-modal transportation goals, as well as with other community priorities and interests. In the case of State Routes 82 and 130, the goals for the city of San Jose and VTA are to improve the pedestrian environment, implement multi-modal projects and modify local circulation patterns by reducing the amount of right-of-way previously developed to auto-centric standards. Recent experience seems to suggest that Caltrans is not yet in a position to support these types of goals. Consequently, it is critical to the success of the aforementioned projects that control of State Routes 82 and 130 be relinquished to the city.

More specific to VTA, the Santa Clara-Alum Rock BRT Project was designed to the city’s standards with the assumption that State Route 130 would be relinquished. VTA certified the environmental impact report (EIR) for this project in December 2008 and began preliminary engineering work in March 2010. It is important for VTA to have some official commitment on relinquishment so that the project can proceed through design. If relinquishment of State Route 130 does not occur, the Santa Clara-Alum Rock BRT Project would have to be redesigned to meet Caltrans’ more stringent, auto-oriented standards, resulting in a two-year delay. Given that the Santa Clara-Alum Rock BRT Project is currently scheduled to be in operation by fall 2013,
this delay would be significant for VTA and the community. Similarly, relinquishment of State Route 82 is important to the design of VTA’s El Camino Real BRT Project, which is set to begin conceptual engineering this spring, and for the Monterey/Blossom Hill Pedestrian Overcrossing Project.

The relinquishment of State Routes 82 and 130 would result in the city of San Jose having control of these facilities. This would allow the city, as well as VTA in some cases, to be able to better pursue economic development opportunities, improvements to the local transportation network and community enhancements without the constraints of Caltrans’ design standards, encroachment permit process and other requirements. Therefore, we recommend that the Board of Directors support AB 1670.

**ALTERNATIVES:**

The Board of Directors could decide to adopt a position for AB 1670 that is different from the one being recommended, or could opt to take no position on this bill at this time.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Administration and Finance Committee considered this item on April 15, 2010, and unanimously recommended that the Board of Directors support AB 1670. In response to a question from Committee Chairperson Liz Kniss about the chances of AB 1670 being approved by the Assembly and Senate, staff said there currently are not any issues that would prevent this bill from moving through the legislative process. The fact that Caltrans supports the relinquishment of State Routes 82 and 130 to the city of San Jose helps AB 1670. Staff further commented that the challenging issues will surface when the city negotiates the relinquishment agreement with Caltrans after the legislation is enacted into law. The key question will be the extent to which Caltrans would have to make investments in these corridors to ensure that they are in a state of good repair when they are relinquished to the city.

This item also was considered by the Citizens Advisory Committee on April 7, 2010. The committee took a formal action recommending that the Board of Directors support AB 1670.

**FISCAL IMPACT:**

There is no fiscal impact associated with this recommendation.

Prepared by: Kurt Evans
Memo No. 2326
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief Administrative Officer, Bill Lopez

SUBJECT: Annual Operations Insurance Renewal

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

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to purchase insurance coverage for Excess Liability, General and Auto Liability, Public Officials Errors and Omissions Liability, Property/Boiler and 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 $2,168,651.

BACKGROUND:

VTA’s annual Property and Casualty insurance coverage renews with the beginning of the fiscal year on July 1. 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 chosen on the basis of their historical premium rates, coverage criteria, and underwriting background. In addition, carriers are required to have experience with governmental agencies, adequate financial reserves, and a minimum A. M. Best rating of Excellent.

Insurers require VTA to review premium quotes and commit to the purchase of the policies during a two to three week period immediately prior to the July 1, 2010 inception date. Staff is seeking Board Authority for the insurance purchase now to avoid placing VTA in the undesirable position of being uninsured for any period of time. VTA’s net expense for last year’s operating insurance was $2,041,189.
DISCUSSION:

As referenced above, premium quotes are not yet available for the July 1, 2010 renewal. The $2,168,651 authority requested represents our brokerage firm's estimate of premium cost, based on their knowledge of the current market and experience with the completed renewals of other public entity clients.

For the July 1, 2010/2011 coverage term, VTA directed the broker to obtain quotes for the same program structure as purchased last year for the current term. The program includes $25 million in coverage for General Liability, Auto Liability, and Public Officials’ Errors and Omissions Liability. Also included is Property coverage for all VTA buildings, buses, light rail vehicles, and specialized mobile equipment. VTA is fully self-insured for Workers’ Compensation and therefore purchased no coverage for this purpose.

The premium estimates include a 6.2% increase across all lines of coverage. The total estimate is inclusive of the additional cost for insuring 70 new hybrid buses that are expected to be accepted by VTA during FY 2010/2011. With the increase, the premium estimates are as follows: Excess Liability ($1,370,868), Property/Boiler & Machinery ($95,989), Light Rail Vehicles ($262,439), Buses ($395,938), and Flood Insurance ($43,117) for exposed VTA sites (River Oaks and Cerone Division), for a total of $2,168,651. See Attachment “A” for details.

The results of the insurance marketing and final purchase pricing will be reported to the Administration and Finance Committee as an Information Item at the September 16, 2010 meeting.

ALTERNATIVES:

Staff can be directed to solicit bids for different levels of coverage, but no changes are recommended. Staff did request the broker to explore increasing coverage protection in several areas to decrease exposure to catastrophic losses. This included increasing the total limit for Liability Excess coverage from $25,000,000 to $50,000,000 ($361,824 additional premium), increasing the Light Rail Vehicle Inland Marine coverage limit from $50,000,000 to $100,000,000 ($103,765 additional premium), adding new coverage for both Workers Compensation Excess ($444,000 premium), and Environmental Liability for the fuel islands ($53,000 premium). Based on past claims history, these options were considered and rejected as too costly to purchase at this time. If purchased, the additional premium and total program cost would exceed the approved insurance budget for Fiscal Year 2010/2011.

SMALL BUSINESS ENTERPRISE (SBE) PARTICIPATION:

No specific goal has been established for this contract due to the lack of SBE firms available to perform the scope of work. 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 $2,168,651 for the annual Operations Program insurance renewal. Appropriation for this expenditure is included in the FY11 Adopted VTA Transit Enterprise Fund Operating Budget.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Administration and Finance Committee considered this item at the April 15, 2010 meeting attended by Board Member Kniss, Board Member Reed, Board Member Gage, and Alternate Board Member McHugh as part of the Regular Agenda.

Alternate Board Member McHugh asked for a further discussion of VTA’s claims history and ability to fund public liability losses in excess of the insurance policy limits. Risk Manager Nanci Eksterowicz advised that VTA has had only one public liability claim in its history that required a payment from the excess insurance policy, and that if a future claim were to exceed the policy limits of $25M, VTA would utilize the self-insured and fully funded claims reserve funds for Workers Compensation and Public Liability/Property Damage claims to fund the payment. She also discussed VTA's risk profile as a transit agency as a consideration in establishing insurance coverage levels.

The Committee unanimously recommended that the Board approve the staff recommendation.

Prepared by: Nanci G. Eksterowicz
Memo No. 2332
### VTA OPERATIONS INSURANCE
#### 2010-11 RENEWAL PROJECTIONS
March 18, 2010

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**Notes:**
1. 70 hybrid buses to be added during FY 10/11; premium to be prorated from actual date of acceptance by VTA.
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: ClearWireless LLC Lease at River Oaks

Policy-Related Action: Yes  Government Code Section 84308 Applies: Yes

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to execute a Communications Site Lease with ClearWireless LLC for a period of 5 years, rent to commence at $25,500/year with increases at 4% per annum, with the first 5 years’ rent totaling $138,116. The lease contains four - 5 year options at VTA's discretion.

BACKGROUND:

VTA has a cellular tower on the River Oaks Campus through an existing agreement with Nextel. Nextel built the cellular tower in May 2000 and transferred ownership to VTA as part of their lease. The tower has additional space available for lease to other wireless providers, with the caveat that any additional users of the tower address any potential frequency compliance issue.

ClearWireless LLC approached VTA in October 2009 seeking to lease space at the River Oaks cellular tower. Clear Wireless and VTA have reviewed the process and determined that the frequency compliance issue has been addressed. VTA and ClearWireless LLC have negotiated a proposed 5 year lease agreement for this cellular tower space.

DISCUSSION:

The proposed agreement is for a five-year term commencing in June 2010, with an annual renewal option thereafter at VTA’s sole discretion. The agreement provides VTA the option to terminate after the first 5 year term, for any reason. The agreement requires ClearWireless LLC to pay rent annually at prevailing market rate in an amount of $25,500, adjusted annually by 4%. In addition to the revenue from ClearWireless LLC, VTA has negotiated to obtain from
ClearWireless LLC telecommunications services that are currently provided by another vendor at a discounted rate. This will result in an approximate savings to VTA of $50,000 annually.

ClearWireless LLC has responsibility of installing their equipment on VTA's cellular tower. The agreement requires them to procure permits from VTA's permit group. In addition, in order to further protect VTA's interests, ClearWireless LLC must provide a completion bond of $10,000.

VTA staff recommends the Board authorize the General Manager to execute the proposed agreement with ClearWireless LLC.

**ALTERNATIVES:**

VTA can choose not to enter into the agreement, but it would forgo the income stream and cost savings noted above.

**FISCAL IMPACT:**

The lease if executed will generate approximately $138,116 over the next five years for VTA. The lease also includes 4 - five year options, each at the sole discretion of the VTA, each year includes a 4% rental increase.

In addition to the revenue from ClearWireless LLC, VTA has negotiated to obtain from ClearWireless LLC telecommunications services that are currently provided by another vendor at a discounted rate. This will result in an approximate savings to VTA of $50,000 annually.

**DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:**

N/A

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Administration and Finance Committee considered this item on April 15, 2010 and unanimously recommended that the Board approve this item.

Prepared by: Bijal Patel/Dennis Thornton
Memo No. 2581
ATTACHMENT A

Government Code Section 84308

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<td>Space on VTA Tower</td>
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13.a
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: State Proposition 116 Allocation Request

Resolution

ACTION ITEM

RECOMMENDATION:

Adopt a resolution for a State Proposition 116 Allocation Request for $137,957 to the California Transportation Commission (CTC), and authorize the General Manager to execute the Fund Transfer Agreements upon their receipt from the state.

BACKGROUND:

In 1990, State Proposition 116 enacted the Clean Air and Transportation Improvement Act of 1990, designating approximately $2 Billion primarily for the preservation, acquisition, construction, or improvement of rail rights-of-way, rail terminals and stations, rolling stock acquisition, grade separations, rail maintenance facilities, and other passenger rail related capital expenditures. As a rail operator, VTA is an eligible claimant for Proposition 116 funds and VTA’s formula share is $47,000,000.

The vast majority of VTA’s Prop. 116 funds were expended prior to 2000; however, VTA still has $137,957 in Proposition 116 funds remaining. These funds must be allocated by the CTC by June 30, 2010 otherwise they may revert back to the State.

DISCUSSION:

Staff is proposing VTA’s Rail Rehabilitation and Replacement project to receive the funds. This project is included in the adopted FY10 - FY11 VTA capital budget, and is necessary to rehabilitate VTA’s light rail line at various locations.
For purposes of this Proposition 116 Allocation request the following scope of work is envisioned.

(1) Safety and operational improvements on the Vasona Line. Specifically, the existing special track work (diamond) at the intersection of the Vasona Light Rail Line and the Spur Track located in the vicinity of Auzerais Avenue will be removed and replaced. The diamond will be replaced with straight rail, thereby reducing the possibility that a freight train would attempt to use the intersection and collide with VTA light rail vehicles. This will also provide a complete and seamless track for light rail at this location and therefore a smoother, more comfortable ride for our passengers.

(2) Removal and replacement of Guadalupe Corridor LRT railroad ties between Branham Lane and the Ohlone Chynoweth Station in South San Jose. The ties in this part of the system have experienced rapid wear. Continued use of the old ties in this location could potentially result in derailments, injuries and damage to the light rail vehicles.

(3) “De-stressing” of the Guadalupe Corridor LRT line along Tasman Drive in North San Jose. Specifically, curved rail in the vicinity of Rio Robles Street has deteriorated rapidly due to weather and continued rail vehicle wheel wear and tear, exacerbated by frictional and dynamic forces of the turning movement. The rail de-stressing process involves realigning the curved rail, while taking out any imperfections. Rail and ties which are no longer useful will be replaced as necessary. Increased safety and operational efficiencies are some of the benefits of rail de-stressing.

**ALTERNATIVES:**

The Board may choose to program funds to other projects. If VTA does not secure a CTC allocation of the $137,957 Proposition 116 funds before June 30, 2010 there is a high likelihood that VTA would lose these external capital funds. This allocation request is anticipated to be on the May 19, 2010 CTC Meeting Agenda.

**FISCAL IMPACT:**

With regards to the Rail Rehabilitation and Replacement project, it is a Board approved FY10-11 capital project with a combined Budget of $5,313,000. The Proposition 116 funded scope of work is but one part of this budget, specifically the cost estimate for the scope of work is as follows:

- **Design, Inspection, and Project Management** $145,000
- **Procurement and Construction** $275,914

  **Total Scope of Work Cost Estimate** $420,914

Federal Section 5309 and State Proposition 1B funds will fund the design, inspection and Project Management activities. Proposition 116 funds would pay for 50% of the procurement and construction activity cost of $275,914 or $137,957. The other 50% would come from Federal
Section 5309 funds. No VTA local funds are anticipated to be used to implement the scope of work.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Administration & Finance Committee heard this item on April 15, 2010 and unanimously recommended it to the Board of Directors for adoption at its May 6, 2010 meeting.

Prepared by: Pedro Guzman
Memo No. 2593
RESOLUTION

RESOLUTION OF THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY
BOARD OF DIRECTORS ASSURING COMPLIANCE WITH VARIOUS CONDITIONS
AND REQUIREMENTS OF THE CALIFORNIA TRANSPORTATION COMMISSION
FOR ALLOCATION OF PROPOSITION 116 FUNDS TO THE RAIL REHABILITATION
AND REPLACEMENT PROJECT

WHEREAS, the Santa Clara Valley Transportation Authority (VTA) will request the California
Transportation Commission (CTC) to approve an allocation of $137,957 Proposition 116 Funds
for the Rail Rehabilitation and Replacement Project (the Project)

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Santa Clara Valley
Transportation Authority that does certify as follows:

a) In the opinion of VTA’s legal counsel, VTA has the financial and institutional ability to
implement the Project, and is empowered to let a contract, to sue or be sued by another
entity or person; and

b) The Project receiving state Proposition 116 funds will be available to the general public
and will not benefit a private entity or individuals; and

c) The matching funds required for this allocation have been approved by the Board of
Directors, and is included in the District’s FY 2010 - 11 Budget, and upon allocation of
funds by the CTC, VTA will have the authority to expend these funds; and

d) Should the Project under this grant application exceed the state funds available, VTA will
use other funds to backfill the cost increase to complete the Project; and

e) VTA intends to comply with the Commission’s Hazardous Waste Identification and
Clean-Up Policy for Rail Right-of-Way and in this regard the Project will fully
investigate to determine the absence of hazardous wastes, and will take reasonable steps
to assure full due diligence, cleanup liability or damages, and will not seek State funds
for clean-up, damages or liability costs associated with any hazardous wastes discovered
on the Project site; and

f) VTA will comply with the CTC’s Timely Use of Funds Policies.

g) No other capital funds previously programmed, planned or approved for rail purposes
will be used for other than rail purposes.

h) The proposed Project has no unnecessary enhancements and is not an unnecessarily
elaborate alternative.

i) New or increased development fees, taxes or exactions, or permit fees have not or will
not be included in the operating budget(s) for this Project, or for the purpose of matching
funds for Proposition 116 grants.

j) If applicable, the Transit Integration Plan will be completed and submitted to the
Commission for review before the line begins operations.
k) A passenger safety program is in place.
l) VTA shall comply with the Proposition 116 accessibility requirements for the disabled and for providing access to bicyclists.

BE IT FURTHER RESOLVED that the General Manager of the Santa Clara Valley Transportation Authority is hereby authorized to file any necessary supporting documents under the Resolution and to execute the Fund Transfer Agreement to receive the Proposition 116 funds.

PASSED AND ADOPTED by the Board of Directors of the Santa Clara Valley Transportation Authority on ___________________________ by the following vote:

AYES:

NOES:

ABSENT:

__________________________________
Sam Liccardo, Chairperson
Board of Directors

ATTEST:

__________________________________
Sandra Weymouth, Secretary
Board of Directors

APPROVED AS TO FORM:

__________________________________
Kevin D. Allmand
General Counsel
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief Administrative Officer, Bill Lopez

SUBJECT: PBX & Phone Support - Contract Extension

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

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to execute a contract amendment with Advantel, Inc. for telephone system and voice network maintenance. The contract amendment will extend the contract term for an additional six months for a cost of $100,000, for a new contract value of $904,080.

BACKGROUND:

In 2006 VTA entered into a contract with Advantel Networks for $699,200 to provide maintenance and support for VTA’s phone, PBX, voice mail, and other electronic messaging services. Initially providing only basic services such as moves, adds, and changes in the telephone network, they now provide additional telecom services such as installation, maintenance and support for a host of both voice and data devices including CAT6 and fiber cable, voice mail and messaging servers, Voice Over Internet Protocol (VoIP) and Public Address systems. Their performance in providing these services has been excellent. Advantel has staff on-call and dedicated to VTA on a 24/7 basis. VTA currently lacks the internal resources and expertise necessary to maintain and repair these systems at the same level of confidence and coverage without these contracted services.

DISCUSSION:

Advantel’s services were procured via a competitive process in 2006. The original contract amount was for $699,200 and, in April 2009 was amended in the amount of $104,880 for a revised total contract value of $804,080. The April 2009 amendment exhausted the General Manager’s Administrative Code contract amendment authority of 15%.
Currently, Advantel has submitted a response to VTA’s Technology Services General Store RFP, which will provide VTA with a list of pre-approved service contractors to provide an array of technical services, including telecom support services. It is anticipated that vendors will be selected for the list in the July - August 2010 time frame. However, it is also projected that the current spending authorization for the Advantel contract will be exceeded before the General Store contractors are approved this summer and a subsequent telecom service contract executed later this year.

**ALTERNATIVES:**

Unless the Technology General Store RFP process can be expedited, there are no viable alternatives to the recommended action without jeopardizing our ability to continue to provide PBX and wire line phone services to key employees and systems.

**FISCAL IMPACT:**

Funding for the PBX & Phone support service contract extension is included in the VTA Fiscal Year 2010 Adopted Budget.

In order to maintain seamless support and maintenance of mission critical telecom services, it is recommended that VTA sustain its business relationship with Advantel for an additional six (6) month term as an extension to the existing contract.

Based on historical trends and the previously negotiated rates, the cost for this 6 (six) month extension is estimated to be $100,000.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Administration and Finance Committee considered this item at the April 15, 2010 meeting attended by Board Member Kniss, Board Member Reed, Board Member Gage, and Alternate Board Member McHugh as part of the Regular Agenda. Board Member Reed recused himself from the item pursuant to Government Code Section 84308. It was approved unanimously without comment by the remaining Board Members.

Prepared by: Richard D. Bertalan
Memo No. 2603
Attachment to PBX & Phone Support - Contract Extension

AdvanTel Networks
2222 Trade Zone Blvd.
San Jose, CA 95131

Phone number  408-954-5115
               800-377-4911

Roger McGibbon – President and owner
Joe Twohy – Vice President and owner
George Black - Owner
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: HCP Cost Allocation and Budget Approval

ACTION ITEM

RECOMMENDATION:

Approve the cost allocation in the amount of $910,092 for an increase of $129,525 and budget for the Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan.

BACKGROUND:

On July 31, 2001, VTA received a letter of Formal Endangered Species Consultation (Biological Opinion) issued by the United States Fish and Wildlife Service (USFWS), which required VTA to commit to two major actions before proceeding with construction of the U.S. 101 Widening, the State Route 85/U.S. 101 South Interchange, and Consolidated Biological Mitigation Projects. One action required the purchase of 333 acres of Bay Checkerspot Butterfly habitat. VTA completed the habitat purchase in January 2005.

The second major action, which is the subject of this memorandum, required the City of San Jose (City), the County of Santa Clara (County), the Santa Clara Valley Water District (SCVWD), and VTA, collectively known as the Local Partners, to provide individual financial commitments to assist with the development of a Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP). In 2005, the Cities of Gilroy and Morgan Hill also joined the Local Partners in the preparation of an HCP/NCCP including a financial participation. The HCP/NCCP will support the USFWS and the California Department of Fish and Game (CDFG) in efforts to conserve federally and state listed species in the Cities of San Jose, Gilroy, and Morgan Hill and in southern Santa Clara County. The adoption of the HCP/NCCP will enable VTA and the other partners to receive expedited permits and approvals from the USFWS and CDFG.

The Memorandum of Understanding (MOU) among the Local Partners requires each governing
body to approve an annual budget for the plan. Previously, the VTA Board of Directors approved the Cost Allocation and Budget on May 5, 2005, June 1, 2006, November 1, 2007, October 2, 2008, and June 4, 2009.

DISCUSSION:

The 2010 HCP/NCCP budget and cost allocation is provided as Attachment A. The allocation has been reviewed by the HCP/NCCP Management Team and Governing Body Liaison Group, which consist of representatives from each participating agency. San Jose City Council Member Ash Kalra is VTA’s representative on the Governing Body Liaison Group. Each of the Local Partners has or is in the process of taking the HCP/NCCP budget and cost allocation to their respective governing bodies for review and approval.

Santa Clara County serves as the lead agency and fiscal agent for the project including managing consultants. VTA’s Board action of June 4, 2009 estimated VTA’s proportion of consultant costs at $780,567. This Board action increases VTA’s contribution to the County for consultant work efforts by $129,525 (a 20 percent share of the $647,625 additional consultant costs) to $910,092 to complete the plan. The increase is discussed in Attachment B and is due to the schedule extending by approximately 11 months requiring more management, coordination and meetings, more extensive regulatory comments, additional impact analysis for species such as the western burrowing owl, additional support for evaluating and defining the implementing entity, integrating the 3 Creeks HCP, and additional printing costs.

VTA has budgeted $1,150,000 for consultant and staff time to support the HCP/NCCP. Approximately $831,000 has been expended for consultants ($722,000) and VTA staff time ($109,000) as of February 28, 2010.

ALTERNATIVES:

The VTA Board could choose to not approve the budget and cost allocations. Not approving the budget and cost share would terminate VTA participation in the HCP/NCCP and potentially dissolve the partnership. This would require VTA to pursue incidental threatened and endangered species take permits under federal Endangered Species Act and California Endangered Species Act through other means requiring both additional cost and time.

FISCAL IMPACT:

There are sufficient appropriations for this expenditure in the Adopted 1996 Measure B Transportation Improvement Program Fund Capital Budget.

STANDING/ADVISORY COMMITTEE DISCUSSION/RECOMMENDATION

The Congestion Management Program & Planning Committee approved the item unanimously. Members asked several general questions about the plan. Staff and their consultant responded. The plan is extremely complex and is taking longer than originally expected. However, this plan is proceeding faster than other similar plans across the state.

Prepared by: Tom Fitzwater
Memo No. 2534
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<td>FY 06</td>
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<td>120,559</td>
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* FY11/12 estimate includes $50,000 for Plan wrap up costs and $50,000 for contingency
March 30, 2010

TO: Santa Clara Valley Habitat Plan Management Team Members
FROM: Lisa Killough, Valley Habitat Plan Lead Representative for County of Santa Clara
SUBJECT: Updated FY 2011 Budget Proposal

As a follow-up to the March 24, 2010 and March 26, 2010 meetings, I am submitting an updated summary account of the FY 2011 budget proposal for partner costs.

A. Budget Outline

As has occurred in past budget cycles, the FY 2011 budget includes costs that have already been incurred in previous fiscal years. This situation is due to the nature of the project which has involved various contract modifications after budgets were forecasted and approved for the coming fiscal year. In those circumstances, the County has acted as the “banker” for the partners and has paid for the costs of these additional expenses until it can be reimbursed in the subsequent fiscal year. The practice has also allowed the project to move forward with minimal delay.

Following this practice, the current FY 2011 budget proposal includes costs incurred in FY 2009 and FY 2010, as noted in the previous December 15, 2009 proposal – see attached. In addition, this proposal includes all of the known costs that have been forecasted for FY 2011, some of which were identified after December 15, 2009 when the original FY 2011 proposal was determined. Moreover, since December 15, 2009, the County has determined it cannot afford to fill in the reimbursement “gap” for the partners in FY 2011. These FY 2011 augmentation costs to fill the gap were reviewed by the Management Team on March 24, 2010.

The following is a roll-up of the FY 2011 budget proposal, which is further explained in the succeeding text. In addition, the attached spreadsheet provides a cost allocation table of the partner costs to date.

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<tr>
<th>FY 2011 Budget Proposal Details</th>
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<td>December 15, 2009 Proposal (Original Proposal)</td>
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<td>FY 2009 Additional Expenses (County reimbursement)</td>
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<td>FY 2010 Additional Expenses (County reimbursement)</td>
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March 24, 2010 Proposal for FY 2011 Budget

December 15, 2009 Original Proposal $ 549,975
March 24, 2010 Augmentation Proposal 288,000
TOTAL $ 837,974

20% SHARE $ 167,595
10% SHARE $ 83,797

B. December 15, 2009 Proposal Details

The following is a summary of the FY 2011 budget proposal that was reviewed and tentatively agreed to by the Management Team in December 2009, for subsequent action by the respective elected officials. At the time, it was understood that the 20% share would total $109,995 and the 10% share would total $54,997.

FY 2009 Additional Expenses
According to information provided by Program Manager Ken Schreiber, the $166,850 was identified as a carry over expense from FY 2009. When the FY 2010 budget was under review in January and February, 2009, the Management Team addressed the allocation of Phase 4 costs ($210,650) and Phase 5 costs ($501,900) that were not included in the previous FY 2009 budget forecast – see attached table. Because the total cost was significant ($712,550), the Management Team recommended to divide the augmentation between FY 2010 and FY 2011, with $166,850 carried forward to FY 2011.

FY 2010 Additional Expenses
The majority of additional costs from FY 2010 are related to the Jones & Stokes contract. Jones & Stokes provided a proposal toward the end of calendar year 2009 for additional Phase 5 work to complete the 2nd Admin Draft Plan, which is anticipated to be completed by this summer, and to start the Public Draft Plan. At the time of this proposal, the Plan still included fish coverage and State Parks participation. These expenses also include additional consulting services for the implementation legal paperwork (Resources Law Group) and the western burrowing owl (WBO) research (Albion). The following summarizes the expenses:

- Phase 5 Jones & Stokes additional work $ 125,000
- Response to 2nd Admin Draft comments $ 40,000
- Public Draft Review 10,000
- Additional Meetings 60,000
- Impact Analysis 15,000
- Albion WBO conservation strategy work 7,500
- Resources Law Group legal services for IA, JPA, side agreements 75,000

SUBTOTAL $ 207,500

FY 2011 Forecasted Expenses
The forecasted expenses are related Phase 6 costs for Jones & Stokes, which were sketchy at the time of the December 15th proposal, and the forecasted expenses for Land Use Planning Services (Ken Schreiber) from a previous estimate.

- Phase 6 Jones & Stokes Public Draft work $ 50,000
- Land Use Planning Services (equivalent to $ 6,125 per month) 73,500

SUBTOTAL $ 123,500

FY 2011 Additional Expenses
The additional FY 2011 expense is related to Land Use Planning Services. Since July 1, 2006, Ken Schreiber has been doing services for the partners at a rate of $10,000 per month or $120,000 per year. The $52,125
additional cost includes: a) $46,500, which when added to the forecasted $73,500 fees would total the $120,000 amount; and b) $5,625 for Ken’s yearly reimbursable expenses, such as for travel, printing and other incidentals necessary for the project.

Land Use Planning Services $52,125

C. March 24, 2010 Augmentation Proposal Details

Since December 15, 2009, three significant changes have occurred: 1) fish have been removed from the Plan; 2) State Parks has decided not to join the local partnership; and 2) more detail is understood regarding the work necessary to complete the 2nd Admin Draft Plan and the Public Draft Plan. In addition, the County has determined that it cannot afford to pay for these additional expenses in the interim while waiting for reimbursement from the partners in FY 2012. As a consequence, the following additional expenses are to be reviewed by the partners for potential inclusion in the FY 2011 budget. These expenses translate to a $57,600 augmentation for the 20% share partners and a $28,800 augmentation for the 10% share partners.

Jones and Stokes Augmentation
The most complicated aspect of the augmentation proposal relates to the additional services from Jones & Stokes. Because of the recent changes noted above, significant modifications are needed for the Jones & Stokes’ Phase 5 and Phase 6 work. The Phase 5 work noted below is a recalculation of their previous December 15, 2009 estimate, and the Phase 6 work includes more tasks and milestones than were known on December 15, 2009. For more detail on Jones & Stokes augmentation services, see the attached March 24, 2010 proposal.

Since the information noted below is a recalculation of the December 15, 2009 proposal for Jones & Stokes’ Phase 5 and Phase 6 costs, the augmentation expense includes a deduction of those previous costs. In order to keep the project moving forward, some portions of the Phase 5 work are already underway.

<table>
<thead>
<tr>
<th>Phase 5 additional work</th>
<th>$95,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional meetings</td>
<td></td>
</tr>
<tr>
<td>Impact Analysis</td>
<td></td>
</tr>
<tr>
<td>Prepare Public Review Draft</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Phase 6 work</th>
<th>$240,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project administration &amp; meetings</td>
<td></td>
</tr>
<tr>
<td>Coordination</td>
<td></td>
</tr>
<tr>
<td>Document Preparation</td>
<td></td>
</tr>
<tr>
<td>Implementation</td>
<td></td>
</tr>
</tbody>
</table>

| March 24, 2010 Phase 5 and Phase 6 Subtotal (A) | $335,000 |
| December 15, 2009 Phase 5 and Phase 6 Subtotal (B) | $175,000 |

Total augmentation since December 15, 2009 -- (A) – (B) $160,000

Albion Augmentation
The additional $15,000 is proposed for Albion to prepare the WBO Population Viability Analysis, per direction from the California Department of Fish and Game. The work will provide research for the emerging WBO conservation strategy. This work is already underway to keep the project moving forward.

Willdan Augmentation
The proposed augmentation of $33,000 is for Willdan to recalculate the implementation budget, based on recent changes to the Plan. This work is already underway to keep the project moving forward.
Land Use Planning Augmentation
The proposed augmentation of $30,000 would translate into a $12,500 monthly payment to Ken Schreiber (from the previous $10,000) in FY 2011 for services noted in the attached March 23, 2010 proposal.

Printing Augmentation
The December 15, 2009 proposal contained an estimate of $37,233 to reimburse the County in FY 2012 for printing services incurred since the 2nd Admin Draft Plan was printed. The March 24, 2010 printing estimate includes the following printing and CD expenses which have been incurred, or will be incurred in FY 2011.

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>2nd Admin Draft Plan (County reimbursement)</td>
<td>$15,000</td>
</tr>
<tr>
<td>Public Draft Plan</td>
<td>$24,000</td>
</tr>
<tr>
<td>Admin Draft and Public Draft EIR/EIS</td>
<td>$6,000</td>
</tr>
<tr>
<td>Final Documents</td>
<td>$5,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$50,000</strong></td>
</tr>
</tbody>
</table>

D. FY 2011 Partner Proposal

Considering the aforementioned and to keep the project moving forward within a sustainable cost allocation, the following is proposed:

- The original MOU partners (County, VTA, SCVWD and City of San Jose) commit to propose the amended 20% cost share for FY 2011 (March 24, 2010 proposal), equating to $167,595 per MOU partner.
- The side agreement partners (cities of Morgan Hill and Gilroy) commit to propose the original 10% cost share for FY 2011 (December 15, 2010 proposal), equating to $54,997 per side agreement partner.
- The County commits to propose a “bridge loan” to the cities of Morgan Hill and Gilroy for the 10% share augmented cost, which means: a) in FY 2011, the County will provide $28,800 per partner for the augmentation costs of the 10% share partners; and b) in FY 2012, the cities of Morgan Hill and Gilroy will reimburse the County for the loan of $28,800 per partner in FY 2011.

Attachments: December 15, 2009 FY11 Budget Proposal
            March 24, 2010 Cost Allocation Table
            March 26, 2010 Table FY 2009 Additional Costs
            March 26, 2010 Jones & Stokes Contract Amendment Summary (costs provided at 3/26 mtg)
            March 23, 2010 Land Use Planning Services FY 2011 Proposal

cc: Ken Schreiber
    Sally Logothetti
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: Lifeline Transportation Program: Additional Fund Programming

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to submit an application for a total of $5,785,957 in state Proposition 1B funds for two Lifeline projects; authorize the General Manager to execute agreements with Caltrans as necessary to receive these funds; and authorize the General Manager to execute an agreement with Outreach & Escort, Inc. as needed to implement the Paratransit Vehicles and Equipment project.

BACKGROUND:

In 2005, the Metropolitan Transportation Commission (MTC) established the interim Lifeline Transportation Program to fund projects that result in improved mobility for low-income residents of the nine San Francisco Bay Area counties. In June 2008, MTC continued the program with the adoption of MTC Resolution 3860. Funds are distributed to each county based on each county's proportional share of Bay Area residents living in poverty.

On January 5, 2006, the VTA Board of Directors authorized the General Manager to execute a Cooperative Agreement with the County of Santa Clara to develop and administer the Lifeline Transportation Program in Santa Clara County. This agreement established a Joint Lifeline Transportation Committee (JLTC) to solicit, review and recommend projects to the VTA Board, the County Board of Supervisors and MTC.

JLTC issued a Lifeline Program Call for Projects on March 27, 2009. The funds available for distribution were 2006 Proposition 1B funds from the Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA) program. Two proposals were submitted:
(1) Paratransit Vehicle and Equipments - Outreach & Escort, Inc. requested funding for the purchase and installation of hybrid paratransit vehicles, charging stations, emergency communication equipment and other related equipment for use in VTA paratransit service, shared with the Together-We-Ride program.

(2) Hybrid Transit Bus Replacements - VTA Operations requested funding to replace aging 12 to 14 year-old diesel buses with new hybrid buses in order to maintain reliable services for transit dependent riders and other customers and to reduce diesel emissions in VTA's service area.

DISCUSSION:

At its August 6, 2009 meeting, the VTA Board of Directors approved an initial $3,501,235 for these projects. Each project sponsor received roughly half of what each sponsor had initially requested.

Since that time an additional $2,284,782 in Proposition 1B Lifeline funds has become available. The JLTC and VTA staff recommend that the VTA Board of Directors program these additional funds to the Paratransit and Hybrid Bus projects in the same proportion as the August 6, 2009 programming. The additional amounts to each project will be as follows.

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Current Recommendation</th>
<th>Existing Programming (August 6, 2009)</th>
<th>Total Programming</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paratransit Vehicles and Equipment</td>
<td>$1,374,909</td>
<td>$2,100,741</td>
<td>$3,475,650</td>
</tr>
<tr>
<td>Hybrid Transit Bus Replacement</td>
<td>$909,873</td>
<td>$1,400,494</td>
<td>$2,310,367</td>
</tr>
<tr>
<td>Total</td>
<td>$2,284,782</td>
<td>$3,501,235</td>
<td>$5,785,957</td>
</tr>
</tbody>
</table>

In order to receive Proposition 1B funds, sponsors must be eligible to serve as direct grantees with the State of California. Since Outreach & Escort, Inc. is not a direct recipient, and the vehicles and equipment will primarily be used for VTA's ADA paratransit service, VTA will serve as the responsible grantee to the State of California.

With authorization from the Board of Directors, the General Manager will enter into an agreement with Outreach & Escort, Inc. with regard to each party’s roles and responsibilities.

ALTERNATIVES:

The VTA Board may request other programming alternatives.

FISCAL IMPACT:

VTA will receive an additional $2,284,782 in Lifeline Program funds to procure replacement buses, paratransit vehicles and related equipment.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Congestion Management Planning and Programming Committee (CMPP), considered this
item at its April 16, 2010 meeting. The committee requested a correction of the figure $2,310,307 to $2,284,782 in the Discussion section. The committee also inquired about the cost savings between the purchase of hybrid versus regular buses. The cost savings will be provided at a future meeting. The Committee unanimously recommended this item to the full Board for approval.

Prepared by: Celeste Fiore
Memo No. 2558
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: Sustainability Program Update

INFORMATION ITEM

RECOMMENDATION:

Receive Sustainability Program Update.

BACKGROUND:

The VTA Sustainability Program was initiated in July 2007 when the VTA Board of Directors approved funds to support staff time and small-scale capital improvements to VTA facilities and vehicles. A Sustainability Team was also established in July 2007, to provide overall direction for the program. The Team meets monthly and includes representatives from operations, facilities, risk management, contracts, marketing, construction and environmental planning to assist in evaluating and implementing improvements and programs.

On February 7, 2008, the VTA Board of Directors formally approved the VTA Sustainability Program goal and strategies. The Program goal is "To proactively reduce the consumption of natural resources, the creation of greenhouse gases, and the generation of pollution in the provision of public transportation services." The Program includes reporting back to the VTA Board of Directors on an annual basis. This agenda item is the second annual update on the progress of the Sustainability Program.

DISCUSSION:

The Sustainability Program accomplishments over the past year are highlighted below and discussed in Attachment A. In addition, Sustainable Landscaping Guidelines have recently been developed for planting, irrigation and stormwater management. These guidelines are consistent with the goal and strategies of the Program and are included in Attachment B.

The list of accomplishments are grouped in terms of general activities, energy conservation,
water conservation, solid waste reduction and outreach activities. A major part of the program has involved working with utilities and other outside resource agencies:

- Interior lighting retrofits have been completed at Cerone, Chaboya and River Oaks Divisions, resulting in cost savings and environmental benefits.

- In May 2009, VTA initiated a Sustainability Working Group that focuses on how a public agency can operate its facilities in a cost-effective sustainable manner. The Group is currently working with students from San Jose State University and procurement managers from public agencies in Santa Clara, Alameda and San Mateo counties, to develop a website which will facilitate the aggregate purchasing of environmentally preferred products and services at higher volumes and lower prices than could be obtained by one agency alone. The website is scheduled to go live in April 2010.

- VTA became a signatory of the American Public Transportation Association (APTA) Sustainability Commitment in September 2009. As a signatory, VTA has established a baseline for key indicators and will take action to achieve a reduction target of 2 percent for these indicators over the next 2 years.

- Substantial outreach efforts have also been undertaken with the "Keep the Valley Green" conservation and staff education programs.

In July 2007, a $3 million budget was established to support the Sustainability Program for Fiscal Years 2008 and 2009 (FY08 and FY09). While no additional funds were approved for FY10 and FY11, the Sustainability Program was allowed to rollover its remaining budget of $750,000, including rebates received, at the end of FY09 to FY10 and FY11. To continue to be able to support the program through June 30, 2011, staff time has been reduced to 18 hours per week and capital projects have been prioritized based on the highest return on investment and the ability to meet the goals of VTA’s Sustainability Program. VTA’s top priorities for the rest of FY10 and FY11 are as follows:

- Lighting Retrofits: Retrofit some of the lighting fixtures at the Guadalupe Division.

- Purchase Utility Management Software: Analyze usage, evaluate costs, and identify savings. This software will assist VTA in prioritizing future projects and measuring progress toward its reduction targets under the APTA Sustainability Commitment.

- Recycling Program: Provide limited support for improving recycling programs at VTA Divisions through education, monitoring, and purchase of more recycling containers. This will help VTA reduce solid waste costs.

- Host Sustainability Working Group meetings, but not take the lead on coordinating future projects.

- Continue outreach, educational, and marketing programs.

Future unfunded projects that are also top priorities for the Sustainability Program are identified below.

- Santa Clara County Solar Request For Proposal: VTA is listed along with 8 other public agencies as a potential purchaser of solar power. The selected vendor or vendors would
finance, install and operate solar systems at North Yard and Guadalupe at lower electrical cost to VTA than provided by PG&E. However, additional staff time would be necessary to review plans and supervise installation, operations and maintenance.

- Complete lighting retrofits at Guadalupe and North Divisions.

The Sustainability Program has been a collaborative effort of VTA staff from a number of departments to identify conservation measures and to implement recommendations. Last year's update in April 2009, reported that completed and committed capital projects were projected to result in annual operating cost savings of over $800,000. Since that time, an additional $200,000 of annual operating cost saving are projected from the past years’ completed and committed capital projects. Therefore, expenditures of approximately $2.5 million will result in approximately $1 million of annual operating cost savings. With less than $500,000 of funding remaining until June 2011 for staffing and capital projects, the program is winding down and additional budget would be needed for staff time and capital projects in FY12 and beyond.

Future funding would enable VTA to continue to dedicate staff time to identifying opportunities and implementing projects to minimize fuel, electricity, water, and solid waste costs.

In addition, at the Congestion Management Program and Planning Committee meeting of October 16, 2009, there was a question regarding VTA's policy on sustainable landscaping. Strategy #4 of VTA's adopted Sustainability Program states; "Incorporate sustainability and green building principles and practices in the planning, design, construction and operation of new VTA facilities.” In response to the concern raised at the CMPP Committee meeting, VTA staff have developed "Guidelines for Sustainable Landscaping". These Guidelines focus on three areas; planting management, water conservation management/irrigation, and stormwater management/pollution prevention (see Attachment B). Selecting native and drought tolerant plant species, minimizing irrigation, and containing stormwater on-site are key components of the Guidelines. The Guidelines also stress consulting with the Santa Clara Valley Water District and Caltrans web sites for additional sustainable landscaping approaches. The Guidelines will be used for the design, construction and maintenance of VTA's transit, highway, and facilities projects.

**FISCAL IMPACT:**

No financial impact at this time.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Congestion Management Program & Planning Committee received this item at its April meeting. The Committee asked several questions including applicability of the upcoming ballot measures on municipally owned utilities and what measures that have had the biggest impact.

Legal counsel does not believe the ballot measures would apply to VTA. The biggest reductions have come from light rail operational changes. There were also several comments about VTA's achievements and other transit operator actions.

Prepared by: Tom Fitzwater
Memo No. 2486
GENERAL ACTIVITIES

- VTA became a signatory of the American Public Transportation Association (APTA) sustainability commitment in September 2009. The commitment sets out common sustainability principles, an action plan and a course for progress. Signatories can obtain higher recognition by achieving additional actions, putting long-term processes into place and attaining reduction targets for a series of indicators. VTA is signed up for the Bronze level, but could move up to Silver, Gold or Platinum as we achieve our goals. Under Bronze, VTA is committed to reduction targets of 2 percent over the baseline within 2 years.
- In May 2009, VTA initiated a Sustainability Working Group that focuses on how a public agency can operate its facilities in a cost-effective sustainable manner. The group meets bi-monthly at VTA. Over 12 agencies are currently working on an aggregate product purchasing website that would result in $1,000s of saving in aggregate product purchases while also reducing staff time. VTA has 4 San Jose State University students working on this website through May 2010. These students selected this project for credit in an honors course.

ENERGY CONSERVATION

- In 2009, VTA replaced 1,852 lighting fixtures at the Cerone, Chaboya, and River Oaks Divisions. VTA estimates that the lighting retrofits have reduced 2009 electrical usage by 250,000 kWh and electrical costs by $35,000 over three months since September.
- In March 2009, VTA began turning off auxiliary power systems for light rail vehicles parked at Guadalupe Division after extensive testing of the effect on VTA Operations. Based on a PG&E evaluation, it is estimated that this measure has achieved an annual electrical savings of 3,812,536 kWh and annual cost savings of $471,725.
- In April 2009, VTA reduced the number of cars per train during peak and non-peak hours to minimize electrical usage. Based on a PG&E evaluation, it is estimated that this measure has achieved an annual electrical savings of 2,032,774 kWh and annual cost savings of $251,515.
- VTA is listed on the Santa Clara County 3rd Party Solar Purchase Power Agreement RFI/RFP, along with 8 other public agencies, as potential solar power purchasers. The selected vendor would finance, install and operate systems at North Yard and Guadalupe Divisions at lower electrical costs to VTA than provided by PG&E. A 2008 study estimated installation costs for these two sites at $12 million. In 2009, electrical costs were approximately $185,000 and $3,000,000 (includes traction power) for North Yard and Guadalupe Divisions, respectively. A 2008 Solar Assessment estimated that a photovoltaic system could offset 100% of electrical usage at North Yard and 1.8% of electrical usage at Guadalupe Division.
- Currently investigating utility management software to monitor and better track the hundreds of VTA energy, water, and solid waste accounts. Using Siemens utility management software for a submeter at VTA’s Guadalupe Division in May and June 2008, VTA staff
identified an overcharge of $107,000. The software will analyze usage, costs, and identify potential savings.

- Ordered 70 hybrid buses using American Recovery and Reinvestment Act (ARRA) stimulus funds. Environmental benefits include hybrid diesel-electric technology, increased reliability and cost effectiveness compared to zero-emission buses, and a reduction of Nitrogen Oxide emissions by 95% and Particulate Matter emissions 80% compared to the buses they will replace.
- 18 buses are being fueled using a 5% biodiesel blend at North Yard. Analysis from July 2009 to February 2010 shows that biodiesel does not improve fuel economy, impact maintenance or significantly reduce emissions. The program will continue to be tested and analyzed in the future.
- For 2009, the Skyline Solar System was in operation for approximately 10 months. During this timeframe, the system produced 15,970 kWh of electricity for VTA. Based on 14 cents per kWh, VTA saved an estimated $2,235 for 2009.
- Continuing to partner with Sustainable Silicon Valley to reduce carbon dioxide emissions.

**WATER CONSERVATION**

- In December 2009, automatic shut off-flow sensors were installed on backflow preventers at five Park and Ride lots: Great Mall, Penitencia, I-880 Milpitas, Evelyn and Hostetter. The sensors monitor abnormally high or low flows at each location and will automatically shut off flow to avoid unnecessary water usage. The sensors were connected and configured to recently installed weather based irrigation controllers which enable staff to receive email alerts. Since installation, VTA staff have received and reacted to alerts of a possible mainline break at Penitencia and abnormal flows of up to 18.9 gallons per minute at Hostetter. Based on consumption history for these locations, over 43,000 gallons have been saved so far.

**SOLID WASTE REDUCTION**

- In 2009, VTA’s Board Office reduced paper by approximately 66 percent, or 380,743 sheets, in comparison to the previous year. According to the Environmental Defense Fund, this is equivalent to a savings of approximately 26 trees and 5,882 pounds of CO₂. The Sustainability Program will continue to work with the Board Office to identify opportunities to save paper.
- In May 2009, VTA started a composting program at its River Oaks cafeteria. Based on monthly reports from Allied Waste, it is estimated that VTA diverted approximately 20.8 tons of food waste from the landfill in 2009.

**OUTREACH ACTIVITIES**

- Wrote monthly column in employee newsletter titled “Green Tips”.
- Circulated numerous “Green” press releases.
- Distributed frequent emails to staff highlighting timely sustainability issues.
- Sent “Spare the Air” Alerts to all employees in partnership with the Bay Area Air Quality Management Board.

**OTHER**

- Completed the conversion of 110 bike lockers, located at 12 transit centers, to on-demand service through the use of a smart debit card. The lockers could potentially triple bike storage capacity by opening the lockers up to day-by-day use.
VTA is committed to creating a greener Santa Clara Valley. The goal of VTA’s Sustainability Program is to proactively reduce the consumption of natural resources, the creation of greenhouse gases, and the generation of pollution in the provision of public transportation services.

The following guidelines to landscape planting, irrigation and stormwater management are designed in collaboration with the goal and strategies of VTA’s Sustainability Program.

PLANTING MANAGEMENT:

- Select native and drought tolerant plant species. Consult with the Santa Clara Valley Water District (SCVWD) and California Department of Transportation (Caltrans), for landscape planting and water use recommendations and for recommended plant selection lists.

  [www.valleywater.org/programs/landscaping.aspx](http://www.valleywater.org/programs/landscaping.aspx)
  [www.dot.ca.gov/hq/LandArch/](http://www.dot.ca.gov/hq/LandArch/)

- Avoid the use and need of chemicals to control weeds and pests. Use best management practices (BMPs) including organic mulches, natural/green herbicide and pest products, and/or grazing services.

- Limit or eliminate the need and use of turf areas by promoting organic ground covers such as plantings, mulch, decomposed granite or gravel where appropriate.

WATER CONSERVATION MANAGEMENT/IRRIGATION:

1. Group plants with similar water needs to promote and maximize water efficiency.

2. Use irrigation bubblers, drip emitters, MP rotors, and low application nozzles to reduce water use, requirements and demand. Adjust for proper coverage and even water distribution. Use pressure compensating spray heads when possible.

3. Design and adjust sprinkler heads so that they are not easily damaged by cars or subject to vandalism. Consider vandal resistant sprinkler heads and protection in areas with high level of public use and vehicular traffic.
4. Implement and utilize regional and state statutes relating to water conservation.

5. Use reclaimed water when possible. Check with the local municipal water service provider.

6. Adjust irrigation times and durations with the seasons. Specify and install rain shut-off devices and if possible, weather-based irrigation controllers.

7. Adjust irrigation seasonally and water during early morning hours to reduce water loss by wind and evaporation.

8. Provide regular irrigation maintenance repairing broken or defective sprinkler heads, nozzles, lines and valves. Install flow sensors to detect leaks, where possible.

9. Track and monitor water usage during each billing cycle to identify leaks.

www.valleywater.org/programs/landscaping.aspx

STORMWATER MANAGEMENT / POLLUTION PREVENTION:


2. Reduce and prevent water runoff and erosion by utilizing design methods to capture water and debris and/or slow rates of water runoff.

   www.dot.ca.gov/hq/construc/stormwater/manuals.htm

   • “Stormwater Pollution Prevention Plan (SWPPP) and Water Pollution Control Program (WPCP) Preparation Manual”

Other related references:

   • State Water Resources Control Board (SWRCB)
     www.swrcb.ca.gov/water_issues/programs/stormwater/
     National Pollution Discharge Elimination System Permit (NPDES)
     www.cfpub.epa.gov/NPDES/home.cfm?program_id=45
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: 3-Year (FY2010/11, 11/12, 12/13) Project Initiation Document (PID) Workplan for Santa Clara County

FOR INFORMATION ONLY

BACKGROUND:

A Project Initiation Document (PID) is a planning document or technical report that documents the scope, cost, and schedule of a project. PIDs, which take the form of Project Study Reports, Project Study Report/Project Development Support (PSR/PDS) or Project Scope Summary Report (PSSR) are used to obtain approval for inclusion of a project into a programming document for federal or state funding.

In response to the State’s recent budget balancing measures and recommendations from the Legislative Analyst’s Office 2009-10 Budget Analysis Report in February 2009, Caltrans staff was directed to review resource staffing allocations for project planning. One of the specific areas identified was to improve the planning and management of PID activities, with one of the outcomes being the development of a three-year PID work plan. The intent of this approach is to better link the need and production of PIDs with potential funding sources in a more forward looking manner.

Caltrans and the Metropolitan Transportation Commission (MTC) coordinate annually with Congestion Management Agencies (CMAs) such as the Santa Clara Valley Transportation Authority (VTA) to develop a work plan for the development of PIDs across the region.

DISCUSSION:

Attached to this memorandum is the PID work plan proposed for Santa Clara County. The work plan was developed with input from local agency staff. The three-year plan has more detail for the projects listed in the first year of the plan and is a rolling three-year plan that would be updated each year.
The attachment shows five projects that would carry over from the current fiscal year into fiscal year (FY) 10/11:

- US 101/Trimble/De La Cruz Avenue Interchange
- US 101/Montague Expressway Interchange
- I-880/I-280/Stevens Creek Boulevard Interchange
- SR 85/SR237/El Camino Real and SR 237/Middlefield Road Interchanges
- Santa Clara/Alum Rock Road - Bus Rapid Transit (BRT)

In addition to these projects, PID work is proposed to begin on the following projects in FY 10/11:

- El Camino Real/The Alameda - BRT
- US 101/Mabury Road Interchange
- US 101 Express Lanes
- SR 237/Mathilda and US 101/Mathilda Interchange

Ongoing projects that have PID work that is expected to be completed in the current fiscal year and so do not show up on the attached work plan are the following:

- Calaveras Boulevard (SR 237) Improvements
- SR 85 Express Lanes
- SR 130 Relinquishment in San Jose
- SR 82 Relinquishment in San Jose

The finalization of this work plan is under way working with Caltrans planning staff and is expected to be complete by the end of the current fiscal year.

**STANDING/ADVISORY COMMITTEE DISCUSSION/RECOMMENDATION:**

The Technical Advisory Committee (TAC) reviewed this item on April 8, 2010. Member Tripousis requested to add a project to the 3-Year Project Initiation Document (PID) Work Program list. Another member inquired about the flexibility of adding projects. Staff responded that the PID Work Program list would be updated and that there was some flexibility of adding projects; however, this may require “swapping out” or deferring other projects already on the list.

The Policy Advisory Committee (PAC) reviewed this item on April 8, 2010. There was some discussion regarding the PID Work Program list, specifically the carrying over of studies from one year to the following year, typical length of studies, and prioritization of the projects listed.

The Congestion Management Program & Planning Committee reviewed this item at its April 16, 2010 meeting. VTA staff described that this work plan is essentially a Caltrans staff resource.
management instrument that is updated annually in concert with Bay Area congestion management agencies. Until this year, the plan had been a single-year plan, but now it is a three-year plan. One question from a committee member was why the projects on US 101 at Tully Road and Capitol Expressway are not in this work plan. VTA staff explained that this work plan lists only projects in a phase involving the development of a project initiation document (PID). The projects on US 101 at Tully Road and Capitol Expressway are beyond the PID phase are into the design or construction phase.

Prepared By: Eugene Maeda
Memo No. 2507
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:  Kato Road Flood Control Improvements Contract - Amendment to the Gordon N. Ball Inc. Construction Contract

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

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to amend a construction contract with Gordon N. Ball Inc. to accommodate scope additions and construction change orders on the Kato Road Flood Control Improvements contract in the amount of $645,000 for a new authorized amount of $2,741,031. This contract is 100% funded by the 2000 Measure A Program.

BACKGROUND:

In June 2009, the Board of Directors authorized the General Manager to execute a Construction Agreement with Gordon N. Ball, Inc. in the amount of $2,096,031 to perform the Kato Road Flood Control Improvements (C223). The Kato Road Flood Control Improvements is the first phase of the Kato Road Grade Separation Project. The scope of Contract C223 includes the following work activities:

- Remove approximately 760 linear feet of existing 60-inch storm drain pipeline.
- Install approximately 760 linear feet of 5’ x 7’ reinforced concrete box culvert.
- Replace damaged landscaping.
- Remove and replace conflicting sound wall.
- Reconstruct bio-swale along the existing sound wall.

The contractor and subcontractors involved in Contract C223 are listed in Attachment A.
The purpose of constructing the flood control improvements in advance of the grade separation contract was to minimize the impact to new homes being developed by Robson Homes along Kato Road within in the City of Fremont.

**DISCUSSION:**

Several issues have been encountered and a number of opportunities have presented themselves resulting in extra work to be performed by the contractor. These contract changes and the cause for the changes are described below.

During excavation of the existing drain pipe and adjacent PG&E lines, the contractor discovered that substantial amounts of cement slurry was poured around the existing drain line and the PG&E lines during installation of the lines by the previous contractor not associated with VTA. All the cement slurry encasing the storm drain line and the PG&E lines had to be removed to clear the path for the new box culvert and the lowering of the PG&E lines. The box culvert is to be relocated by the contractor, the PG&E lines are to be relocated by PG&E. Delays by PG&E due to inclement weather and PG&E construction crew shortages resulted in overall construction contract delays and work was pushed into the winter season, impacted further by weather related delays.

Also, the relocation of an existing Alameda County Water Conservation District (ACWCD) waterline dependent on the completion of the PG&E work has additionally been delayed several weeks because of the lengthy process seeking ACWCD’s waterline relocation design submittal approval and coordinating the waterline shutdown to facilitate the relocation of the water line. These delays have required the Contract C223 contractor to re-sequence its work activities around the delays due to PG&E and ACWCD, and perform in a less efficient manner, such that other portions of the project could be completed in smaller segments and handed over to the property owner who has commitments on the construction and sales of various residential units. These delays and inefficiencies total an additional $500,000.

There was also a change involving an existing sound wall along the Robson Homes property that was originally identified to be removed and replaced in order to construct the box culvert. After award of Contract C223, the Silicon Valley Rapid Transit Corridor environmental consultant determined that if the existing sound wall were to be reconstructed 5 feet higher than its existing wall height, a second sound wall adjacent to the future BART tracks would not be required for sound mitigation. The additional cost to increase the height of the wall, $145,000, is significantly less than the cost to construct a second sound wall in the future.

These delays had a compounded impact on the completion of the sound wall as well, because some sound wall sections would not be completed until the box culvert, water line and the PG&E pipes were in place.

The estimated cost for the above changes are summarized as follows:

- Delays and inefficiencies - $500,000
- Changes to the sound wall - $145,000
Contract changes during construction will increase the contract amount to the point that additional funds are necessary over and above the previously established construction contingency to complete the work. VTA Administrative Code Section 9.2(g) limits the authority for amendments to an amount not to exceed 15% greater than the amount authorized by the Board of Directors. This contract amendment will provide sufficient funds to compensate the contractor for delays and inefficiencies, and to allow the contractor to complete the additional scope of work for the addition to the existing sound wall.

**ALTERNATIVES:**

There are no practical alternatives to the recommended action.

**FISCAL IMPACT:**

This action will authorize $645,000 for Kato Road Flood Control Improvements. Appropriation for this expenditure is included in the FY10 2000 Measure A Transit Improvement Program Fund Capital Budget.

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

Based on identifiable subcontracting opportunities, as Small Business Enterprise (SBE) goal of 20% was established for this contract. The contractor has achieved 20.3% participation to date and has committed to a 20% SBE participation on the scope being added to Contract C223.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Transit Planning & Operations Committee at the April 15, 2010 meeting unanimously recommended approval of this item as part of their Consent Agenda, and that it be placed on the Consent Agenda for the May 6, 2010 Board of Directors meeting.

Prepared by: Jim Costantini, Deputy Director
Memo No. 2294
## ATTACHMENT A

**Kato Road Flood Control Improvements**  
Contract C223  
Contractor and Subcontractors’ List

<table>
<thead>
<tr>
<th>Contractor Firm</th>
<th>Contractor Role</th>
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<tr>
<td>Gordon N. Ball Inc.</td>
<td>General</td>
<td>Hal Stober</td>
<td>Alamo, CA</td>
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<td>Yerba Buena Engineering</td>
<td>Hazmat</td>
<td>Daniel Galarza</td>
<td>San Francisco, CA</td>
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<td>Lone Star Landscape</td>
<td>Landscaping</td>
<td>Larry North</td>
<td>San Martin, CA</td>
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<td>US Concrete/Sierra Walls</td>
<td>Soundwall</td>
<td>James Felice</td>
<td>Morgan Hill, CA</td>
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BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief Operating Officer, Donald A. Smith Jr.

SUBJECT: July 2010 Service Changes

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

ACTION ITEM

RECOMMENDATION:

Recommend that the VTA Board of Directors approve the proposed transit service modifications to Community Bus Lines 11 and 34 to take effect on July 12, 2010.

BACKGROUND:

The Fiscal Year 2010 Annual Transit Service Plan, adopted by the VTA Board of Directors on April 2, 2009 and primarily implemented on July 13, 2009 included further study on five current or potential community bus services. These services are Line 11 (Downtown San Jose), Line 34 (Mountain View), Line 13 (Almaden Valley), Lines 33, 46 and 47 (Milpitas) and a new route serving the Santa Clara Kaiser Medical Facility. This report addresses study of Lines 11, 34 and another Community Bus Line 45 in East San Jose.

The Milpitas bus lines 33, 46 and 47 were modified in January 2010 as the result of a Community Based Transportation Plan effort. Line 33 and 47 were combined and service hours and frequency were modified on Line 46. These routes continue to operate as standard bus lines. Line 13 in Almaden Valley will be studied further in conjunction with recommendations made in the Light Rail System Analysis, as the future configuration of this line is tied to how light rail service is provided to the Almaden Station. Study of a new community bus line to the Santa Clara Kaiser Medical Facility is on hold given our current funding constraints.

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 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 handled at staff level and are still subject to an appropriate level of public and community review and comment. The recommendations for Community Bus Lines 11 and 34 meet the criteria listed above and require Board approval. No changes are recommended for Community Bus Line 45 based on community feedback. Other minor schedule changes will also be implemented in July. These changes are still in development and will be reported to the Board when complete. They do not require any specific public outreach.

**DISCUSSION:**

**Public Outreach**

A comprehensive community outreach was implemented to afford the public numerous opportunities to learn of the proposed service changes and provide input and comment. The public meetings and proposed service changes were promoted in the following manner.

• Seven (7) public outreach meetings were held throughout Santa Clara County, in areas that are impacted the most by the proposed service modifications. Three were formal public meetings and the other four were specific outreach sessions to gather more community input.

  
  February 25, 6:00pm       Line 34 Stakeholders Meeting, Mountain View City Hall  
  March 15, 10:00am        Line 34 Public Meeting, Mountain View City Hall  
  March 16, 11:15am        Line 34 Community Outreach, Mountain View Senior Center  
  March 16, 3:00pm         Line 34 Community Outreach, Paulson Park, Mountain View  
  March 16, 6:00pm         Line 11 Public Meeting, Northside Community Center  
  March 18 11:30am         Line 11 Community Outreach, Northside Community Center  
  March 18, 6:00pm        Line 45 Public Meeting, Alum Rock Library  

• Distributed news advisory to newspapers, television, and radio including Spanish and Asian media outlets on March 9, 2010.

• On February 24 posted information on VTA’s website homepage with link to the service modification proposal and public meeting schedule.

• On February 24 distributed automated reminders to customer signed up to receive email updates via our GovDelivery system and placed information on VTA’s customer service telephone information system.

• VTA website includes ability for users to submit comments by email. Comments can also be submitted by telephone, fax or letter.
• On March 3 posted flyers on the proposals on bus stop signs on Lines 11, 34, and 45.
• Transit Service Modification flyers/seat drops detailing all service modifications and public meetings distributed on March 3 and 9 on Lines 11 and 34 and March 3, 6, 9, 13 on Line 45.
• VTA March Take-One article on the proposed service modifications and upcoming public meetings distributed to the public during the week of March 1.
• Meeting announcements and service reduction modification collateral provided on March 7 to Northside Community Center, Mountain View City Hall, Paulson Park, Mountain View Senior Center and Dr. Roberto Cruz Alum Rock Library.
• Information mailed or emailed to Eco Pass employers (over 100 organizations), community organizations including those on the Title VI list (over 300 agencies), San Jose State University and other stakeholders.
• Information provided at the Downtown Customer Service Center and River Oaks.

106 persons attended the seven meetings. Attachment A includes the “Day After Reports” for the public meetings. The report provides information on attendance and the comments received from the public. Only eight comments on the plan were received through VTA’s Customer Services by telephone, email or fax. These comments are provided in Attachment B.

Community Bus Line 11 (Downtown San Jose)

Background
Community Bus Line 11 started in January 2008 as part of VTA’s Comprehensive Operations Analysis. VTA worked with the neighborhood and the City Council Office to plan and implement this route. It was designed to partially replace portions of Line 82 and Line 85 that formerly operated north of downtown on 10th, 13th and 17th Streets, and to provide a direct link between downtown San Jose and the then new Market Center shopping area on Coleman. The route also provided service to the Northside Community Center and senior housing, which had not been previously served and had been a long-time request. The route started with hourly service on weekdays and Saturdays. Saturday service was discontinued due to low ridership as part of the 8% service reduction plan implemented in January, 2010. The route operates from approximately 6:30 am to 6:30 pm.

Performance
Overall weekday ridership on Line 11, which currently averages 88 per day, has been substandard from the beginning. Currently the route carries 7.3 passengers per hour, well below the adopted community bus standard of 15 passengers per hour. It is one of the poorest-performing community bus routes. The most notable area of low ridership is the Market Center, where only an average of 7 riders a day are using the service. The map in Attachment C shows the current route with ridership at each stop. Note that stops at the Northside Community Center and at Santa Clara Street and First Street perform the best for this route, while there is essentially no ridership at the Japantown bus stops.

Ridership is hampered by the large one-way loop on the line from downtown to Hedding & 15th. The loop was intended to serve the St. James Senior Center, Japantown and the Northside
Community Center - but they are only served in one direction of the loop. In looking at the ridership patterns over the last two years, there appears to be little ridership in the Japantown area, which is well served by other routes. Also, the St. James Senior Center closed in February. The one-way loop also negatively impacts the ability of San Jose State students and City Hall workers that live in the area to effectively using the route to travel between home and school or work. The other service design consideration that negatively impacts performance is the hourly frequency.

Proposal
The proposal is to modify Line 11 to become a primarily two-way route between downtown and 17th & Taylor. It would no longer serve the Market Center due to the low ridership there and other routes serving the area. The second map in Attachment C shows the current and proposed route. This new shorter route would address the areas of highest ridership and double the frequency to every 30 minutes, without adding additional service hours or budget. The Northside Community Center and Joyce Ellington Library would be served in both directions. This two-way service would also benefit passengers traveling from the area to Downtown, San Jose State or the San Jose City Hall. Lines 61 and 62 would continue to provide service on Taylor near the Market Center, and Line 11 would connect with Line 61 at Taylor & 13th. These routes on Taylor Street are the main bus services for Japantown.

All of the stops along the current routing of Line 11 that are proposed for deletion are within 2 blocks of other existing bus routes. Of the 88 total daily riders, there are approximately 20 passengers a day using the stops that would be deleted. 5 of these passengers use stops that are served by at least one other existing bus route.

Community Input
VTA held two community outreach sessions to discuss the proposed changes to Line 11. A formal public meeting was held on Tuesday, March 16 at 6:00 p.m. at the Northside Community Center. Staff also visited the center on March 18 during lunch activities to receive additional input from the visitors and residents that use this facility. This location was chosen so that seniors living at the facility could attend as well as other interested residents in the nearby area.

Northside residents were supportive of the proposal due to the new half-hour service and two-way service in this area. We also received input that the proposal would improve service to San Jose State students and City Hall workers. The public meeting was attended by representatives of Japantown business and community organizations concerned about the reduction of service there. The low ridership in Japantown and the concept of a shorter route was acknowledged.

It was mentioned that a new wellness center and a Japanese history museum were opening this summer and a 75-unit affordable housing complex at 5th and Jackson was going to be built in the future. Also future development at the old City of San Jose Corporation Yard was pointed out. A “trigger” for bringing this service back to Japantown in the future was also mentioned. A couple of routing proposals to retain service on Jackson were presented, but each was very circuitous, maintained loop service or was too long to provide 30-minute service. It is also difficult to obtain bus stops in Japantown due to the demand for on-street parking.

Attachment A, which provides summary reports on each public meeting, provides additional...
information.

The main bus corridor for Japantown is along Taylor Street, where Core Lines 61 and 62 provide
frequent seven-day-a-week service. The ridership for Lines 61/62 near Japantown is:
Taylor & 4th - Weekday: 48 on, 65 off; Saturday: 36 on, 23 off; Sunday: 24 on, 24 off
Taylor & 7th - Weekday: 41 on, 26 off; Saturday: 22 on, 15 off; Sunday: 33 on, 15 off

Staff believes the original proposal still provides the best opportunity for success for this route. Of course, after these changes are made we will continue to monitor ridership to ensure it meets our standards. We would continue to follow the developments in Japantown, especially the redevelopment of the corporation yard and the surrounding area to determine if future changes should be made.

Community Bus Line 34 (Mountain View)

Background
In June 2009, VTA started discussions with the City of Mountain View and other community stakeholders on improving the ridership productivity of this route. This route had been identified in the 2009 Annual Transit Service Plan as needing improvement and using a community-based process to develop a more cost-effective service. However, staff then proposed to discontinue this service in January 2010 as part of the 8% bus service reductions. At that point, then Mayor Margaret Abe-Koga of Mountain View sent a letter to VTA Chair Sandoval requesting that “VTA make no decisions about Line 34 until the stakeholder process is completed and it is determined whether or not a cost-effective route can be designed that better serves the City’s residents.” Staff and the VTA Board agreed to this approach.

Performance
This route operates every hour between 9:30 a.m. and 3:00 p.m. on weekdays. It mainly serves senior housing in Mountain View (especially for those living near Hackett and Montebello), enabling these residents to travel to downtown Mountain View, San Antonio Shopping Center and other shopping areas. Ridership averages about 87 passengers per day or 7 passengers per trip. Ridership productivity is 15.5 passengers per hour, which just meets the minimum standard of 15. Ridership by bus stop is shown on the map in Attachment D.

Proposal
In February, VTA held the second stakeholders meeting for this route. Attendees also included advocates for senior citizens and persons with disabilities. Vice Chair Abe-Koga presented information on VTA’s financial conditions and that Line 34 had been slated for deletion. VTA staff presented three options for modifying the route in hopes of improving its performance. Staff’s preferred option, which was supported by the group, includes extending the service to the senior center, while discontinuing service on some unproductive parts of the route. Modifying the route to serve the senior center became one of the primary goals. This was supported by a study of issues affecting senior citizens in Mountain View, which indicated that the lack of direct transit service to the senior center was one of their top concerns. The availability of parking at the senior center is also a concern and providing public transit here is hoped to help alleviate the congestion.
The proposed route is shown in the second map of Attachment D. The routing has been modified to operate between San Antonio Transit Center and downtown Mountain View via the Senior Center. The bus stop at the Senior Center is on the same side of the street as the senior center so there is no need to cross traffic. Buses would still travel through the Downtown Mountain View Transit Center but not lay over.

Service along San Antonio Road (between California and Middlefield) and Middlefield Road (between San Antonio and Rengstorff) would no longer be provided by this route. However, both Lines 32 and 35 operate in this area, and Line 40 also serves Middlefield & Rengstorff. All of these lines would continue to connect with Line 34 at the San Antonio Transit Center. Of 87 total daily riders, approximately 20 use the stops that are proposed to be discontinued on this line. However, all of these stops are still served by at least one other existing bus route.

**Community Input**

Public outreach on potential changes to this route was extensive. Two stakeholders meetings and three public meetings were held. The public meetings included sessions at the Mountain View City Hall, Mountain View Senior Center and Paulson Park Apartments, a senior housing complex where many of the riders live. The new routing and service to the senior center were well supported. Providing service to the senior center within the existing budget and service hours was a major objective of the proposed changes. Stakeholders, seniors and current passengers supported this change. Attachment A, which provides the reports on each meeting, provides further details.

We received a petition, signed by 35 residents of the Fountain Apartments at Middlefield and Rengstorff who requested that Line 34 service be maintained here. Lines 32 and 40 both will continue to serve this location. Community Bus Line 32 operates weekdays, 6:00 am-7:30 pm with 30-minute peak and 60-minute midday service, and hourly on Saturday 9:00 am-5:30 pm. Local Line 40 operates weekday, 6:30 am-10:30 pm, 30-minute service until later at night, Saturday, 8:00 am-6:30 pm, every 45 minutes and hourly on Sunday from 9:30 am-6:00 pm. So this area will continue to have good levels of bus service.

**Community Bus Line 45 (East San Jose)**

**Background**

Community Bus Line 45 was created in January, 2008 as part of VTA’s Comprehensive Operations Analysis. It was designed to replace portions of Lines 64 and 81 that formerly operated on Alum Rock Avenue and McKee Road east of White Road. It is the only route that operates in this area. It started operations every 30 minutes on weekdays and Saturdays and hourly on Sundays. Due to low ridership, the weekday and Saturday service was modified to operate hourly in July 2009, and the service hours were trimmed back to 6:30 am-7:30 pm on weekdays and 9:30 am-6:00 pm on Saturday. Sunday service was discontinued as part of the overall 8% bus service reduction implemented in January, 2010.

**Performance**

Overall ridership on Line 45 has been below standard since the route was implemented in January 2008. Much of the ridership is concentrated on Alum Rock and McKee, with lower ridership on Toyon Avenue, Penitencia Creek Road and Mabury Road. A suggestion was made
at a past community meeting to change the routing to improve ridership. The essence of the idea was to continue Line 45 on McKee to White Road and Capitol Avenue to connect with shopping areas and other bus lines. Currently passengers have to travel out of the way and transfer to get to these locations. The other current service design consideration that negatively impacts performance is the hourly frequency.

On weekdays, this route carries 189 passengers at a productivity of 13.8 passengers per hour, under the adopted minimum standard of 15 passengers per hour. Approximately 28 passengers per day use the stops that are proposed to be discontinued. Eight of these passengers use stops served by at least one other existing bus route. On Saturday, this route carries 105 passengers at a productivity of 12.1 passengers per hour, again under the standard of 15. About 14 passengers use the stops that are proposed to be discontinued. Two of these passengers use stops served by at least one other existing bus route.

Proposal
Staff is proposing to shorten Line 45 to make it more direct by operating between the Alum Rock Transit Center and the McKee Light Rail Station via Alum Rock and McKee. It would no longer operate on Toyon, Penitencia Creek, White, and Mabury or to the Penitencia Creek Transit Center. This new, shorter route would address the areas of highest ridership and increase the frequency to every 45 minutes from the current 60 minutes, while continuing to operate within the existing budget. The proposed and current route is shown in Attachment E.

Community Input
VTA held a community meeting to discuss the proposed changes to Line 45 on March 18 at the Alum Rock Public Library. 13 people attended, almost all current passengers, along with a VTA operator who currently operates this bus line. The Operator told her passengers, many of whom she didn’t believe would be able to make the meeting, that she would attend to support keeping the bus route as is. This is good attendance for a route and issue of this type. All attendees supported keeping the current route as is. Most passengers were very concerned about eliminating service to the Toyon and Penitencia Creek areas. A few attendees also commented that they prefer the hourly service over the proposed 45 minute service since they could easily remember what time the bus served their stop. We also received three comments through our Customer Service Department, which were opposed to proposed change. There were no comments in support.

Based on the public comment, VTA proposes no change to this route at the current time. The proposal would have used the same amount of budget and service hours. Staff will continue to monitor this route, as performance is below the current adopted ridership productivity standards.

ADA Paratransit Impact of Proposed Changes
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.

Paratransit service is provided within the service area boundary of VTA bus routes and light rail only during the same hours of the day and days per week that bus and light rail trains are running on those routes. However as bus routes are changed or service hours are reduced, paratransit
clients could be impacted.

As required by ADA regulations, VTA’s paratransit service area is defined as a ¾-mile corridor around all of our bus routes and light rail system. Extended Service Area Trips are provided an additional 1 mile beyond the VTA paratransit service area for a premium fare. Customers who live or travel outside the service area are eligible for paratransit service, however they need to come into the paratransit service area and pay the base paratransit fare to use the service.

The proposed route modifications to Lines 11 and 34 do not have any impact on our paratransit service area, as all locations are still covered by these routes or other lines that operate in the area.

**Title VI Evaluation of Proposed Changes**

To comply with Federal Transit Administration (FTA) Title VI requirements, VTA evaluates significant system-wide 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. For service changes, this evaluation requirement only applies to “major service changes.” VTA’s methodology uses the FTA guidance to assess the effects of the proposed service changes on minority and low-income populations. Our approach is based on evaluating the impacts to routes that have minority or low-income populations greater than the service area average. A route subject to Title VI analysis is defined as one that has 50% or more of its length in an area (census tract or traffic analysis zone) where the total minority population or low-income population is greater than the service area average.

Community Bus Lines 11, 34 and 45 are all considered Title VI routes for our analysis purposes. Line 11 serves an area that has both a higher concentration of minority and low-income persons than that service area average, while Line 34 has a concentration of low-income persons higher than average. Line 45 serves an area with a higher minority population that VTA’s service area as a whole.

The Title VI circular allows for the development of a local evaluation procedure to evaluate significant system-wide service changes and proposed improvements to determine whether those changes have a discriminatory impact. This approach must include a description of the methodology used to determine the impact of the service change (Methodology Description); a determination as to whether the proposed change would have discriminatory impacts (Evaluation of Proposed Changes); a description of what, if any, action was taken by the agency in response to the analysis conducted (Implementation Actions).

Methodology Description: VTA’s methodology uses the guidance provided in the circular to assess the effects of the proposed service changes on minority and low-income populations. Our approach is based on evaluating number of routes, service hours, span of service and frequency. A Title VI route is defined as a route that has 50% or more of its length in an area (census tract or traffic analysis zone) where the total minority population or low-income population is greater than the service area average. The analysis determines if any of the changes would have a disproportionately high and adverse effect on minority and low-income riders. Supporting maps, as needed, are created that depict the bus routes overlaid on a demographic map of the service area that highlights those census tracts or traffic analysis zones where the total minority and low-
income population is greater than the service area average.

Our methodology also incorporates this VTA Board Memorandum. The memorandum provides an explanation of the planning and outreach process used to develop the proposed changes and the impacts on current passengers. Involvement by passengers, community groups and other interested parties, including those representing minority and low-income populations, are an important part of the process.

Finally, information is provided on the actions VTA proposes to offset any adverse effects of proposed service changes on minority and low-income populations. An outreach and marketing campaign is planned to ensure all passengers are informed of the changes and to assist them in using the revised services. This follows the extensive public outreach effort that was implemented during the service planning phases.

Evaluation of Proposed Changes: Typically, the evaluation includes analysis of number of routes, service hours, span of service and frequency. This evaluation is somewhat different, as the proposed changes do not eliminate routes, change service span or decrease overall service levels (hours) on the routes. Rather, the routes are being reconfigured to improve service to areas of higher demand and to meet VTA’s adopted ridership productivity standards. The proposed changes would significantly improve the frequency on Line 11 from hourly to every 30 minutes and provide more direct service for many passengers. The original proposal for Line 45 would have improved the frequency. The Line 34 proposal would serve an important destination for senior citizens, many of whom are low income or minority populations. The information on each route earlier in this memorandum describes the proposed change, the public comment and the impact on current passengers. Some current passengers may not continue to live directly adjacent to the proposed route. Most have access to other VTA bus services or will need to walk further to access the route. Transfers may be needed to accomplish a trip that takes only one bus currently. Most importantly, the changes are being proposed to serve the areas of highest ridership demand and to improve performance to VTA adopted ridership standards. None of these proposals reduce overall service to Title VI areas. The Title VI map in Attachment F shows the minority and low-income areas of the county (i.e., census tracts or traffic analysis zones where the total minority and low-income population is greater than the service area average) with the proposed and current routes for Lines 11, 34 and 45 overlaid.

Implementation Actions: In total, while the proposed service changes have no disproportionate adverse effect on minority or low-income populations, the proposals will change the route configurations and how some passengers use the routes. To ensure all passengers are informed of the changes and to assist them in using the new service, VTA will implement an outreach and marketing campaign. This campaign will also help offset any adverse effects of proposed service changes on our passengers, including those minority and low-income populations. A description of this campaign follows.

- Advertisements in community newspapers (including multilingual).
- Send News Releases to newspapers, television, and radio including Spanish, Chinese, and Vietnamese outlets.
- Post information on VTA’s website homepage with link to the service change information.
- Distribute automated reminders to customer signed up to receive email updates via our
GovDelivery system.

- Post information on VTA’s automated customer service telephone information system.
- Post Riders Notices in English and Spanish on impacted bus stops.
- VTA Take-One article on the changes.
- Service change information provided to cities for posting on their websites and distribution to citizens.
- Mail or email information to Eco Pass employers, community organizations including those on the Title VI list, annual and monthly pass holders, San Jose State University and other stakeholders, such as the Northside Community Center, Mountain View Senior Center, senior housing and similar locations.
- Onboard multilingual take ones describing the changes will be distributed.
- Automated annunciation in buses informing passengers of the upcoming changes. These announcements are in both English and Spanish.
- The City of Mountain View has committed to working with VTA to promote the changes to Line 34 to encourage new ridership and awareness of the route now serving the senior center.

Other Upcoming Service Changes

VTA staff also wants to remind the Board of Directors of the discontinuation of two bus routes that were previously approved by the Board as part of the January 2010 service reductions but with delayed implementation.

Line 76 operates from the Santa Cruz Mountains to Los Gatos High School. It only operates when the high school is in session and no summer service is provided. The high school does not provide any regular bus service to its students. Obviously VTA received many comments from parents of students to retain this service. About 60 passengers per day use the service, so this equates to 30 students. The route will be discontinued effective June 11, as the last day of school is June 10. The route was originally proposed to be discontinued in January, but was extended until the end of the school year to provide families and the school plenty of time to plan travel options for the next school year.

River Oaks Shuttle was a City of San Jose development condition on the housing developers in this area. The developers originally provided the shuttle for their residents through a private contractor and then VTA entered into a partnership (renewed annually) with the developer to operate the shuttle as a public service. Currently the developer pays about $60,000 annually for the service, which they then pass on to residents as part of rent or homeowner’s association fees. VTA contributes about $246,000 and the air district provides $9,500. The route’s last day of service is July 9. Service was continued until this date to correspond to the end of the funding agreements. In November, a letter was sent to the developer regarding our plan to discontinue the route and their need to provide the shuttle under the terms of the development condition. We copied the City of San Jose staff and Councilperson Chu on this letter. We have not been able to obtain information from the developer on their plans to continue the service.

ATTACHMENTS:
A: Public Meetings - Day After Reports
B: Public Comments
C: Line 11 Maps
**ALTERNATIVES:**
The VTA Board could decide to adopt the proposed service changes in whole or make modifications.

**STANDING COMMITTEE COMMENTS**
This item was presented to the Transit Planning & Operations Committee at their April 15 meeting. Member Abe-Koga thanked VTA staff for the outreach efforts and numerous meetings held in Mountain View regarding the proposed changes to Line 34 to serve the Senior Center. She indicated that VTA and Mountain View will be working together to promote the new service. Both members Liccardo and Abe-Koga inquired if staff had reviewed proposals made by Japantown representatives on retaining Line 11 service in that area. Staff said that the proposals were reviewed but current ridership was extremely low here and Japantown was well served by other VTA Lines 61 and 62. Staff also indicated that they would continue to track developments in Japantown that could provide the catalyst for future bus route changes. Member Larsen inquired if Line 76, which the Board has previously approved to discontinue at the end of the school year, would be reinstated with the new school year in September. Staff said the deletion of this route was permanent and was part of the 8% service reduction that went into effect in January for the other routes.

**FISCAL IMPACT:**
The proposed changes are cost neutral, utilizing existing resources (service hours, buses, and operators) to improve the ridership performance of the lines.

Prepared by: Jim Unites, Deputy Director, Service and Operations Planning
Memo No. 2478
Public Meeting – Proposed Changes to Line 34  
“Day After Report”

Monday, March 15, 2010  
10:00 a.m.  
Mountain View City Council Chambers  
500 Castro Street, Mountain View, CA

Meeting Attendees: 5  
Comment Cards: None  
Media Present: None  
Elected Officials Present: Mountain View Mayor Margaret Abe-Koga arrived at the end of the meeting.  
Key Attendees: Helen Kim, MV Public Works Department; Art Takahara, former MV City Council Member  
VTA Staff Present: Jim Unites, Kermit Cuff, Gail Collins and Katie Heatley, Outreach.  
Set up notes: N/A

Public Comments and Questions:
1. Is it possible to add more locations to the route?  
2. Need to promote new line routing with seniors.  
3. What is the minimum # of average daily riders to retain the bus?  
4. One way to promote the service is to publicize the monthly pass, which is inexpensive. There is also a parking problem at the Senior Center, which may encourage seniors to use the bus.  
5. Bus should run every hour until at least 3:00 p.m. to accommodate the classes at the Senior Center.  
6. I take the Line 34 to transfer to the Line 35, but sometimes the 35 leaves early, which means I have to wait a very long time for the next one.

Meeting Summary  
Attendees favor the new routing.
Meeting Attendees: Approximately 15-20 seniors stopped by the VTA table, which was across the hallway from the Social Hall where lunch was served.

Comment Cards: 1

Media Present: None

Elected Officials Present: None

Key Attendees: Helen Kim, MV Public Works Department.

VTA Staff Present: Kermit Cuff, Gail Collins.

Set up notes: N/A

Public Comments and Questions:
Most of the seniors are in favor of the new routing. However, we did receive a petition from 35 seniors at the Fountains Apts. at 2005 San Ramon Avenue who favor serving their complex by maintaining service to Middlefield and Rengstorff.

Meeting Summary
12 attendees favor the new routing.
4 attendees were undecided or had no opinion.
Petition submitted with 35 names from the Fountains Apt. complex did not like the new routing.
Public Meeting – Proposed Changes to Line 34
“Day After Report”

Tuesday, March 16, 2010
3:00 – 5:00 p.m.
Paulson Park Apartments
111 Montebello Avenue, Mountain View, CA

Meeting Attendees: 23
Comment Cards: None
Media Present: None
Elected Officials Present: None
Key Attendees: Two members from the Paulson Park staff
VTA Staff Present: Kermit Cuff and Gail Collins
Set up notes: N/A

Public Comments and Questions:
1. Run the service until 5 p.m. when the Senior Center classes end.
2. Divert Line 32 to Montecito instead or change the Line 34 to terminate at the Senior Center and not serve California Street.
3. I like it because it serves downtown and I can take it to get to the Library.

Meeting Summary
17 attendees favor the new routing.
2 attendees did not favor the new routing.
1 attendee was undecided.
Public Meeting - Proposed Changes to Line 11
“Day After Report”

Tuesday, March 16, 2010
6:00 p.m.
Northside Community Center, Community Room
488 North 6th Street, San Jose, CA 95112

Meeting Attendees:  12
VTA Staff:  Jim Unites, Kermit Cuff, Tim Melander (Service Planning & Operations) and Tammy Dhanota (Market Development)
Media:  None
Elected Officials:  Margaret Abe-Koga, Vice-Chair, VTA Board of Directors and Councilmember, City of Mountain View; Fred Buzo, Aide to VTA Chairperson Sam Liccardo, City of San Jose
Community Organizations:  Tamon Norimonto, President of Japantown Community Congress of San Jose; Sophie Horiuchi-Forrester, Executive Director, YU-AI KAI, Japanese American Community Senior Service; Dan Greenely, Recreation Supervisor, Northside Community Center, City of San Jose; Leon Kimura, President, San Jose Japanese American Citizens League (JACL); Belinda Zeweldi, Outreach

Brief Summary:  VTA staff presented attendees with a brief explanation of the proposed change, including: Line 11 would be modified to a primarily two-way route between downtown San Jose and 17th and Taylor Streets and would no longer serve the Market Center on Coleman. This change would address the areas of highest ridership and double the frequency to every 30 minutes. The Northside Community Center would be served with bus stops in both directions on 6th Street. Lines 61 and 62 would continue to serve both bus stops near the Market Center, and Line 11 would connect with Line 61 at Taylor & 13th.

The following public comments and questions were made during the portion of the meeting set aside for such purposes.

1. Is there weekend service?  (no)
2. What are the ridership standards for this route?  (15 passengers/hour)
3. What are the actual ridership numbers for this route currently?  (12-13 passengers/hour)
4. What is the ridership number you look for in other routes to be sustainable?  (15 passengers/hour)
5. What is the age or riders?  (a mix, but mostly seniors)
6. What is the ethnicity of riders?  (not tracked)
7. Do we provide service for special events (We normally can’t provide this due to budget concerns and charter restrictions. We can add extra capacity on our Light Rail system, etc.)
8. Tamon Norimoto, Resource Development Director for Asian Americans for Community Involvement (AACI), agrees that the route is too long and the shorter route makes sense, but suggested a routing change -- North on 3rd, R/Jackson, R/6th to serve the Yu-Ai Kai Senior Center, the future Wellness Center and the future museum to open at 5th & Jackson, and to better serve the future 75-unit affordable housing development to be built on 6th & Taylor in...
a few years. He mentioned the lack of parking available in the Japantown area. He’s heard that if routes get shortened or eliminated it’s hard to bring them back so he’s okay with some type of trigger being established for changes in the future as well? Note: The Wellness Center and Japanese History Museum are scheduled to open in late April or early May.

9. Leon Kimura, the President of the San Jose chapter of the Japanese American Citizens League (JACL) is representing the citizens on the JACL Board who voted unanimously to support this same new proposed route change (except with a slight modification, going North on 6th, L/Julian, & North on 3rd.) Likes the 2-way access to the Community Center on 6th Street and the Mexican market as well. Can VTA please help us look into that possibility?

10. The special need for bus service on Sundays was mentioned. Due to so many religious services, the Farmer’s Market and resulting parking problems, Sunday service is especially important in the area. Staff was asked to note that in the future, when funding is available, to first look at bringing back Sunday service and then Saturday service. Sunday service would only be needed until the afternoon, not evening.

11. A student from SJSU presented a graph showing where students live in relation to the proposed Line 11 routing. He said that changing the route to operate north on 6th St. would greatly benefit SJSU students and San Jose City Hall workers. Right now they have to walk to Santa Clara & 1st to catch the bus to go back.

12. The volunteer director for the new museum on 5th & Jackson said that they need transit service to the facility for the public and volunteers.

13. A rider likes the new routing and eliminating the large, one-way loop, but thinks it should still go to Hedding Street where it connects with Line 66.
Public Meeting - Proposed Changes to Line 11
“Day After Report”
Thursday, March 18, 2010
11:30 a.m. – 1:00 p.m.
Northside Community/Senior Center
488 N. 6th Street, San Jose

Meeting Attendees: Approximately 23 seniors stopped by the VTA table which was in the hallway just outside the Social Hall where lunch was served.

Comment Cards: None

Media Present: None

Elected Officials Present: None

Key Attendees: Dan Greenley, Recreation Director and other staff from the Northside Center.

VTA Staff Present: Kermit Cuff and Tammy Dhanota

Set up notes: N/A

Public Comments and Questions:
1. Most seniors were excited about the proposed change because it would give them access to the center in both directions and it would be more frequent.
2. Several seniors asked if VTA could start Sunday service.
3. A woman asked that we divert Line 61 to the Northside Community Center.
4. A senior who travels to Northside from the Eastridge Transit Center said this would be a wonderful change for her as she currently has to walk all the way down 6th Street from Santa Clara Street.
5. A senior who lives in Milpitas asked how the change would affect her transfer from Line 66. She currently transfers to Line 11 from Hedding and 15th Streets.

Meeting Summary
18 attendees favored the new routing.
0 attendees did not favor the new routing.
5 attendees were undecided.
Public Meeting - Proposed Changes to Line 45  
“Day After Report”

Thursday, March 18, 2010  
6:00 p.m.
Dr. Roberto Cruz – Alum Rock Public Library  
Community Room  
3090 Alum Rock Avenue, San Jose, CA 95127

Attendees:  13
VTA Staff:  Jim Unites, Kermit Cuff, Tim Melander (Service Operations & Planning) and Tammy Dhanota (Market Development)
Media:  None
Elected Officials:  None

Brief Summary:  VTA Staff presented attendees with a brief explanation of the proposed change to Community Bus Line 45. The purpose of this change is to modify the route to better serve the areas with higher demand and increase the frequency. This proposal is based on community input and ridership analysis. The proposed new Line 45 would operate between the Alum Rock Transit Center and the McKee Light Rail Station via Alum Rock and McKee. It would no longer operate on Toyon, Penitencia Creek, White, Mabury or to the Penitencia Creek Transit Center. The frequency of the proposed new route would be increased to every 45 minutes (instead of 60 minutes).

The following public comments and questions were received during the portion of the meeting set aside for such purposes.
1. During the presentation, a question was asked, “Is there any guarantee that new service would get new riders?”  (No, we wouldn’t know until the service is implemented).
2. A letter submitted to VTA staff by Mr. Raghavewdan (in attendance) was read to those in attendance. He asked that Line 45 continue to serve the intersection of Capitol & Mabury where he resides. He is 80 and his wife is 75. This route change would require them to walk much further than they already are and cause a hardship for them.
3. Woody Moore read a “short statement” which he submitted along with a “longer statement.” Everyone in attendance received a copy. Mr. Moore stated that he has taken the 45 bus every work day since the line was created. He’s adjusted his daily routine around it, and it works for him. He only wishes more people would take advantage of it. He believes the proposed route change should be rejected because it represents a change for the wrong reason.
4. A lady remarked that since her move to the “Toyon area,” there has always been at least one bus serving that street, and sometimes more than one route. She suggested that the White and Penitencia Creek areas should also be served the way route 81 used to cover it. She has to take 3 buses to get to Kaiser in Milpitas.
5. A man commented that the computer may have made an error in assuming the new routing would benefit new potential riders. He suggested that VTA balance the need of some on McKee who may be having trouble getting to nearby stores with those who will be totally left out in the cold with no service.
6. A customer stated that he likes the way the service is now and that we shouldn’t change the service.

7. A man stated that we need to run the service earlier and later to accommodate riders. He also said many other riders felt the same way and that they would like Sunday service restored. As it is, they are using the 68 when they absolutely have to and the service leaves them walking far distances back to their homes.

8. A lady who lives near McKee and Alum Rock would like to have service via McKee to the shopping areas, but is concerned about how the proposed routing changes will negatively affect those living near Toyon Street.

9. A female bus operator stated that she was concerned about the proposed routing’s effect on those living near Toyon and Penitencia Creek. Many of the current riders are seniors and/or disabled and wouldn’t have service. She stated that she doesn’t currently know of any riders from McKee who are walking to catch service near McKee and Toyon areas. She also mentioned connection timing problems with the current route 522. She feels that we have lost ridership with the recent service cuts.

10. A customer wants the service to stay as it is and is against “cutting service,” but likes the idea of 45-minute service.

11. A disabled rider (who arrived late) stated that Outreach Paratransit passenger/service hours are also affected when regular service hours are cut. (VTA staff explained that cutting the route is not our intention.)

12. A customer was concerned about excessive breaks for drivers and wondered if 45-minute service would mean even longer driver breaks up to 20 minutes. (VTA staff explained how driver seniority works and that different routes have different break times.)

13. A customer stated that she likes the promptness of the current service.

14. A lady wondered how VTA determines where benches will be placed. She stated that we need benches added to the opposite side of Toyon. Weeds need to be removed at the stops on Toyon at San Pablo and Toyon at Joanne.

15. A man suggested that we extend Line 64 up McKee to Alum Rock and back down to the Alum Rock Transit Center (instead of operating Line 45).
## Community Bus Comments 2010

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<th>Ref#</th>
<th>Description</th>
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<tr>
<td>85379</td>
<td>Line 11 I am terribly concerned about Line 11 not providing service to the Coleman Market. As for the new routing, I do not know how feasible it would to operate in such proposed fashion. I would rather Lines 82 and 85 resumed their routing. To increase ridership on Line 11, VTA should extend Line 11 to the Berryessa Flea Market on the weekends. Lines 12, 62 and 77 have record ridership specific for most of the times on the weekends, and so will Line 11 as it would provide a link from Downtown San Jose. Last, is it possible to discontinue Line 11 and while returning Line 82 terminus 17th/Hedding? Thanks, Leon</td>
<td>Suggestion</td>
<td>Leon Norrington</td>
</tr>
<tr>
<td>85546</td>
<td>Proposed Service Change-Route 11 To whom it may concern, The proposed change would be a beneficial change for me. I live on 11th St and Empire St and never use route 11 to go to Market Center because of the frequency of service-I prefer to use my car instead. Route 11 best serves my needs to get to central downtown and SJSU where I would prefer to not drive and park. The corridor between Taylor St and Santa Clara St is not served well in a north-south direction and the proposed change would remedy that issue. Thank you for your continued efforts to improve public transit in Santa Clara County. Regards, Joshua A. Medrano</td>
<td>Complime</td>
<td>Joshua Medrano</td>
</tr>
<tr>
<td>85932</td>
<td>Dear VTA, I am a resident of the Japan town area, and I was ecstatic to learn of the new changes to the 11 line. I think that with it's shortened bus route and increased frequency, ridership will go up! I know that I will be on the 11 line more often, because it will come more often; also the fact that it is now taking 6th back up instead of 3rd makes catching the bus back to the north side much easier. I must say I'm impressed with the VTA's plan and I hope that everything turns out alright! Thanks for asking the community for our opinion,</td>
<td>Complime</td>
<td>Lewis Geist</td>
</tr>
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**Ref#** | **Description** | **Type** | **Name**
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85611 | The proposed change is GOOD for me. I could use service on Rengstorff for shopping and errands (1 round trip per week). I do not currently ever ride route 34 and never need service on San Antonio or Middlefield. Wo'O Ideafarm IdeaFarm (tm) Operations Connecting People Wholesomely! http://ideafarm.com 650-804-1311 | Other | 
85865 | Hello, I work for Mid Peninsula Housing Coalition. We provide housing for seniors and families of low income. I am writing to you, so as to help my seniors at Fountains express their opinion. My seniors are very concerned about Line 34 that will not be going down Middlefield Road. The senior housing is on 2005 San Ramon Avenue. They are worried about how they will do their banking, shopping, and doctors appointments etc. I know that companies are always looking at the bottom line. But, in this case, I know there is another solution. I know the problem is that there should be 2 buses, to help make the time shorter and make the pick up faster and better. Has anyone thought that with 2 buses you could make money on people that are going other places in Mountain View? You have buses going down El Camino and other areas, and only the 40 that goes down Rengstorff, but not even to the train station. At least the 34 does go to the train station. You also do not have any buses going down Shoreline. Has anyone thought that you could go all the way down Shoreline and into Shoreline park and make money that way? We are asking for someone to ride the routes and to come up with a much better solution. It can be done. Please help, but do not take the Middlefield pickup away. Thank you and we hope that the Middlefield Route stays intact. Sincerely, Beverly A. Johnson Program Coordinator Mid-Peninsula Housing 460 N. Shoreline Blvd. Mountain View, CA 94043 Work: (650) 962-1591 Cell: (408) 449-9349 | Suggestion | Beverly Johnson
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<th>Ref#</th>
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<tr>
<td>85380</td>
<td>Line 45 VTA has built a wonderful Penetencia Creek Station for no buses to layover? Is it possible to extend Line 45 further into the north east hills? The proposed routing is great as it add service on Mc Kee and provide a direct connection with Line 64 and LRT. Service is seriously needed into East Hills to the SJJC and National Hispanic University...VTA could create a new CB route, or simply extend Line 25 to operate on East Hills from 7AM-8PM. Thanks, Leon</td>
<td>Suggestion</td>
<td>Leon Norrington</td>
</tr>
<tr>
<td>85705</td>
<td>Community Bus line 45 Dear Sir or Madam of the VTA, I am the son of a decorated WWII hero whose father is blind and is taking care of his spouse of over 62 years who has Alzheimers. Seldom does this man complain or ever speak badly of the Country he defended nor the Government which seems to be failing all of us. This is why I am asking you to reconsider your plan to re-route my fathers Bus Route # 45 and making this hero of our Country's life any more burdened than it should be. Along with everything else in his life he needs the bus where it picks him up at Toyon and Selby Lane so as to get to the drug store and buy the medicine he and my mother need to survive. He gave his service to this Country and because of his duty all of us benefit by his unselfishness, when he needs a small favor VTA wants to take what little dignity this hero has in providing for himself and his mate. My father is no ward of the State nor dependent of anyone other than himself. He deserves a private ride to anywhere he needs to go in my opinion, yet for him I ask you to extend your proposal to include Bus Route # 45 to go down Toyon Avenue and make a loop back on to Toyon via Selby Lane and San Pablo Avenue which for your information adds only 1 small mile to your proposed new route. Not only will VTA be able to make a cost effective cut by this gesture, it will be able to save money and thus be a winning situation for us all. My father knows nothing of my asking you this favor for an American who asks nothing of his Country or State. Not only my father served the people, however my Mother served the Berryessa School District for over 30 years. Both of these people deserve to be recognized for their outspoken devotion to the community. The small cost of this request is less than that of which my father &amp; mother have given to this Country and for all Americans who to this day benefit from his service to this Great Nation and their Community. I beg you to consider the small adjustment to your proposed re-route of Bus Route # 45. Respectfully, Kent A. Stokesberry for Kenneth A. &amp; Marie A. Stokesberry</td>
<td>Suggestion</td>
<td>Kent Stokesberry</td>
</tr>
<tr>
<td>85841</td>
<td>Caller wanted to put her input regarding Route 45. She lives near Toyon &amp; McKee and she uses this bus to get to the Alum Rock LRT to make her connections with either the 522WB or 23WB.</td>
<td>Other</td>
<td>Charlotte Casey</td>
</tr>
</tbody>
</table>
Community Bus Line 11: Current and Proposed Routing with Weekday Ridership by Bus Stop
Community Bus Line 11: Current and Proposed Routing
Community Bus Line 34: Current and Proposed Routing with Weekday Ridership by Bus Stop
Community Bus Line 34: Current and Proposed Routing
Community Bus Line 45: Current and Proposed Routing
BOARD MEMORANDUM

TO:        Santa Clara Valley Transportation Authority
           Board of Directors

THROUGH:   General Manager, Michael T. Burns

FROM:      Chief CMA Officer, Ristow, Chief Engineering & Construction Officer, Robinson

SUBJECT:   Santa Clara-Alum Rock BRT Project- Co-Op Agreement with City of San Jose

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

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to execute a Cooperative Agreement with the City of San Jose for design services for traffic signals and street lights on the Santa Clara-Alum Rock Bus Rapid Transit (BRT) Project. The agreement shall be for a period of one year and for a total value not to exceed $152,000.

BACKGROUND:

On January 21, 2010, the City of San Jose Department of Public Works (City) proposed to perform design services for Traffic Signals and Street Lighting on the Santa Clara-Alum Rock BRT Project. The City's ability to perform design services for traffic signal and street lights offers an advantage for the BRT project's aggressive schedule and budget. Based on follow up discussions between City and VTA staff, VTA directed the prime design firm to remove signal and street light design tasks from the consultant contract and integrate the City staff into the design team.

It is envisioned that City staff will be integrated into the project team, reporting to VTA project managers. Payments will be dependent on receipt and quality of deliverables and based on a schedule that will be identified in the cooperative agreement.

DISCUSSION:

For the project, the City staff is proposing to perform the subject design tasks for less cost than a private firm.
Over the last ten years the City’s Signal Design Team has designed 129 traffic signals with construction value of $26 M and reviewed 215 traffic signals designs with a construction value of $43 M. The Signal Design Team has also provided turn-key (construction ready) designs for 11 private development traffic signal projects.

The Signal Design Team has partnered with the city’s of Campbell, Milpitas, Santa Clara, and Saratoga, the Town of Los Gatos, Caltrans, VTA, and many private developers to design and build traffic signal projects. The Signal Design Team has the expertise and experience to start from a conceptual design through the activation of the new or upgraded traffic signal.

Over the last 10 years the Electrical and Street Light Design Team designed, reviewed, and/or provided construction support for the installation of 12,900 new or upgraded street lights with a total construction value of $102 million. This effort included dealing with utility conflicts and coordination, areas with special lighting and electrical needs and regional projects with multiple stakeholders.

ALTERNATIVES:

The Board of Directors can elect not to authorize a co-operative agreement with the City of San Jose for design services on the Santa Clara-Alum Rock BRT Project, and the project’s consultant could perform those services.

FISCAL IMPACT:

This action will authorize up to $152,000 for design services for the City of San Jose for traffic signals and street lights on the Santa Clara-Alum Rock BRT Project.

Appropriation for these expenditures is included in the FY10 Adopted 2000 Measure A Transit Improvement Program Fund Capital Budget.

STANDING COMMITTEE DISCUSSION

The Transit Planning and Operations Committee approved this item with limited discussion. Member Larsen asked staff to confirm that there would be a reduction in the consultant budget of $152,000, which staff confirmed.

Prepared by: Jody Littlehales
Memo No. 2565
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: Capitol Expressway Pedestrian Improvement Project - Cooperative Agreement with the City of San Jose

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to enter into a Cooperative Agreement with the City of San Jose for street lighting and landscape design services for the Capitol Expressway Pedestrian Improvement Project. The agreement shall be for a one year period for a total value not to exceed $375,000, and is 100% funded by the 2000 Measure A Program.

BACKGROUND:

The first phase of improvements on Capitol Expressway include pedestrian and bus improvements along Capitol Expressway from Capitol Avenue to Quimby Road. The design for this work will use the previous light rail design product and extract the pedestrian improvement portion into construction documents.

VTA has requested a proposal from the City of San Jose Department of Public Works (City) to perform street lighting and landscape design services on the project. Since City staff has strong experience and understanding of the design requirements of these elements and since the City will be responsible for the maintenance of the street lighting and landscaping, if City staff performs the design work, VTA believes that it will result in a product that would save project cost and support the aggressive design and construction schedule.

It is envisioned that City staff will be integrated into the project team, reporting to the VTA project manager. Payments to the City will be dependent on receipt and quality of deliverables and based on a schedule that will be identified in the cooperative agreement.
DISCUSSION:

The City staff is proposing to perform the street lighting and landscape design tasks for less cost than a private firm.

Over the last 10 years the City Electrical and Street Light Design Team designed, reviewed, and/or provided construction support for the installation of 12,900 new or upgraded street lights with a total construction value of $102 million. This effort included dealing with utility conflicts and coordination, areas with special lighting and electrical needs and regional projects with multiple stakeholders.

ALTERNATIVES:

The Board of Directors can elect not to authorize a cooperative agreement with the City of San Jose for design services on the Capitol Expressway Pedestrian Improvement Project, and the consultant could perform those services.

FISCAL IMPACT:

This action will authorize up to $375,000 for the City of San Jose to perform street lighting and landscape design services on the Capitol Expressway Pedestrian Improvement Project. Appropriation for these expenditures is included in the FY10 Adopted 2000 Measure A Transit Improvement Program Fund Capital Budget.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Transit Planning & Operations Committee considered this item at the April 15, 2010 meeting. Following a brief discussion, with staff confirming the cost proposal from the City was fair and competitive, the Committee unanimously recommended approval of the item, and that it be placed on the Consent Agenda for the May 6, 2010 Board of Directors meeting.

Prepared by: Ken Ronsse, Deputy Director
Memo No. 2595
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 – Memorandum of Understanding with City of Milpitas for Wrigley Creek Improvement Project

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

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to execute a Memorandum of Understanding with the City of Milpitas which conditions the use of City facilities for the Wrigley Creek Improvement Project.

BACKGROUND:

In December 2002, VTA purchased right-of-way from the Union Pacific Railroad (UPRR) for use as a transportation corridor extending approximately 15 miles from Fremont to San Jose. In June 2008, the VTA Board of Directors authorized the design and construction of Freight Railroad Relocation (FRR) activities as part of the effort to fulfill VTA’s obligations under the Purchase and Sale Agreement with UPRR. The FRR activities are compatible with the eventual use of the property as a transportation corridor.

The FRR activities impact waters of the U.S. and State. The C211 - Wrigley Creek Improvement Project is required to mitigate the impacts. The C211 Project includes realigning the existing linear channel to a more natural meandering creek configuration south of Calaveras Boulevard in the City of Milpitas (Exhibit A). The C211 Project will relocate the creek slightly to the west, and create a 3-year floodplain and riparian area, but will not modify the channel’s 100-year flood elevation.
DISCUSSION:

As part of the FRR activities, the C210 - Berryessa Creek Crossing, Abel Street Seismic Retrofit and UPRR Railroad Relocation contract now underway, constructs drainage improvements on Calera Creek, and upgrades and enlarges box culverts on Toroges, Scott, Berryessa, Wrigley and two other unnamed creeks to accommodate design flow and water surface elevations from a 100-year flood event. Because the C210 contract permanently converts 352 linear feet of concrete channel to enclosed culvert and impacts 0.48 acres of wetland, the Regional Water Quality Control Board (RWQCB) required mitigation of these impacts. The C211 Project mitigates these permanent impacts by creating an additional 339 linear feet of Wrigley Creek by incorporating meanders in the design of the realigned creek and creating 1.0 acre of seasonal floodplain wetlands.

The City of Milpitas maintains a storm drain easement at Wrigley Creek and a Public Service Utility Easement along Industrial Way. Pursuant to the Memorandum of Understanding, the City will grant VTA access to their easements for construction, irrigation service connection and tree removal. In addition, VTA agrees to complete City requested maintenance activities if the City is successful in securing the necessary regulatory permits in time for the work to be implemented as part of the C211 Project.

ALTERNATIVES:

The VTA Board may decide not to adopt the Memorandum of Understanding, and instead look for alternatives for mitigation as required by RWQCB. This would result in penalties imposed by RWQCB, specifically an increase to linear footage of creek and wetland acreage, and an increase in design and construction costs to VTA, if mitigation is not completed by the required Fall 2010 timeline.

FISCAL IMPACT:

There is no fiscal impact associated with the execution of this Memorandum of Understanding. Budget for the future Wrigley Creek Improvements construction contract expenditures has been appropriated in the FY10 Adopted 2000 Measure A Transit Improvement Program Fund Capital Budget.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Transit Planning & Operations Committee at the April 15, 2010 meeting unanimously recommended approval of this item as part of their Consent Agenda, and that it be placed on the Consent Agenda for the May 6, 2010 Board of Directors meeting.

Prepared by: Rachel Martinez, Assistant Transportation Engineer
Memo No. 2472
Exhibit A
Wrigley Creek Improvement Project Site

Sources: TerraServer and EDAW | AECOM, 2009.
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: On-Call Systems Engineering Design Consultant Services for Transit Projects

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

ACTION ITEM

RECOMMENDATION:

Approve sixteen engineering firms for Systems Engineering Design Consultant Services and authorize the General Manager to execute contracts with some or all of the selected firms to perform systems design services for light rail, facilities renovation and bus rapid transit projects. The list will be valid for a five-year period. The total amount of all contracts shall not exceed $5,000,000.

BACKGROUND:

VTA conducted assessments of certain fundamental components of the light rail system to determine the field condition and service life of these elements. These assessments have focused on review of the light rail traction power, overhead contact system, public address and trackwork systems for the Guadalupe Corridor. Based on these assessments, VTA has prepared a short term program of rehabilitation for these critical items. Using criteria for equipment service life, maintenance history, and potential failures, the program has prioritized rehabilitation and upgrades for traction power substations and overhead contact system along the Guadalupe line and track rehabilitation for special trackwork, curves, crossings and ties in critical areas along the entire light rail system.

Some of these projects are included in the current VTA FY10/FY11 budget and Short Range Transit Plan. Also included in the current budget are certain capital improvements for commuter rail and bus rapid transit that involve various signaling, communications and trackwork items. These projects, and other related VTA projects, often require specialty consultant technical support in areas outside of the expertise of VTA staff.
Therefore, to support the systems engineering related to the design and construction of these projects, and to respond to issues expeditiously on an as-needed basis, staff recommends establishing a prequalified list of engineering firms. This list would be used to request proposals for specific tasks from a short-list of firms on the list. Once a firm has been selected for a specific task, an individual contract would be executed.

**DISCUSSION:**

The Request for Qualifications (RFQ) for systems design services was issued on January 15, 2010. The availability of the RFQ was advertised in publications of general circulation and more than 49 firms requested and received the RFQ. A pre-proposal conference was held on February 2, 2010. Sixteen companies (Attachment A) submitted proposals on February 18, 2010.

A review panel was established composed of the Project Manager, the Contract Administrator and the Deputy Director for rail projects. The panel evaluated the proposals according to a pre-established set of criteria, including relevant experience of the firm and sub-consultant team members, individual team member qualifications, and the firm’s ability to respond quickly to VTA requests on an as-needed basis.

Each of the sixteen firms submitting proposals are recommended to be placed on a prequalified list to provide systems-related design services.

This is the first part of a two-step procurement. Step one (Request for Qualifications) establishes the list of qualified firms; step two (Request for Proposals) provides a competitive opportunity for selected firms from the list on work estimated to cost in excess of $100,000.

The term of the agreement and the type of compensation for each agreement resulting from this solicitation, if awarded, will be dependent on the requirements of the project and negotiated on an individual basis.

Each contract will provide for services to be performed pursuant to specific task orders on either a Firm-Fixed price or a Time-and-Material basis. All task orders will be initiated by the VTA Project Manager and approved by VTA’s Contract Office. Consultant services will be performed under the direction of the VTA Project Manager. Billing rates will be negotiated for all task orders. The consulting services will be spread among some or all of the firms, in equal or varying contract amounts. There is no guaranteed minimum level of work or compensation. Contracts in excess of $1,000,000 will require separate approval by the VTA Board of Directors.

Towards the end of the 5-year period, VTA will re-issue an on-call systems design services request for proposals to establish a new list of qualified firms, giving an opportunity for new firms to be added to the list.
ALTERNATIVES:

A request for proposal could be issued for each task/project. However, this approach would significantly limit VTA flexibility and could result in project delays.

FISCAL IMPACT:

Staff estimates that up to $5,000,000 may be expended for systems design services over the next 5 years. The cost of all design services will be accounted for and included in the capital project budgets as approved by the VTA Board.

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:

VTA is complying with Federal requirements by utilizing race-neutral provisions, as these contracts will typically involve Federal Financial assistance. There was no DBE goal established. DBE participation is not a condition of contract awards.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Transit Planning & Operations Committee at the April 15, 2010 meeting unanimously recommended approval of this item following a brief discussion, asking clarifying questions about the second step of the procurement process and what budget would fund the services. Staff responded that when a design scope was defined, a minimum of three qualified firms would be asked to submit proposals for that specific scope, leading to the selection of the best qualified firm to perform the work. The funds for that work would be drawn from the budget of the capital project as approved by the Board of Directors.

Prepared by: Ken Ronsse, Deputy Director
Memo No. 2568
## ATTACHMENT A
### On-Call Systems Engineering Design Consultants List

<table>
<thead>
<tr>
<th>Contractor Firm</th>
<th>Contractor Role</th>
<th>Name</th>
<th>Location</th>
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<tr>
<td>AECOM Technical Services, Inc.</td>
<td>Contractor</td>
<td>Thomas R. Gibson, 408-490-2001</td>
<td>2025 Gateway Place, Suite 190, San Jose, CA 95110</td>
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<tr>
<td>Auriga Corporation</td>
<td>Contractor</td>
<td>James W. Cleveland, 408-946-5400</td>
<td>890 Hillview Court, Suite 130, Milpitas, CA 95035</td>
</tr>
<tr>
<td>B&amp;C Transit, Inc.</td>
<td>Contractor</td>
<td>Alberto Fernandez, Tanya Powell, 510-483-3560</td>
<td>14500 Doolittle Drive, San Leandro, CA 94577</td>
</tr>
<tr>
<td>BKF Engineers</td>
<td>Contractor</td>
<td>David Richwood, 408-467-9100</td>
<td>1650 Technology Drive, Suite 650, San Jose, CA 95110</td>
</tr>
<tr>
<td>Booz Allen Hamilton</td>
<td>Contractor</td>
<td>Gary Schulman, Bob Gave, 703-902-5000</td>
<td>8283 Greensoro Drive, McLean, VA 22043</td>
</tr>
<tr>
<td>Deenscorp, Inc.</td>
<td>Contractor</td>
<td>Hajaah Deen, 408-345-3860</td>
<td>2175 The Alameda, Suite 100, San Jose, CA 95126</td>
</tr>
<tr>
<td>Hatch Mott MacDonald (HMM)</td>
<td>Contractor</td>
<td>Lee Abramson, 925-469-8010</td>
<td>3825 Hopyard Road, Suite 240, Pleasanton, CA 94588</td>
</tr>
<tr>
<td>HNTB Corporation</td>
<td>Contractor</td>
<td>Elizabeth Wiecha, 408-451-7300</td>
<td>1735 Technology Drive, Suite 650, San Jose, CA 95110</td>
</tr>
<tr>
<td>LM Telecommunications</td>
<td>Contractor</td>
<td>Ben Lamoreaux, 435-586-0174</td>
<td>2686 N. 775 W. Suite 201, Cedar City, UT</td>
</tr>
<tr>
<td>LTK Engineering Services</td>
<td>Contractor</td>
<td>George Dorshimer, 215-542-0700</td>
<td>100 West Butler Avenue, Ambler, PA 19002</td>
</tr>
<tr>
<td>Parsons Transportation Group Inc.</td>
<td>Contractor</td>
<td>Robert Sergeant, 408-572-1352</td>
<td>100 W. Fernando St., Suite 450, San Jose, CA 95113</td>
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<tr>
<td>PB Americas, Inc.</td>
<td>Contractor</td>
<td>Stuart Sunshine, 415-243-4777</td>
<td>303 2nd Street, Suite 700N, San Francisco, CA 94107</td>
</tr>
<tr>
<td>PGH Wong Engineering, Inc.</td>
<td>Contractor</td>
<td>Peter G.H. Wong, 415-566-0800</td>
<td>182 2nd Street, Suite 500, San Francisco, CA 94015</td>
</tr>
<tr>
<td>Rail Surveyors &amp; Engineers, Inc. (RSE)</td>
<td>Contractor</td>
<td>Phil Leong, 650-637-9500</td>
<td>1075 Old Country Road, Belmont, CA 94002</td>
</tr>
<tr>
<td>Robert Murphy</td>
<td>Contractor</td>
<td>Robert Murphy, 925-254-1172</td>
<td>78 Hillcrest Drive, Orinda, CA 94536</td>
</tr>
<tr>
<td>Stantec Consulting Services, Inc.</td>
<td>Contractor</td>
<td>Ron Creswell, 415-946-6600</td>
<td>405 Howard St. 5th Floor, San Francisco, CA 94105</td>
</tr>
</tbody>
</table>
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: Silicon Valley Rapid Transit Master Agreement between VTA and City of San Jose

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

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to enter into a master agreement with the City of San Jose in support of the BART Silicon Valley Project. This agreement will include provisions to ensure a commitment of cooperation from both parties.

BACKGROUND:

The extension of Bay Area Rapid Transit (BART) services into Santa Clara County is being implemented under agreement with BART by VTA’s Silicon Valley Rapid Transit Program. This extension is being implemented in stages, the first stage being a two-station (Milpitas and Berryessa) extension of approximately 10-miles from BART’s planned Warm Springs station in Alameda County to VTA’s planned Berryessa Station in the City of San Jose. This initial segment has been identified as the Silicon Valley Berryessa Extension (SVBX) Project. VTA is seeking $900 million in federal funds for the Berryessa Extension Project to be provided by the Federal Transit Administration’s (FTA) New Starts program, with the balance of capital funding provided by state and local sources including 2000 Measure A revenues.

The receipt of federal funding for the BART Extension into Santa Clara County in an amount of at least $750 million is a precondition to the collection of revenue from Measure B passed by the voters in November 2008. To satisfy this precondition, and to provide a significant portion of the capital funding for the project, VTA is requesting Federal Transit Administration (FTA) New Starts funding for the BART Extension and working with FTA to move the project through the FTA New Starts program.

VTA was granted permission to enter the Preliminary Engineering phase of the federal New
Starts program in December 2009. VTA is seeking permission to enter the Final Design phase of the New Starts Program and anticipates that FTA will grant that permission in late 2010. This will position the project for negotiating a full Funding Grant Agreement with FTA and make the final arrangements for project completion.

In considering whether VTA is ready to advance the Berryessa Extension Project into New Starts Final Design, FTA evaluates the status of third-party agreements required for project implementation. FTA prefers to see project sponsors establish agreements with local jurisdictions before entering into Final Design. These agreements guide the working relationship between the project sponsor and its local partner agencies and are intended to minimize risk to the project by defining the framework for key overarching interactions between stakeholder agencies.

**DISCUSSION:**

Due to the magnitude of the Silicon Valley Rapid Transit Project, staff determined that establishment of master agreements with our city partners was the most appropriate approach to ensuring a commitment of cooperation from both parties. After several months of negotiations, the final agreement focuses on several key areas, including the establishment of lines of communication, foundation for sub-agreements, and processes for dispute resolution and review and approval of design plans for City facilities. The master agreement defines the relationship between the City of San Jose and VTA with respect to the project, and provides for the subsequent creation of sub-agreements to address specific project issues. Topic areas in the agreement include a description of project features, general commitments of the parties, work on City infrastructure, traffic maintenance and detours during construction, storm water pollution control, indemnification, insurance, warranties and resolution of disputes.

Staff anticipates that several sub-agreements will be developed under this master agreement, including but not limited to utility relocation agreement(s), reimbursement for City staff review of design of proposed City facilities to be constructed or modified by the BART project, cost-sharing for project elements that involve city funding participation, and multi-agency agreements.

In the past, VTA has typically not reimbursed the cost of internal review of VTA plans by local agencies. The proposed Master Agreement departs from this policy because of the large magnitude of the project, the need for expedited reviews, and because a potential design-build project delivery approach would necessitate increased cooperation between VTA and the cities. The proposed reimbursement would cover City review related to encroachment permits for work within City rights-of-way or for relocation of City-owned facilities.

**ALTERNATIVES:**

There are no practical alternatives to the recommended action, if VTA is to meet the planned New Starts Project schedule as reported to the FTA and satisfy FTA’s expectations with respect to inter-agency cooperation.

**FISCAL IMPACT:**

The execution of the master agreement does not have a direct fiscal impact. Sub-agreements that will follow could have a fiscal impact and will be covered by the project budget as part of the
2000 Measure A Transit Improvement Program Fund Capital Budget. Such sub-agreements would be brought to the Board of Directors for authorization. The sub-agreement for reimbursement of the City of San Jose’s plan review costs is expected to involve a cost of approximately $500,000.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION

The Transit Planning and Operations Committee (TP&O) reviewed this item at its April 15, 2010 meeting. The Committee unanimously recommended this item for placement on the Consent Agenda for the May 6, 2010 Board Meeting.

Prepared by: Kevin Kurimoto
Memo No. 2389
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: SVRT Design-Build Resolution of Findings

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

ACTION ITEM

RECOMMENDATION:

Adopt a Resolution finding that use of the design-build process for the Silicon Valley Berryessa Extension (SVBX) Project will reduce project costs and expedite the project's completion; and authorize the General Manager to proceed with the solicitation of design-build contractors for the SVBX Project.

BACKGROUND:

The extension of Bay Area Rapid Transit (BART) services into Santa Clara County is being implemented under agreement with BART by VTA’s Silicon Valley Rapid Transit Program. This extension is being implemented in stages, the first stage being a two-station (Milpitas and Berryessa) extension of approximately 10-miles from BART’s planned Warm Springs station in Alameda County to VTA’s planned Berryessa Station in the City of San José. This initial segment has been identified as the Silicon Valley Berryessa Extension (SVBX) Project. VTA is seeking $900 million in federal funds for the SVBX Project to be provided by the Federal Transit Administration’s (FTA) New Starts program, with the balance of capital funding provided by state and local sources including 2000 Measure A revenues.

Operating funds for the BART extension will be provided by 2008 Measure B revenues. Collection of Measure B revenues require that VTA obtain at least $750 million in federal funding. VTA expects to satisfy this requirement by securing the necessary federal funding commitment for the SVBX Project.

Design and engineering development for the SVBX Project is approximately 65% complete, and is being held in a state of readiness while VTA qualifies the project for federal funding. The total cost of the SVBX Project, including costs incurred to date, is estimated to be approximately
$2.5 billion. (2009$ basis)

To improve its ability to qualify for federal funding, VTA voluntarily withdrew from the FTA’s New Starts program in 2005 to better develop and define the implementation plans for the BART extension. Last year, VTA submitted its application for re-entry into the New Starts program, and was granted permission to enter Preliminary Engineering phase of the New Starts program in December 2009. VTA is seeking permission to enter the Final Design phase of the New Starts Program and anticipates that FTA will grant that permission in late 2010. This will position the project for negotiating a full Funding Grant Agreement with FTA and make the final arrangements for project completion.

In considering whether VTA is ready to advance the SVBX Project into New Starts Final Design, FTA will be evaluating VTA’s plans for project implementation. VTA has evaluated a range of project implementation strategies and has presented the recommended action for consideration by the VTA Board.

**DISCUSSION:**

Pursuant to Public Contract Code Section 20209.6, the Board of Directors of the Santa Clara Valley Transportation Authority (VTA) is authorized to enter into a design-build contract for the design and construction of a project, provided it makes written findings that the application of the design-build process will result in either reduced project costs, expedited project completion, or design features not achievable through the design-bid-build method. VTA staff has evaluated the traditional design-bid-build and design-build methods to complete the SVBX Project and has concluded that the application of a design-build methodology will result in significant cost and schedule benefits to VTA.

The VTA Board of Directors considered the benefits of applying the design-build methodology at its regular meeting on April 1, 2010, where VTA staff presented results from this evaluation, and advised that its application will result in a reduced project cost of approximately $85 million, and an earlier project completion of approximately six months as compared to the use of the design-bid-build method. This analysis assumes that VTA would issue two major design-build contracts totaling approximately $980 million. Other minor contracts using either the design-bid-build or design-build methodology may also be necessary to facilitate efficient completion of all the SVBX Project elements.

In addition to the estimated benefits of reduced cost and earlier completion, the design-build methodology provides a reduced risk exposure during project implementation. This reduction in cost and schedule risk may avoid exposure to additional cost and/or schedule delays that are normally present when using a conventional design-bid-build method.

The recommended action is necessary for VTA to avail itself of the authority provided under Public Contract Code Section 20209.6, and to utilize design-build contracting for the SVBX Project. Following this action, with oversight by and in coordination with FTA, VTA staff will proceed to prepare the necessary solicitation documents, solicit and evaluate proposals, and prepare recommendations to the VTA Board of Directors for the award of design-build contracts to complete SVBX Project. The Board will award the design-build contracts.
**ALTERNATIVES:**

The Board can elect not to approve the recommended action, and VTA can proceed to plan the project implementation using conventional design-bid-build method of design and construction contracting.

**SBE/DBE REQUIREMENTS:**

There are no SBE/DBE requirements associated with this recommended action. VTA will include the necessary and appropriate SBE/DBE requirements in its contracts if the recommended action is approved or not approved.

**FISCAL IMPACT:**

There is no direct fiscal impact as a result of this action. However, it is anticipated that the use of the design-build process for the SVBX Project will result in a reduction of estimated project costs of approximately $85 million. Costs associated with preparing the design-build solicitation documents are already authorized within the existing SVRT Program budget.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION**

The Administration & Finance Committee (A&F) reviewed this item at its April 15, 2010 meeting. The Committee asked questions about the cost and schedule savings to re-confirm the results of the design-build risk assessment. The Committee also discussed the use of design-build contracting strategy on other projects.

The Committee supported the design-build process and unanimously recommended this item to the Board.

Prepared by: Dennis Ratcliffe
Memo No. 2479
RESOLUTION NO. _____________

RESOLUTION OF THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY BOARD OF DIRECTORS FINDING THAT USE OF THE DESIGN-BUILD PROCESS FOR THE SILICON VALLEY RAPID TRANSIT BERRYESSA EXTENSION PROJECT WILL RESULT IN REDUCED PROJECT COST AND EXPEDITED PROJECT COMPLETION

WHEREAS, pursuant to Public Contract Code Section 20209.6, the Board of Directors of the Santa Clara Valley Transportation Authority (VTA) is authorized to enter into a design-build contract for the both the design and construction of a project when it is in the best interest of VTA; and

WHEREAS, in order to avail itself of the authority provided under Public Contract Code Section 20209.6, the VTA Board of Directors must make written findings that use of the design-build process on a project will result in either reduced project costs, expedited project completion, or design features not achievable through the design-bid-build method; and

WHEREAS, an evaluation of the traditional design-bid-build and design-build methods to complete the Silicon Valley Rapid Transit Berryessa Extension Project indicate that the use of a design-build methodology will result in reduced project costs of approximately $85 million, and an earlier project completion of approximately six months as compared to the use of the design-bid-build method; and

NOW, THEREFORE BE IT RESOLVED, by the Board of Directors of the Santa Clara Valley Transportation Authority, that based on the results of analysis presented and evaluated at its April 1, 2010 meeting as reflected in Exhibits A and B attached hereto, the Board of Directors of the Santa Clara Valley Transportation Authority hereby finds that use of the design-build process as permitted under Public Contract Code Section 20209.6 will result in delivery of the Silicon Valley Rapid Transit Berryessa Extension Project at a reduced project cost of approximately $85 million, and with an earlier project completion of approximately six months, as compared to the use of the design-bid-build process.

AYES:
NOES:
ABSENT:

Sam Liccardo, Chairperson
Board of Directors

Sandra Weymouth, Board Secretary

APPROVED AS TO FORM:

Kevin D. Allmand, General Counsel
### EXHIBIT A

**Design-Build Cost Savings**

**Summary**

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<th>Description</th>
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<td>5% savings on sub-contract field supervision;</td>
<td>$9M</td>
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<td>• Fewer changes to be administered</td>
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<tr>
<td>• Fewer parties participate in negotiated resolutions</td>
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<tr>
<td>25% savings on project /construction management; 10% savings on design</td>
<td>$31M</td>
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<tr>
<td>• Management of design/contractor interface is removed from owner</td>
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<tr>
<td>• Less design required to support management of owner/designer/contractor interface</td>
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</tr>
<tr>
<td>6 months savings on time related contractor costs plus 6 months savings in owner’s project/construction management costs</td>
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<tr>
<td>Optimization/Integration of Design/Construction Methods Savings</td>
<td>$16M</td>
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<td>• Design can better accommodate changes for lower cost of construction methods</td>
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<tr>
<td>(2.5% construction cost)</td>
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<td><strong>Total Estimated Cost Reduction</strong></td>
<td><strong>$85M</strong></td>
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## SCHEDULE DESIGN-BUILD SCHEDULE SUMMARY

### Design/BID/Build Contracts Delivery

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### Design/Build Contracts Delivery

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**Legend:**
- **Critical:** Activities that need to be completed to ensure on-time project delivery.
- **Non-Critical:** Activities that do not impact the project timeline.

**Notes:**
- NPD = Notice to Proceed
- RFI = Request for Information
- Pre-Qual = Pre-Qualification

**Additional Information:**
- Additional information related to project milestones and critical paths is available in the full report.
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: Light Rail Transit Systems Analysis - Final Plan Adoption

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

ACTION ITEM

RECOMMENDATION:

Recommend the Board of Directors adopt the Light Rail System Analysis Improvement Plan.

BACKGROUND:

Santa Clara County’s Light Rail Transit (LRT) system has over the years grown as a series of extensions. The Light Rail Transit System Analysis is designed to provide the first comprehensive evaluation of the infrastructure and operational flexibility of the existing Light Rail lines as a system, and an evaluation of operational impacts created by population and employment growth along with planned Light Rail and BART extensions.

The Light Rail Transit System Analysis focuses on making the LRT system as productive and efficient as possible given existing and potential travel markets, and positioning the system to capture projected and latent passenger growth to the year 2035. The analysis represents the second phase of VTA’s Comprehensive Operations Analysis (COA) for the transit system. A COA for the VTA bus system was completed in 2007 and provided the framework for the redesign of the bus network introduced in January 2008.

DISCUSSION:

This memorandum provides a recommendation for an Improvement Plan for the LRT system over the next 25 years. The Improvement Plan will be revisited on a regular basis as part of VTA’s annual Service Management Planning process and will serve as a guide for funding and capital improvements to realize the potential of the system.

The recommendations in the Improvement Plan are the result of a 16-month study effort where a
The project team consisting of VTA and consultant staff analyzed forecast system ridership growth and potential market opportunities in both the near- and long-term planning horizons. Additional analysis and research was performed in the area of rail operations through the use of rail simulation software and both capital and operating costs. The input of system stakeholders including VTA advisory committees and Board Members, affected city staff, and the public was gathered throughout the study.

**Recommended Light Rail Improvement Plan (2010 - 2018)**

This following describes the prioritization of different capital improvement projects, based in part on which changes generate the most effective improvements to travel times and ridership on the system between 2010 and 2018. Phase I of the plan contains recommended near-term operational changes. Phase II represents projects and operational changes that are likely to be beneficial after the extension of the Bay Area Rapid Transit (BART) system to Santa Clara County in 2018.

**Phase I: Near Term - Immediate Implementation**

The recommended near-term operational plan for the LRT system would be built around two main features:

- A Guadalupe Express service between Ohlone/Chynoweth and Convention Center, with local service provided by a through-routed Almaden line;
- An independent Vasona branch, operating between Campbell and Downtown San Jose, allowing three-car trains originating from the Almaden line to serve North First Street corridor and Mountain View.

2018 LRT Ridership: 2,800 additional daily riders compared to the Base Case

Capital Cost: No cost in the near term, however in order to achieve maximum operational flexibility a pocket track in downtown San Jose would be needed in the future. The pocket track is projected to cost $4 million.

2018 LRT Operating Cost: $2.5 to $3.5 million additional cost (in 2009 dollars) for increased service on the Guadalupe line.

**Phase II: LRT Service with the BART Extension to Berryessa**

The recommended operational plan for the LRT system when BART is extended to Berryessa, providing a transfer to Light Rail at the Montague Station, includes:

- Operating an additional line (the “Long T”) that would travel from Downtown Mountain View to Alum Rock during peak periods, with express service from Downtown Mountain View to Old Ironsides and an intermediate stop at Lockheed Martin. The off-peak service would operate from Old Ironsides to Alum Rock.

2018 LRT Ridership: 4,600 additional daily riders compared to the Base Case
Capital Cost: $33.4 million in 2018 (2009 dollar). The capital costs include double tracking the single track section of the Mountain View line and pocket tracks at Old Ironsides.

2018 LRT Operating Cost: $7.3 million additional cost (in 2009 dollars) for operating a new line between Alum Rock and Mountain View.

Independent System Improvements

Additional long term improvements are included in the final plan. These improvements represent areas where the system can further improve efficiency and speed prior to or after 2018, can be pursued independently, and are not prerequisites for the Phase I and II programs defined above. Costs and further description of the improvements can be found in Attachment A. These improvements are:

- Grade separation of North First Street and Montague Expressway
- Fencing along the North First Street Right-of-Way, allowing for higher speeds
- Pocket track at Ohlone/Chynoweth
- New Great America Station to serve increase in Commuter Rail service
- Hostetter Turnback Tracks
- Upgrade Train Control System
- Capital and operating improvements intended to improve train speeds at spot locations such as curves, corners, crossings and intersections.
- Intersection Traffic Control Signal Systems upgrades to improve overall corridor speed and efficiency

Light Rail System Constraints

The process to arrive at a recommended improvement plan for the Light Rail system started with an analysis that identified existing LRT system capital and operational constraints combined with a market analysis targeted toward the unmet market potential of both the existing system and the system with two extensions: Vasona Junction and Capitol Expressway. The constraints identified in the analysis represent potential limitations of VTA’s ability to operate the current system as fast and as efficiently as possible - and therefore its ability to offer competitive service that captures greater market share in transit competitive travel markets - and its ability to expand the system (in terms of both higher frequency and new extensions) to meet future demand. The primary constraints include:

- Single track segments
- Slow speeds in the downtown San Jose Transit Mall and Mountain View Line
- Platform length of Vasona branch only accommodates two-car trains
- Lack of adequate signal priority along North First Street and the Mountain View Line
- Current transit connections to Caltrain, Capitol Corridor and ACE
In addition, the analysis included the range of possible effects of future events on the existing system, and the possible physical and/or operational steps that might be desirable to meet potential operational challenges. The analysis looked at the capabilities of the existing system relative to:

- Handle anticipated system ridership growth driven by population and employment growth;
- Increases in ridership produced by the BART extension to Berryessa (2018) and the full extension to Santa Clara (2035);
- Ridership generated by the LRT extension projects (Capitol to Eastridge Mall and Vasona Junction)

The data from the growth forecast task shows that the largest contributor to ridership growth in year 2035 is anticipated population and employment increases, primarily resulting from large scale development along the North First Street corridor. Anticipated growth in the county alone is projected to increase ridership by 200 percent between 2005 and 2035. The second largest component is ridership related to the introduction of BART service to Santa Clara County (a 25 percent increase in LRT ridership).

**Development of Scenarios and Technical Analysis**

The project team developed 11 preliminary scenarios for the LRT system consisting of packages of operational changes, capital investments, responses to markets, and responses to external projects. The scenarios were designed to address the current LRT system constraints and the projected constraints in year 2035. The potential solutions incorporated into the scenarios for evaluation that address the constraints of travel speed, include:

- Implementation of different service options such as express trains from Santa Teresa and Mountain View and skip-stop operation on North First Street
- Tunnel segments through downtown San Jose and portions of North First Street
- Grade-separation of the LRT line at North First Street and Montague Expressway
- Adding a second set of tracks to the single track segments on the Mountain View and Vasona lines
- Temporary closure of poor performing stations to gain speed on the Mountain View Line
- Closure of the Almaden Line spur to gain operational flexibility for Santa Teresa Line trains

Other constraints identified relate to the system’s efficiency and flexibility. Potential solutions tested in the scenarios include the following:

- Provide infrastructure to support terminating trains in downtown San Jose and San Jose State University
- Lengthen all platforms on the Vasona Line to accommodate three car trains
- Identify alternatives for Almaden spur such as interlining it with the Mountain View line or full closure.
- Consolidate the Great America and Lick Mill stations to create a new Great America
station that provides a direct connection to ACE and Capitol Corridor trains
• Connect the Mountain View and Alum Rock lines through east-west operation on the Tasman line

These potential system enhancements were analyzed in 11 separate scenarios and refined through a series of VTA operational simulations and the VTA Travel Demand Model ridership projections. The technical assessment showed that some potential system enhancements had little or no impact on travel speeds and ridership. Potential changes such as skip stop service, tunnels and temporary station closures, were then eliminated from further analysis.

Costs and Ridership

The remaining components were integrated into six different sets of service packages which were then analyzed for performance in an interim year (2018) and a horizon year (2035). The key difference between these two analysis years is the build out of the BART system. In 2018, it was assumed that BART operates to Berryessa, providing a transfer to LRT at Montague Station, while by 2035 it was assumed that BART operates through Downtown San Jose, with a transfer at First Street and Santa Clara Street, the downtown Transit Mall, and the Diridon Station. The LRT system extensions analyzed include Vasona Junction and Capitol Expressway. These were considered as part of every service package to determine the impact of changing core system service on extension ridership and operations. Maps of the service packages are presented in Attachment B.

Ridership was estimated for each service package using VTA’s travel demand model. Model results indicate that system ridership will increase significantly between today, 2018, and 2035. Most of this increase is assumed to be due to land use changes and background growth in the county, specifically to areas along the North First Street corridor and downtown San Jose, accounting for approximately 40 and 45 percent of total system ridership in 2018 and 2035, respectively. In the base case scenario, overall system ridership is projected to grow to approximately 82,000 daily boardings by 2018 and to approximately 137,000 daily boardings in 2035.

Base Case Service Package

The base case service package assumes that the system will be configured with the same network as today (2010). The base service package would require capital projects to double track the single track segments of the Vasona branch and extend the Vasona platforms to accommodate three car trains by 2035. The cost to upgrade the Vasona branch totals $135 million, making the Base Case the most expensive of the service packages considered. Ridership was the lowest among the service packages with 81,900 average weekday boardings in 2018. The operating cost for the Base Case would be $53 million.

Tasman Corridor Service Packages

Two treatments are proposed for the Tasman Corridor, which is comprised of the Mountain View, Tasman West, Tasman East and Capital Avenue segments of the Light Rail system. Both packages are oriented towards a future BART connection at the Montague station in Milpitas.
Other considerations for the corridor are the low ridership on the Tasman West segment and improving the commuter rail connection at the Great America station. A future 49ers Stadium in Santa Clara was not considered as part of this analysis but will be analyzed as part of the development project should the stadium be approved.

The most expensive of the Tasman service packages, the “Long T” (shown in Attachment B) would operate at 15-minute headways in the peak with a fleet size of 93 cars, still within the total of the current fleet. The total annual LRT operating cost is estimated to be about $61.2 million or about $7.3 million annually more than the base scenario. Although the absolute value of annual operating expenses for the Long T is high, the additional service across the T creates strong user benefits and is a powerful attractor of ridership, leading to high rankings in the cost-benefit analysis.

*Short “T” Service Package.* The “Short T” service package takes the current system configuration and adds a new line that would directly connect the Tasman West and the Mountain View lines with the Tasman East and Alum Rock lines. This service package is designed to create a direct connection from job centers near the Champion and Old Ironsides stations to the BART connection at Montague station, adding a short line operating between Old Ironsides to Hostetter. Hostetter was chosen as a terminus instead of Montague because it is off the aerial structure and would better facilitate track modifications that allow trains to turnback. The Short T would require capital projects to modify both the Hostetter and Old Ironsides stations to allow for turning of trains. The estimated capital cost for the Short T is $13 million. Ridership above the Base Case totaled 2,200 boardings on an average weekday in 2018 and 3,700 in 2035.

*“Long T” Service Package.* The Long T would also directly connect the Mountain View line with the Alum Rock line. The Long T would operate a longer line between Downtown Mountain View and Alum Rock with peak-period express service from Downtown Mountain View to Old Ironsides and an intermediate stop at Lockheed Martin. The off-peak service would operate from Old Ironsides to Alum Rock. The Long T would require modifications to the Old Ironsides station to allow for trains to turn back during off-peak periods. The construction of a double track along the Mountain View line single track segment would be required to accommodate both lines. The estimated capital cost for the Long T is $33.4 million. Ridership above the Base Case totaled 4,600 boardings on an average weekday in 2018 and 6,700 in 2035.

**Guadalupe Express and Vasona Service Packages**

The study identified three service packages for the southern portion of the system. In all three service packages the Guadalupe Express and Almaden lines were combined with the Vasona branch. Terminating the Vasona line in Downtown San Jose has a number of systemwide benefits: it allows the major demand centers of downtown and North First Street to be served with 3-car Almaden trains rather than 2-car Vasona trains, it allows VTA to avoid undertaking the expensive capital improvement of double tracking and extending platforms on the Vasona branch, and finally it taps into an underserved market in Almaden by giving potential riders a one-seat ride to employment destinations in downtown and beyond. In two of the scenarios Vasona becomes an independent line that terminates in downtown San Jose and the Almaden line through routed to serve North First Street and the Mountain View branch.
The Guadalupe Express and Vasona to 2nd Street service package would operate at 15 minute headways in the peak with a fleet size of 77 cars. The current LRT fleet includes 100 cars. The total annual LRT operating cost is estimated to be within the range of $56.6 million to $57.6 million or about $2.5 to $3.5 million annually over the base scenario.

**Guadalupe Express, Vasona to Mountain View**
This service package retains the existing northern part of the system, but reroutes the southern half to create express service from Ohlone/Chynoweth to Convention Center on the Santa Teresa to Alum Rock line. The Almaden service would then extend north from its current terminus at Ohlone/Chynoweth to Downtown. The Vasona line would still be through-routed with the Mountain View line. Similar to the base service package, this service package would most likely require capital projects to double track the single track segments of the Vasona branch and extend the Vasona platforms to accommodate three car trains by 2035. No capital costs are required for this service package. Ridership above the Base Case totaled 2,400 boardings on an average weekday in 2018 and 4,000 in 2035.

**Guadalupe Express, Vasona to Downtown Loop**
This service package would uncouple Vasona from Mountain View, and instead loop back Vasona trains on the Downtown transit mall. The Almaden line would then be routed up the Guadalupe highway segment through Downtown and through-routed via North First Street with the Mountain View line. The Santa Teresa line would continue to be routed to Alum Rock, but it would operate as a non-stop express service from Ohlone/Chynoweth to Convention Center. There are no capital costs associated with this service package in the near term, however in order to achieve maximum operational flexibility a pocket track in downtown San Jose would be needed in the future. The pocket track is projected to cost $4 million. Ridership above the Base Case totaled 2,800 boardings on an average weekday in 2018 and 4,700 in 2035.

**Guadalupe Express, Vasona to 4th Street**
This service package is similar to the previous one except that the Vasona line would be routed to a new stub end terminal at Fourth Street and San Carlos, at the edge of San Jose State University (SJSU) and not use the Downtown transit mall. The Almaden line would be interlined with Mountain View, and Santa Teresa would be routed to Alum Rock, providing express service between Ohlone/Chynoweth and Convention Center. The estimated capital cost for the Guadalupe Express, Vasona to 4th Street is $20.6 million. Ridership above the Base Case totaled 1,400 boardings on an average weekday in 2018 and 2,300 in 2035.

**Light Rail Extensions**
Two extensions were analyzed as part of the Light Rail System Analysis, Vasona Junction and Capitol Expressway to Eastridge Mall. Both projects are currently undergoing environmental clearance to be eligible to compete for future federal funding. The two extensions were considered in the base case service package improvements to determine the operational and ridership impacts of changes to the core Light Rail system in 2035. Modifications to the extensions themselves, such as adding or deleting stations, were not considered as part of the
study. The additional operating cost for both extensions is about $5 million annually.

Vasona Junction is a two-station, 1.5-mile extension that would add stations at Hacienda and Route 85. The cost of the Vasona extension is estimated to be $146 million in 2009 dollars. The Vasona extension is not a Measure A project but is considered as one of several possible future Light Rail extensions, pending a study of candidate corridors. Ridership for the Vasona extension under the Base Case scenario is 1,700 in 2035. Ridership on the Vasona extension varies by service package with no ridership change with the Short T and Long T and a modest increase in the Guadalupe Express, Vasona to Mountain View service package (an additional 15 riders per day). Ridership on the extension would decrease in the service packages where Vasona terminates in downtown San Jose.

The Capitol Expressway extension is a 2.6-mile, three station extension adding stations at Story Road, Ocala Road and Eastridge Transit Center. The extension is estimated to cost $390 million in 2009 dollars. Phase I of the project, landscaping, pedestrian and Bus Rapid Transit improvements totaling $57 million is in final design and is expected to be complete by 2013. The Capitol Expressway extension is part of the Downtown East Valley Transit Improvement program and is mentioned in the 2000 Measure A ballot. Ridership for the Capitol extension under the Base Case scenario is 2,600 in 2035. Ridership on the extension does not change in the Short T and increases slightly in the Guadalupe Express service packages, however the Long T provides a 44% increase with a total of 3,800 average weekday riders in 2035.

**Stakeholder Input**

Throughout the course of the Light Rail Systems Analysis study, VTA staff sought the input of key stakeholders on VTA Advisory Committees, City staffs and individuals or organizations that have interest in the Light Rail System. Attachment C provides a list of the meetings and events attended by VTA staff throughout the study. The following is a brief summary of key suggestions and input received from these stakeholders.

- Initial suggestions for speeding service in Downtown San Jose were met with opposition from San Jose staff, which declared efforts to improve the service along the Transit Mall to 20 miles per hour a “non-starter”.

- The San Jose Downtown Association suggested that speeds through downtown could be achieved through better traffic signal coordination and traffic management. The Downtown Association also raised concerns over an extension to San Jose State, given the possible negative impact on San Carlos Street downtown. An alternate suggestion would be to improve the walking environment between the campus and Light Rail for students.

- San Jose State staff expressed enthusiasm for an extension to the gates of the campus.

- Members of the Citizens Advisory Committee felt strongly that Light Rail should go to more destinations and therefore massive expansion of the system was what was needed to improve transit service. Key destinations mentioned included those along El Camino Real and Stevens Creek Boulevard.

- The Policy Advisory Committee focused on capital costs and saw benefits in many of the Vasona and Express packages that could be achieved for minimal capital costs. There
was also support expressed for the Vasona extension.

- The Technical Advisory Committee supports grade separation at North First and Montague and also suggested tunneling as a possible solution to downtown and other areas of North First Street.
- Attendees of a public meeting in Mountain View expressed concern over the cost of planned extensions to Vasona and Eastridge Transit Center.

**NEXT STEPS:**

The Improvement Plan will serve as the basis for future planning and development around the Light Rail system for VTA and cities engaged in land use plans that emphasize transit service. The Improvement Plan will serve as a road map for funding and programming activities, enabling VTA staff and elected officials at the state and federal levels to understand VTA’s priorities for Light Rail system development along with their costs and benefits. However, the Improvement Plan will also serve as a living document by being integrated into the Service Management Planning process, where assumptions and measurements of performance will be revisited on an annual basis to allow for growth and flexibility as land use and other factors change over time.

Immediately, VTA is well positioned to advocate for improvements from several grant sources including the Climate Change Program recently created by MTC to encourage near-term transit improvements that reduce vehicle miles traveled. In addition, funding from the high speed rail authority intended to fund rail-serving transit to future high speed rail stations will also become available in the next 4-5 years. With VTA Board adoption of the Improvement Plan, VTA will pursue opportunities to realize a vision for a faster, more efficient Light Rail system well positioned for future growth in Santa Clara County.

**ALTERNATIVES:**

The Board may elect to not adopt the Improvement Plan and direct staff to focus on other areas of VTA transit service.

**FISCAL IMPACT:**

An increase of close to $10 million in service hours is estimated to implement the Guadalupe Express and Long T improvements. In order to achieve this higher level of service, VTA would have to add $10 million to the operating budget or find and equivalent savings in the transit system. A portion of the costs will be offset by additional fare revenue generated by the increase in ridership projected for the recommended Improvement Plan.

**ADVISORY COMMITTEE DISCUSSION**

The Technical Advisory Committee, Policy Advisory Committee, Committee for Transit Accessibility, and the Citizens Advisory Committee each received a staff presentation on the
Light Rail System Analysis Improvement Plan.

The Citizens Advisory Committee (CAC) recognized the need for improvements to the light rail system and supported the recommended Improvement Plan. Members recommended that VTA staff initiate a future study that identifies destinations in Santa Clara County that would be best served by light rail in the future. In addition, CAC members expressed interest in having a role in the public outreach effort for the implementation plan.

The Technical Advisory Committee (TAC) asked questions regarding the additional operating costs associated with both phases of the light rail improvement plan. Members asked that VTA staff identify ways to implement Phase I Guadalupe Express with little or no additional operating costs. The TAC also asked staff to look at ways of implementing Phase II without having to double track the single track section of the Mountain View line. Finally, the TAC cautioned that upgrades or modifications to traffic control signal systems will be an implementation challenge.

The Committee for Transit Accessibility (CTA) expressed concern that the Association of Bay Area Governments (ABAG) growth projections for Santa Clara County were too aggressive and may not reflect the actual growth of the County. Members supported Phase I of the Improvement Plan but expressed concern about the additional capital and operating costs associated with Phase II and did not recommend implementation of Phase II at this time.

Policy Advisory Committee (PAC) members supported the staff recommendation but also expressed concern about the additional operating costs associated with Phase I and Phase II. The PAC requested that the VTA Board consider adopting a standard or threshold for cost per passenger for future light rail improvements.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

This item was heard by the Transit Planning and Operations Committee (TPO) on April 15, 2010. TPO members supported the study's effort to improve the efficiency and effectiveness of the light rail system in the hopes of achieving improvement in VTA's farebox recovery ratio. Members expressed support for both the Guadalupe Express and Long T service options and inquired about the possibility of other additional express services. The committee asked about the relationship to High Speed Rail and expressed support for investigating funding opportunities for the improvements. The committee voted to recommend approval.

Prepared by: Andrew Ittigson
Memo No. 1978
## Independent System Improvements - Capital Cost Estimates

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## Light Rail System Analysis Outreach

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### Planned Meetings in 2010

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Attachment B

Light Rail Service Package Maps
FOR INFORMATION ONLY

BACKGROUND:

For your information, I am attaching our Monthly Legislative History Matrix, which describes the key transportation-related bills that are being considered by the California State Legislature during the 2009-2010 session. It indicates the status of these measures and any adopted VTA positions with regard to them.

DISCUSSION:

Although the state budget remains at center stage in Sacramento, Senate and Assembly policy committees have begun meeting to consider new bills that have been introduced by lawmakers since January. Under this year’s legislative calendar, policy committees have an April 23 deadline to act on these measures. In the case of transportation, some of the more interesting pieces of new legislation are as follows:

AB 1747 (Galgiani): High-speed rail continues to be a priority for a number of lawmakers from both parties. AB 1747, one of several new bills that have been introduced on this topic, requires the California High-Speed Rail Authority to consider the creation of jobs in the state when awarding major contracts. Status: Assembly Transportation Committee. VTA Position: None.

AB 1805 (Calderon): This legislation requires the Business, Transportation and Housing Agency to select 25 projects for each calendar year between 2010 and 2014 to participate in a California Environmental Quality Act (CEQA) Litigation Protection Pilot Program. For projects selected to participate in this program, a lead agency’s decision to certify an environmental impact report (EIR) or to adopt a mitigated negative declaration would not be subject to judicial review. An identical bill, SB 1010 (Correa), has been introduced in the Senate. AB 1805 is currently pending in the Assembly Natural Resources Committee, while SB 1010 has been referred to the Senate Environmental Quality Committee. VTA Positions: None.

AB 2113 (Evans): A reintroduction of a bill that did not make it through the legislative process
last year, AB 2113, authorizes a county board of supervisors to place on the ballot a local personal income tax and/or a local vehicle license fee in order to generate additional revenues for county programs and services. Status: Assembly Local Government Committee. VTA Position: None.

AB 2121 (Harkey): This legislation prevents the Treasurer’s Office from issuing any more Proposition 1A bonds for the state’s high-speed rail project. Status: Assembly Transportation Committee. VTA Position: Oppose.

AB 2579 (Evans): This measure calls for creating the Master Plan for Infrastructure Financing and Development Commission to put together a plan for building and maintaining the infrastructure that is necessary to meet the needs of the state through 2050. Status: Assembly Local Government Committee. VTA Position: None.

SB 964 (Alquist): Part of the Senate’s 27-bill jobs package, SB 964 requires the High-Speed Rail Authority to contract with the California Community Colleges Chancellor’s Office to develop a comprehensive training and certification program to facilitate the availability of a skilled, in-state workforce to participate in the construction, operation and maintenance of California’s high-speed rail system. Status: Senate Transportation and Housing Committee. VTA Position: None.

SB 1120 (Dutton): One of several bills introduced by Republican lawmakers that attempt to either scale back or repeal the Global Warming Solutions Act of 2006, SB 1120 prohibits the California Air Resources Board (CARB) from implementing a cap-and-trade program as part of the state’s efforts to reduce greenhouse gas emissions. SB 1263 (Wyland) goes a step further by making the provisions of the Global Warming Solutions Act and any regulations adopted by CARB to implement it inoperative. Both SB 1120 and SB 1263 have been referred to the Senate Environmental Quality Committee. VTA Positions: None.

SB 1245 (Simitian): A product of last year’s contentious Senate Transportation and Housing Committee hearing on MTC’s regional express lane legislation, SB 1245 requires a high-occupancy vehicle (HOV) lane, including an express lane, on a highway or bridge that was free of tolls to HOVs as of January 1, 2010, to remain free of tolls with respect to those vehicles. Status: Senate Transportation and Housing Committee. VTA Position: None.

SB 1268 (Simitian): Introduced to address privacy issues, SB 1268 prohibits a transportation agency from selling or providing personally identifiable information of a subscriber obtained through his or her participation in an electronic toll collection system. Status: Senate Transportation and Housing Committee. VTA Position: None.

SB 1299 (Lowenthal): This legislation requires the Department of Motor Vehicles (DMV) to do an assessment of the issues surrounding the implementation of a vehicle miles traveled (VMT) fee in California. Among the issues that SB 1299 would require the DMV to consider when conducting this assessment are: (a) the different methods for calculating mileage; (b) processes for transmitting data that would protect the privacy of drivers; and (c) the types of equipment that may be required of the state and of drivers to implement a VMT fee. Status: Senate Transportation and Housing Committee. VTA Position: None.

SB 1418 (Wiggins): Sponsored by MTC and the Santa Cruz County Regional Transportation Commission, SB 1418 increases the maximum amount of the vehicle registration surcharge that a Service Authority for Freeways and Expressways (SAFE) may impose from $1 to $2. This
legislation also allows SAFE surcharge revenues to be used for mobile roadside assistance, intelligent transportation systems, incident management programs, traveler information systems, and traffic operation centers in addition to calls boxes and freeway service patrols. Status: Senate Transportation and Housing Committee. VTA Position: None.

Prepared By: Kurt Evans
Memo No. 2327
## State Assembly Bills

<table>
<thead>
<tr>
<th>State Assembly Bills</th>
<th>Subject</th>
<th>Last Amended</th>
<th>Status</th>
<th>VTA Position</th>
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<tbody>
<tr>
<td><strong>AB 153</strong>&lt;br&gt;(Ma)&lt;br&gt;California High-Speed Rail Authority</td>
<td>Specifies that the California High-Speed Rail Authority constitutes a “governing body” for the purpose of adopting a resolution of necessity pursuant to an eminent domain proceeding. Allows the authority to employ its own legal staff or contract with other state agencies for legal services.</td>
<td>As Introduced</td>
<td>Senate Transportation and Housing Committee</td>
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<tr>
<td><strong>AB 231</strong>&lt;br&gt;(Huffman)&lt;br&gt;Climate Protection Trust Fund</td>
<td>By March 30, 2010, requires the California Air Resources Board (CARB) to adopt a schedule of fees to be paid by the sources of greenhouse gas emissions regulated pursuant to the California Global Warming Solutions Act of 2006. Requires revenues collected pursuant to compliance mechanisms related to the implementation of the Global Warming Solutions Act, as well as any federal climate change funds received by the state, to be deposited in the Climate Protection Trust Fund and to be made available, upon appropriation by the Legislature, for the purpose of carrying out the provisions of the act.</td>
<td>6/26/09</td>
<td>Senate Environmental Quality Committee</td>
<td>Support</td>
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<tr>
<td><strong>AB 266</strong>&lt;br&gt;(Carter)&lt;br&gt;Transportation Needs Assessment</td>
<td>Every five years, requires the California Transportation Commission (CTC) to develop an assessment of: (a) the unfunded costs of programmed state and federally earmarked transportation projects in California; and (b) available funding for transportation purposes and unmet transportation needs on a statewide basis. Requires the assessment to include recommendations on how the state and local transportation agencies may address the transportation funding shortfalls and unmet needs that are identified. Requires the results from the initial assessment to be submitted to the Legislature by March 1, 2011.</td>
<td>4/20/09</td>
<td>Senate Rules Committee</td>
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<tr>
<td><strong>AB 289</strong>&lt;br&gt;(Galgiani)&lt;br&gt;High-Speed Rail Bonds</td>
<td>Requires the California High-Speed Rail Authority, to the extent possible, to use bond proceeds from the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century to match federal economic stimulus funds made available under the American Recovery and Reinvestment Act (ARRA). Allows the Governor to appoint up to five deputy directors for the High-Speed Rail Authority, who would: (a) be exempt from civil service; and (b) serve at the pleasure of the authority’s executive director.</td>
<td>1/25/10</td>
<td>Senate Transportation and Housing Committee</td>
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<tr>
<td><strong>AB 497</strong>&lt;br&gt;(Block)&lt;br&gt;HOV Lanes: Physicians</td>
<td>Allows Caltrans and local transportation authorities to permit a vehicle driven by a physician who is traveling in response to an emergency call to use high-occupancy vehicle (HOV) lanes regardless of the number of passengers in the vehicle, provided the vehicle displays an insignia approved by the California Highway Patrol (CHP) indicating that the vehicle is owned by a licensed physician. Specifies that the provisions of the bill would only apply if Caltrans determines that its application would not subject the state to a loss of federal aid for highways.</td>
<td>5/14/09</td>
<td>Senate Transportation and Housing Committee</td>
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<td>State Assembly Bills</td>
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<td>AB 569 (Emmerson)</td>
<td>Specifies that provisions in the Industrial Welfare Commission’s wage order pertaining to meal periods do not apply to an employee in a construction occupation, a commercial driver in the transportation industry or an employee in the security services industry if all of the following conditions are satisfied: (1) the employee is covered by a valid collective bargaining agreement; (2) the valid collective bargaining agreement expressly provides for the wages, hours of work, and working conditions of employees; and (c) the valid collective bargaining agreement expressly provides for meal periods, final and binding arbitration of disputes concerning the application of its meal period provisions, premium wage rates for all overtime hours worked, and a regular hourly rate of pay of not less than 30 percent more than the state minimum wage rate.</td>
<td>9/11/09</td>
<td>Senate Labor and Industrial Relations Committee</td>
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<tr>
<td>AB 619 (Blumenfield) Federally Funded Transportation Projects</td>
<td>Requires Caltrans to notify the Legislature within 30 days of making a determination that a project will be delayed beyond its scheduled completion date due to state cash flow or other funding issues, if the delay places at risk federal funds, including money earmarked for the project.</td>
<td>As Introduced</td>
<td>Senate Transportation and Housing Committee</td>
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<tr>
<td>AB 726 (Nielsen) Local Roadway Rehabilitation Projects</td>
<td>States that local roadway rehabilitation projects are eligible for funding under the State Transportation Improvement Program (STIP).</td>
<td>As Introduced</td>
<td>Senate Transportation and Housing Committee</td>
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<tr>
<td>AB 732 (Jeffries) Design-Sequencing Contracts</td>
<td>Extends the authority for Caltrans to use the design-sequencing method of contracting for the design and construction of not more than nine transportation projects from January 1, 2010, to July 1, 2010.</td>
<td>6/16/09</td>
<td>Senate Appropriations Committee</td>
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<tr>
<td>AB 744 (Torrico)</td>
<td>Bay Area Express Lane Network</td>
<td>7/15/09</td>
<td>Senate Appropriations Committee</td>
<td>Support</td>
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</table>

Authorizes the Bay Area Toll Authority (BATA) to develop, acquire, administer, operate, and maintain a regional express lane network on state highways within the geographic jurisdiction of the Metropolitan Transportation Commission (MTC) in a collaborative manner with the congestion management agencies (CMAs) in the Bay Area, Caltrans and the California Highway Patrol (CHP). Creates the Bay Area Express Lane Network Project Oversight Committee to recommend policies related to the network to BATA, including an express lane development plan. Specifies that the plan would consist of the following two elements: (1) a phasing plan for the development of the express lane network, which would include a definition of the geographic boundaries of each of the express lane corridors in the network; and (2) an operational plan, which would include consistency standards for the network related to geometric design, signage, safe and simple operations, technology, pricing policies and goals, carpool occupancy requirements, hours of operation, maintenance, enforcement, marketing, tort liability, and performance standards. Requires the committee to establish corridor working groups for each express lane corridor. Requires each corridor working group to prepare a project initiation document to assess the feasibility and desirability of express lanes in the corridor, as well as to develop a corridor investment plan. Requires the corridor investment plan to consist of the following: (a) phased development of the segment of the regional express lane network within the corridor of the group; (b) carpool occupancy and fee policies; (c) local funding for the development of part or all of the segment of the network within the corridor of the group; (d) proposed reimbursement of local agencies for prior expenditures on elements of the network; (e) proposals as to which agencies would perform the work described in the corridor investment plan; (f) an examination of equity considerations; (g) a proposal for improving public transit services in the corridor; (h) an examination of safety and operations, including express lane ingress and egress; and (i) projects and programs to be funded with any net revenues generated by the corridor, giving the highest priority to projects and programs that would provide cost-effective transit. Authorizes BATA to issue revenue bonds to finance the development of the regional express lane network, and to pledge toll revenues from the Bay Area’s state-owned toll bridges as a “backstop” for those bonds. Allows BATA to increase the tolls collected on those bridges if that action is necessary to meet the obligations of the revenue bonds. Allows BATA to expend toll bridge revenues on the regional express lane network provided that: (a) funding from other sources is not available; and (b) BATA projects that funding the network will not necessitate an increase in bridge toll rates or preclude BATA from upholding its contractual and statutory obligations. Requires all revenues generated by the network to be deposited in the Bay Area Express Lane Network Account, which BATA would create. Requires BATA to return 95 percent of any revenues net of operating, maintenance, financing, and administration costs to the corridors where the net revenues are generated for the purpose of funding projects and programs identified in the relevant corridor investment plan. Requires the Santa Clara Valley Transportation Authority (VTA), the Alameda County Congestion Management Agency and the Sunol Smart Carpool Lane Joint Powers Authority to enter into agreements with BATA by January 1, 2011, to provide for the transfer of their rights and obligations relative to express lane projects to BATA. Requires BATA to provide vehicle owners with the option of obtaining a FasTrak account using cash or a check, and without having to provide a name or address. Prohibits BATA from converting existing non-tolled general purpose lanes to express lanes.
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<tr>
<td>AB 987 (Ma) Transit Village Developments: Infrastructure Financing</td>
<td>Allows a local government to create an infrastructure financing district and thereby use tax increment financing to pay for public facilities and amenities within a transit village development district. Recasts the area for a transit village development plan to include all land within not more than a half mile of the main entrance of a public transit station. Requires a transit village development plan utilizing an infrastructure financing district to do all of the following: (a) include an increase in the stock of affordable housing or live-travel options for transit-needy groups as one of its five demonstrable public benefits; (b) use at least 20 percent of all revenues derived from the infrastructure financing district to increase, improve and preserve the supply of low- and moderate-income affordable housing in the district for a period of at least 55 years for rental housing and 45 years for owner-occupied housing; and (c) replace dwelling units at an affordable housing cost when specified dwelling units are destroyed or removed. Eliminates the requirement for voter approval for the formation of an infrastructure financing district, adoption of an infrastructure financing district plan, and the issuance of bonds for implementing an infrastructure financing district plan, if the district is being proposed to implement a transit village development plan.</td>
<td>1/4/10</td>
<td>Senate Local Government Committee</td>
<td>Support</td>
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<tr>
<td>AB 1030 (Blumenfield) Caltrans: Renewable Energy Projects</td>
<td>In consultation with Caltrans, authorizes the Institute of the Environment at the University of California-Los Angeles (UCLA) to undertake a project for mapping the renewable energy development potential of state-owned real property under the direction and control of Caltrans. Requires Caltrans to respond within 90 days to any proposal to develop a renewable energy project as to whether: (a) the property is available for sale, lease or encroachment permit; and (b) the project would be compatible with the current and projected use of that property.</td>
<td>7/13/09</td>
<td>Senate Appropriations Committee</td>
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<tr>
<td>AB 1104 (Monning) Off-Highway Motor Vehicles</td>
<td>Expands the period of time during which a review of a parking violation may be requested.</td>
<td>4/14/09</td>
<td>Senate Transportation and Housing Committee</td>
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<td>State Assembly Bills</td>
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<td>AB 1375 (Galgiani)</td>
<td>Creates the Department of High-Speed Trains within the Business, Transportation and Housing Agency. Requires the California High-Speed Rail Authority to establish policies directing the development and implementation of high-speed train service that is fully integrated with the state’s existing intercity rail and bus network, consisting of interlinked conventional and high-speed train lines and associated feeder buses. Further specifies that the intercity network in turn shall be fully coordinated and connected with commuter train lines and urban transit systems developed by local agencies, through the use of common station facilities whenever possible. Requires the Department of High-Speed Trains to implement these policies. Requires the authority to do all of the following: (1) select the routes of the high-speed train system; (2) serve as the governing body of the Department of High-Speed Trains; (3) adopt criteria for the awarding of franchises; and (4) set fares or establish guidelines for the setting of fares. By October 1 of each year, requires the authority to adopt and submit to the Governor and the Legislature a high-speed train program that would cover a period of six fiscal years. Requires the program to include a listing of all capital improvement projects that are expected to require an appropriation in the annual Budget Act, including federal, state, local, and private funds, during the following six fiscal years. Requires the director of the Department of High-Speed Trains to be appointed by the Governor. Requires the department to do all of the following: (1) conduct engineering and other studies related to the selection and acquisition of rights-of-way, and the selection of a franchisee; (2) evaluate alternative high-speed train technologies, systems and operators, and select an appropriate high-speed train system; (3) award franchises consistent with criteria adopted by the authority; (4) select a proposed franchisee, a proposed route and proposed terminal sites; (5) prepare a detailed financing plan, including any necessary taxes, fees or bonds to pay for the construction of the high-speed train system; (6) enter into contracts for the design, construction and operation of the high-speed train system; (7) acquire rights-of-way through purchase or eminent domain; (8) enter into cooperative or joint development agreements with local governments or private entities; (9) subject to the approval of the authority, issue debt secured by pledges of state funds, federal grants or project revenues; (10) relocate highways and utilities; (11) plan, construct and operate the high-speed train system; (12) acquire, sell and lease passenger rail rolling stock, power units and associated equipment; and (13) acquire, lease, design, construct, and improve track lines and related facilities.</td>
<td>1/15/10</td>
<td>Senate Transportation and Housing Committee</td>
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<td>State Assembly Bills</td>
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<td>AB 1405 (De Leon)</td>
<td>Global Warming Solutions Act: Community Benefits Fund</td>
<td>9/1/09</td>
<td>Senate Floor</td>
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<td>Requires the California Air Resources Board (CARB) to deposit a minimum</td>
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<td>of 30 percent of the fee revenues generated under the California Global</td>
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<td>Warming Solutions Act of 2006, other than revenues collected for</td>
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<td>administrative purposes, in the Community Benefits Fund. Requires the</td>
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<td>revenues in the fund to be used solely in the most impacted and</td>
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<td>disadvantaged communities in the state to accelerate greenhouse gas</td>
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<td>emission reductions or mitigate direct health impacts of climate change</td>
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<td>in those communities. Requires the revenues in the fund to be used to</td>
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<td>provide competitive grants for projects that do any of the following:</td>
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<td>(a) reduce greenhouse gas emissions while achieving co-benefits, such</td>
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<td>as reductions in air pollution; (b) increase water and energy efficiency</td>
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<td>and conservation through retrofitting, replacing or weatherizing</td>
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<td>activities; (c) install clean distributed generation systems that</td>
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<td>utilize locally available renewable energy sources, such as solar,</td>
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<td>wind and geothermal energy; (d) initiate or enhance public mass transit</td>
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<td>including fare subsidies to commuters; (e) incentive low-income, public</td>
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<td>mass transit-oriented housing development; (f) minimize the direct</td>
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<td>health impacts of climate change and prepare for emergencies from extreme</td>
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<td>weather events by taking actions such as the operation of air-conditioned</td>
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<td>cooling centers that are open to the public; or (g) provide community</td>
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<td>based greening, forestry or water-related projects, such as stormwater</td>
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<td>capture, tree planting, and water conservation and efficiency measures</td>
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<td>that have been recognized to reduce greenhouse gas emissions and</td>
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<td>produce co-benefits. Requires CARB to adopt a methodology to identify</td>
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<td>the most impacted and disadvantaged communities by June 30, 2010.</td>
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<tr>
<td>AB 1500 (Lieu)</td>
<td>HOV Lanes: Low-Emission Vehicles</td>
<td>7/14/09</td>
<td>Senate Floor</td>
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<td>Unless pre-empted by federal law, extends the authorization for low-</td>
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<td>emission vehicles to use high-occupancy vehicle (HOV) lanes regardless</td>
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<td>of the number of vehicle occupants from January 1, 2011, to January 1,</td>
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<td>2014.</td>
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<tr>
<td>AB 1670 (Beall)</td>
<td>Relinquishment of State Routes 82 and 130</td>
<td>As Introduced</td>
<td>Assembly</td>
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<td></td>
<td>Authorizes the California Transportation Commission (CTC) to relinquish</td>
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<td>Transportation</td>
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<td>the following to the city of San Jose: (a) the portion of State Route</td>
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<td>Committee</td>
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<td>82 from U.S. 101 to I-880; and (b) the portion of State Route 130 within</td>
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<td>the city limits.</td>
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<td>AB 1747 (Galgiani)</td>
<td>High-Speed Rail: Contracts</td>
<td>As Introduced</td>
<td>Assembly</td>
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<td>Allows the California High-Speed Rail Authority to consider, to the</td>
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<td>Transportation</td>
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<td>extent permitted by federal and state law, the creation of jobs in the</td>
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<td>state when awarding major contracts, or purchasing high-speed trains and</td>
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<td>related equipment and supplies.</td>
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<tr>
<td>AB 1760 (Blumenfield)</td>
<td>Design-Sequencing Contracts</td>
<td>3/22/10</td>
<td>Assembly</td>
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<td>Authorizes Caltrans to award design-sequencing contracts for the design</td>
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<td>Transportation</td>
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<td>and construction of not more than 10 transportation projects. Defines</td>
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<td>“design-sequencing” as a method of contracting that enables the</td>
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<td>sequencing of design activities to permit each construction phase to</td>
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<td>commence when design for that phase is complete, instead of requiring</td>
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<td>design for the entire project to be completed before commencing</td>
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<td>construction. In selecting projects for design-sequencing, requires</td>
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<td>Caltrans to attempt to: (a) balance geographical areas among projects;</td>
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<td>(b) pursue diversity in the types of projects undertaken; and (c)</td>
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<td>consider selecting projects that improve interregional and</td>
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<td>intercounty routes.</td>
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<tr>
<td>AB 1784 (Fong)</td>
<td>Authorizes the Santa Clara Valley Transportation Authority (VTA) to manage the construction of improvement projects on local roadways under the jurisdiction of the 15 cities within Santa Clara County or the county, if requested by a city or the county to do so.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
<td>Sponsor</td>
</tr>
<tr>
<td>AB 1805 (Calderon)</td>
<td>Establishes the California Environmental Quality Act (CEQA) Litigation Protection Pilot Program. Requires the Business, Transportation &amp; Housing Agency to select 25 projects for each calendar year between 2010 and 2014 to participate in the program. For a project to qualify for the program, requires the lead agency to certify that the environmental impact report (EIR) for the project will be certified within 12 months. In selecting projects for the program, requires the Business, Transportation &amp; Housing Agency to consider the following: (1) the number and quality of jobs that would be created by the project; (b) the amount of capital investment made by the project; and (c) a balance between projects sponsored by public and private entities. Provides that a lead agency’s decision to certify an EIR or to adopt a mitigated negative declaration based on an initial study for a project selected to participate in the pilot program is not subject to judicial review.</td>
<td>As Introduced</td>
<td>Assembly Natural Resources Committee</td>
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<tr>
<td>AB 1958 (Caballero)</td>
<td>States the intent of the Legislature to enact a bill to require each state department to make recommendations on reducing its costs by 5 percent, and to use those cost savings to fund pre-approved infrastructure projects not funded by existing bond proceeds.</td>
<td>As Introduced</td>
<td>Assembly Desk</td>
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<tr>
<td>AB 2098 (Miller)</td>
<td>Enacts provisions to govern the expenditure of a second round of federal transportation economic stimulus funds that may be awarded to California in 2010. Specifies that these funds shall be subject to appropriation by the Legislature. Provides for an unspecified division of any available funds between the state and regional agencies. Restricts the use of the state portion of funds to projects in areas defined as economically distressed under federal law. Declares the intent of the Legislature that an unspecified percent of the funds apportioned to a regional agency be available for suballocation by that agency to cities and counties for projects that meet the requirements of the federal act.</td>
<td>3/23/10</td>
<td>Assembly Transportation Committee</td>
<td></td>
</tr>
<tr>
<td>AB 2113 (Evans)</td>
<td>Authorizes a county board of supervisors to place on the ballot either or both of the following for consideration by the voters in accordance with all constitutional and statutory requirements: (1) a local personal income tax; or (2) a local vehicle license fee.</td>
<td>As Introduced</td>
<td>Assembly Local Government Committee</td>
<td></td>
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<tr>
<td>AB 2121 (Harkey)</td>
<td>Reduces the amount of general obligation debt authorized pursuant to the Safe, Reliable High-Speed Passenger Train Act for the 21st Century to the amount contracted as of January 1, 2011.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
<td></td>
</tr>
<tr>
<td>AB 2124 (Villines)</td>
<td>Specifies that Caltrans shall be responsible for damage inflicted on any roadway under the jurisdiction of a local agency resulting from activities performed by the department’s own employees or its contractors during maintenance or construction work on a state highway.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<tr>
<td>AB 2147 (V. Perez) Safe Routes to School</td>
<td>In awarding grants to local governmental agencies under the Safe Routes to School Program, requires Caltrans, as part of the rating process, to consider the benefit of a particular project to a disadvantaged community.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
<td></td>
</tr>
<tr>
<td>AB 2324 (J. Perez) Public Transit Vehicle Stations</td>
<td>Prohibits the following: (a) a person from knowingly possessing specified weapons within a sterile area of a public transit vehicle station; (b) an unauthorized person from knowingly entering a restricted area of a public transit vehicle station; and (c) a person from avoiding submission to screening and inspection when entering or re-entering a sterile area of a public transit vehicle station.</td>
<td>As Introduced</td>
<td>Assembly Public Safety Committee</td>
<td></td>
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<tr>
<td>AB 2509 (Hayashi) Bicycle Parking</td>
<td>States the intent of the Legislature to enact a bill that would decrease traffic congestion and carbon emissions by promoting the use of alternative modes of transportation through, among other things, requiring owners of buildings to provide bicycle parking.</td>
<td>As Introduced</td>
<td>Assembly Desk</td>
<td></td>
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<tr>
<td>AB 2516 (Hill) Townhomes Located Near Public Transit</td>
<td>Requires 10 percent of the units in townhomes located within a half mile of a public transit station to be designed with a full bathroom, a kitchen and a bedroom on the ground floor.</td>
<td>As Introduced</td>
<td>Assembly Judiciary Committee</td>
<td></td>
</tr>
<tr>
<td>AB 2579 (Evans) Master Plan for Infrastructure Financing and Development Commission</td>
<td>Creates the Master Plan for Infrastructure Financing and Development Commission. Specifies that the mission of the commission is to develop and recommend a plan to be presented to the Governor and Legislature that provides for building and maintaining the infrastructure necessary to meet the needs of Californians from the present to the year 2050. States the intent of the Legislature that the commission provide long-term guidelines for California’s infrastructure needs and a prioritized plan that meets those needs by doing all of the following: (1) project population, social and economic trends through 2050; (2) utilize the projects to assess the state’s capital needs for transportation, education, housing, and water through 2050, including the need for private capital to augment or complement public financing; (3) assess the availability of private and public funds to support jointly sponsored projects throughout the period from the present to 2050; (4) assess the status and fiscal value of dedicating future revenues to specific infrastructure construction and maintenance, including transportation and schools; and (5) recommend a financing plan for the state’s capital needs through 2050, with a priority plan for each five-year interval, including evaluation and recommendations of various financing methods that are feasible and may be of benefit to the state and local governments. Requires the commission to submit its final report to the Governor and Legislature by December 1, 2012. Requires the commission to be dissolved 30 days after issuance of its final report.</td>
<td>As Introduced</td>
<td>Assembly Local Government Committee</td>
<td></td>
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<tr>
<td>AB 2703 (J. Perez) Federal Transportation Funds</td>
<td>States the intent of the Legislature to enact a bill to make sure that federal transportation funds received by California in 2010 are expeditiously awarded to maximize job retention and to ensure robust oversight of those funds.</td>
<td>As Introduced</td>
<td>Assembly Desk</td>
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<tr>
<td><strong>AB 2704</strong>&lt;br&gt;(Gaines)&lt;br&gt;Local Streets/Roads Funding</td>
<td>States the intent of the Legislature to maintain Highway Users Tax Account funding to cities and counties for local streets/roads as in effect on January 1, 2010.</td>
<td>As Introduced</td>
<td>Assembly Desk</td>
<td></td>
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<tr>
<td><strong>ACA 3</strong>&lt;br&gt;(Blakeslee)&lt;br&gt;State General Obligation Bonds</td>
<td>Calls for placing before the voters an amendment to the California Constitution to require an initiative measure authorizing the issuance of state general obligation bonds in a total amount exceeding $1 billion to either provide additional tax or fee revenues, eliminate existing programs or both as necessary to fully fund the bonds in order to be placed on the ballot.</td>
<td>6/16/09</td>
<td>Assembly Floor</td>
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<tr>
<td><strong>ACA 5</strong>&lt;br&gt;(Calderon)&lt;br&gt;State General Obligation Bonds</td>
<td>Calls for placing before the voters an amendment to the California Constitution to require an initiative measure authorizing the issuance of state general obligation bonds to be approved by a 55 percent majority of the electorate.</td>
<td>7/14/09</td>
<td>Assembly Floor</td>
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<tr>
<td><strong>ACA 9</strong>&lt;br&gt;(Huffman)&lt;br&gt;Local Governments: Special Taxes</td>
<td>Calls for placing before the voters an amendment to the California Constitution to allow a local agency to impose, extend or increase any special tax if the tax is approved by its electorate by a 55 percent majority. Also allows a local agency to incur indebtedness in the form of general obligation bonds to fund any of the following: (a) the construction, reconstruction, rehabilitation, or replacement of public infrastructure improvements, and facilities or buildings used primarily to provide sheriff, police or fire protection services to the public; (b) affordable housing; and (c) the acquisition or lease of real estate for public infrastructure improvements, public safety facilities or buildings, and affordable housing, if the bond issuance is approved by its electorate by a 55 percent majority. Creates an exception to the 1 percent limit for property tax assessments if the revenues are being used to pay bonded indebtedness, approved by a 55 percent majority vote, to fund any of the following: (a) the construction, reconstruction, rehabilitation, or replacement of public infrastructure improvements, and facilities or buildings used primarily to provide sheriff, police or fire protection services to the public; (b) affordable housing; and (c) the acquisition or lease of real estate for public infrastructure improvements, public safety facilities or buildings, and affordable housing.</td>
<td>6/26/09</td>
<td>Assembly Floor</td>
<td>Support</td>
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<td><strong>ACA 13</strong></td>
<td>Calls for placing before the voters an amendment to the California Constitution regarding statewide initiative measures. Specifically, requires the Secretary of State’s Office to transmit an initiative measure to the Legislature prior to certification of the voter signatures that were collected to qualify the measure for the ballot. Allows the Legislature to amend an initiative measure that proposes to change the Constitution by concurrent resolution. If the proponents of the initiative measure accept the amendments of the Legislature, the Legislature may return the measure to the Secretary of State’s Office for possible placement on the ballot. Allows an initiative measure transmitted to the Legislature that only proposes a statute to be introduced in the Legislature as a bill. Provides that if such a bill is enacted and the proponents of the initiative measure accept any amendments of the Legislature, then the Secretary of State’s Office shall not submit the initiative measure to the voters. If the Legislature returns an initiative measure to the Secretary of State’s Office within 30 legislative session days after it has been transmitted to the Legislature and the measure is certified to have been signed by the requisite number of voters, requires the Secretary of State’s Office to place the measure, including any accepted amendments, on the ballot. If the Legislature does not return an initiative measure to the Secretary of State’s Office within 30 legislative session days after it has been transmitted to the Legislature, requires the Secretary of State’s Office to place the measure on the ballot if it is certified to have been signed by the requisite number of voters.</td>
<td>9/4/09</td>
<td>Assembly Floor</td>
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<td><strong>ACA 15</strong></td>
<td>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 the tax is approved by its electorate by a 55 percent majority.</td>
<td>As Introduced</td>
<td>Assembly Floor</td>
<td>Support</td>
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<td><strong>ACA 16</strong></td>
<td>Calls for placing before the voters an amendment to the California Constitution to allow the Legislature to approve general obligation bond measures only for the purpose of funding long-term infrastructure. Defines “long-term infrastructure” to mean any of the following: (a) the acquisition of land, including easements, rights-of-way and other interests in land; (b) the construction or acquisition of improvements to land, including structures and equipment integral to the operation of those structures; and (c) the construction or acquisition of roadways and water conveyances.</td>
<td>As Introduced</td>
<td>Assembly Appropriations Committee</td>
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## State Senate Bills

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<tr>
<td>SB 10</td>
<td>Authorizes counties and San Francisco to impose a voter-approved local vehicle assessment at a rate not to exceed 2 percent of the market value of each motor vehicle or trailer coach registered within their respective jurisdictions for general revenue purposes if: (a) the board of supervisors approves an ordinance to that effect by a two-thirds vote; and (b) the assessment is approved by a majority vote of the electorate. Specifies that the bill is not to be construed to supplant any funds that the state apportions to counties and San Francisco, including those apportioned under the Vehicle License Fee Law.</td>
<td>7/8/09</td>
<td>Assembly Floor</td>
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<td>SB 409</td>
<td>Places the California High-Speed Rail Authority within the Business, Transportation and Housing Agency. Requires the five members of the High-Speed Rail Authority appointed by the Governor to be confirmed by the Senate. Requires the authority to annually submit a funding plan to the California Transportation Commission (CTC) for approval. Requires the funding plan to identify the need for investments during the fiscal year and the amount of bond sales necessary to accommodate those investments. Requires the Business, Transportation and Housing Agency to prepare a five-year Strategic Rail Connectivity Plan for the state, the focus of which would be to identify opportunities for passenger rail system improvements and linkages. Requires this plan to: (a) include desirable linkages and feeder opportunities between high-speed rail, and conventional intercity rail, commuter rail and rail transit; (b) identify the coordination in planning and capital investments necessary to maximize the opportunities for each of those services in providing a cohesive, connected and easy-to-use system for Californians; (c) identify future right-of-way needs for passenger rail lines in connection with state and local highway system improvements; and (d) include other matters that offer opportunities for statewide coordination, such as the efficient movement of goods. Requires the strategic plan to be submitted to the CTC for approval on September 1, 2011, and every five years thereafter.</td>
<td>1/26/10</td>
<td>Assembly Transportation Committee</td>
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<tr>
<td>SB 455 (Lowenthal) California High-Speed Rail Authority</td>
<td>Requires the five gubernatorial appointments to the California High-Speed Rail Authority to be confirmed by the Senate. Exempts the High-Speed Rail Authority from the following: (a) various statutory provisions related to the acquisition and disposal of property requiring the approval of the Department of Finance; (b) securing the approval of the Department of Finance or the State Public Works Board when expending funds appropriated for capital outlay purposes; and (c) securing the approval of the Department of General Services when acquiring an easement or right-of-way. Prohibits the Department of General Services from: (a) granting easements across the property of the High-Speed Rail Authority; and (b) maintaining an inventory of the property owned by the authority. Authorizes the High-Speed Rail Authority to negotiate, in the name of the state, access to rights-of-way that it owns. Requires any capital investment made by the High-Speed Rail Authority for Phase 1 of the high-speed train project to be consistent with one or more of the following criteria: (a) enhances railroad access to stations and terminals, with priority being given to those stations and terminals that serve the largest employment centers; (b) improves travel times, service reliability, safety, and service frequency for existing commuter and intercity passenger train services; or (c) improves connections from the San Joaquin Valley to Southern California, or from the San Joaquin Valley to the Bay Area. Requires changes in contracts entered into by the High-Speed Rail Authority to be approved by its governing board. Requires the High-Speed Rail Authority to create an overall schedule with delivery milestones for all aspects of the high-speed train project.</td>
<td>4/16/09</td>
<td>Assembly Floor</td>
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<td>SB 474 (Ducheny) Innovative Contracting and Financing Pilot Programs</td>
<td>Requires the California Transportation Commission (CTC) to provide an annual consolidated report to the Legislature on the progress of the following pilot programs authorized under current law: (1) public-private partnerships; (2) design-build; and (3) design-sequencing. Within 90 days after the award of a contract or after entering into any agreement for a pilot program involving public-private partnerships, design-build or design-sequencing under current law, requires the lead agency for the project to make a finding that the use of the alternative contracting or financing method will provide any of the following benefits to the public when compared to a traditional contracting or financing method: (a) accelerates the project completion date; (b) produces savings in personnel or financial resources; (c) results in lower costs to the users of the facility developed under the method; or (d) brings financial resources to the project that would not otherwise be available. If the lead agency on a project is not the owner of the facility, requires the owner of the facility to concur with the finding.</td>
<td>8/24/09</td>
<td>Assembly Desk</td>
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<td>SB 476 (Correa) CEQA: Non-Compliance Allegations</td>
<td>Clarifies provisions of the California Environmental Quality Act (CEQA) that prescribe when and how a person may bring an action or a proceeding against a project before a public entity.</td>
<td>4/30/09</td>
<td>Assembly Natural Resources Committee</td>
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<td>SB 518 (Lowenthal)</td>
<td>Parking with respect to any lease of real property that a state entity enters into on or after January 1, 2011, requires the least to list the full cost of any parking spaces as a separate line item. Establishes a menu of parking policy reforms with a point score for each reform. Authorizes cities and counties to adopt and implement measures to reduce or eliminate subsidies for parking from the menu. Includes reforms relating to the following as part of the menu: (a) eliminating or reducing minimum parking requirements and/or establishing maximum parking requirements in local zoning ordinances; (b) allowing greater development potential on existing parking lots; (c) requiring that all new employment contracts charge the full cost of employer-provided parking; (d) requiring employers to offer public transit passes to employees on a pre-tax basis; (e) setting parking meter rates at market rate; (f) installing meters in areas with parking shortages; (g) establishing parking benefit districts to direct new revenues from meters or meter rate increases to the community from which they come; (h) allowing commuters to use surplus spaces in residential permit areas for a price; and (i) dedicating parking revenues to programs that reduce parking demand, including public transit, transportation demand management, and bicycle and pedestrian infrastructure. Requires the California Air Resources Board (CARB) to consider making a city or county that adopts and implements measures that exceed a total score of 20 points eligible to receive carbon reduction credits through its cap-and-trade program for those measures that exceed the 20-point threshold if the granting of those credits does not result in increasing the overall cap on emissions. Requires a city or county that adopts at least 50 points of reforms to receive a 5 percent scoring bonus for any state competitive loan or grant program related to housing, transportation or economic development, or that is funded by a general obligation bond approved by the voters on or after January 1, 2010. Allows any funding apportioned to cities or counties from the Highway Users Tax Account to be expended for implementing transportation demand management measures. Authorizes a local entity to dedicate any portion of the revenues collected from parking meter zones to parking benefit districts or programs that reduce parking demand, including public transit, transportation demand management, or bicycle and pedestrian infrastructure improvements and promotion.</td>
<td>1/21/10</td>
<td>Assembly Desk</td>
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<tr>
<td>SB 535 (Yee)</td>
<td>HOV Lanes: Low-Emission and Fuel-Efficient Vehicles unless pre-empted by federal law, indefinitely 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. In addition, allows certain highly fuel-efficient vehicles to travel in HOV lanes without the required number of passengers, beginning in 2011. However, retains the January 1, 2011, sunset date for hybrid vehicles.</td>
<td>9/4/09</td>
<td>Assembly Floor</td>
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<td>SB 632 (Lowenthal)</td>
<td>Ports: Infrastructure Needs Beginning January 1, 2010, requires the ports of Long Beach, Los Angeles and Oakland to assess their infrastructure and air quality improvement needs, including projects that improve the efficiency of the movement of cargo, and that reduce the congestion impacts and pollution associated with the movement of cargo. Requires these assessments to include the total costs of the infrastructure and air quality improvements, possible funding options for these projects, and estimated timelines for their implementation. Requires each port to provide this assessment to the Legislature by July 1, 2010.</td>
<td>4/30/09</td>
<td>Assembly Floor</td>
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| **SB 901**  
(Ashburn)  
Proposition 1B  
Grade Separation Projects | Authorizes the lead agency for a grade separation or railroad crossing project funded through the Proposition 1B Highway-Railroad Crossing Safety Account to apply for a letter of no prejudice (LONP) that would allow the agency to expend its own funds for any bond-funded component of the project, subject to later reimbursement from bond proceeds under certain conditions. | As Introduced | Senate Transportation and Housing Committee |  |
| **SB 927**  
(Huff)  
HOV Lanes | Makes several technical, non-substantive changes to state statutes pertaining to high-occupancy vehicle (HOV) lanes. | As Introduced | Senate Rules Committee |  |
| **SB 964**  
(Alquist)  
High-Speed Rail: Workforce Development Program | Requires the California High-Speed Rail Authority to contract with the California Community Colleges Chancellor’s Office to: (1) develop a labor market assessment of the workforce, and identify the education and skills needed to construct, operate and maintain a high-speed rail network in the state; and (2) develop a comprehensive workforce training and certification program to facilitate the availability of a skilled, in-state workforce to participate, to the maximum extent feasible, in the construction, operation and maintenance of the state’s high-speed rail network. Appropriates $25 million in Proposition 1A high-speed rail bond funds for the purposes of this bill. | As Introduced | Senate Transportation and Housing Committee |  |
| **SB 965**  
(DeSaulnier)  
High-Speed Rail: Federal Funding | Authorizes the California High-Speed Rail Authority to receive and expend any federal funds awarded to it for the purpose of developing projects along the state’s proposed high-speed rail network. Requires the authority to take those actions necessary to ensure that any federal funds awarded to it are obligated and expended in a manner that: (1) meets all applicable federal deadlines for funding obligation and expenditure; (2) maximizes job creation in California at the earliest feasible time; (3) expedites the completion of vital infrastructure projects that improve rail safety, mobility and performance; (4) makes the most efficient use of available state bond funds; and (5) is consistent with current state law. Within 30 days of enactment of this bill, requires the authority to submit to the Legislature a plan for the expenditure of federal funds awarded to it. Requires the plan to include: (1) an itemization of the projects proposed for funding; (2) the location of those projects; (3) the amount of federal and state funds, including state bond funds, proposed to be committed to each project; (4) the proposed completion date of each project; and (5) the number of jobs that each project is estimated to create or maintain in California. | As Introduced | Senate Transportation and Housing Committee |  |
| **SB 1010**  
(Correa)  
CEQA Litigation Protection Pilot Program of 2010 | Establishes the California Environmental Quality Act (CEQA) Litigation Protection Pilot Program. Requires the Business, Transportation & Housing Agency to select 25 projects for each calendar year between 2010 and 2014 to participate in the program. For a project to qualify for the program, requires the lead agency to certify that the environmental impact report (EIR) for the project will be certified within 12 months. In selecting projects for the program, requires the Business, Transportation & Housing Agency to consider the following: (1) the number and quality of jobs that would be created by the project; (b) the amount of capital investment made by the project; and (c) a balance between projects sponsored by public and private entities. Provides that a lead agency’s decision to certify an EIR or to adopt a mitigated negative declaration based on an initial study for a project selected to participate in the pilot program is not subject to judicial review. | As Introduced | Senate Environmental Quality Committee |  |
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<td>SB 1061 (Hancock) Bay Bridge: Bicycle-Pedestrian Pathway</td>
<td>Allows a bicycle-pedestrian-maintenance pathway on the San Francisco-Oakland Bay Bridge to be funded with state-owned toll bridge revenues under the jurisdiction of the Bay Area Toll Authority (BATA).</td>
<td>As Introduced</td>
<td>Senate Transportation and Housing Committee</td>
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<td>SB 1120 (Dutton) California Global Warming Solutions Act: Cap and Trade</td>
<td>Prohibits the California Air Resources Board (CARB) from implementing a market-based compliance mechanism pursuant to the California Global Warming Solutions Act of 2006 that includes caps on greenhouse gas emissions and trading among participants unless it is part of a legally enforceable regional or federal program.</td>
<td>As Introduced</td>
<td>Senate Environmental Quality Committee</td>
<td></td>
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<tr>
<td>SB 1215 (Price) Caltrans: Architectural and Engineering Services</td>
<td>Authorizes Caltrans to establish prequalified lists of architectural and engineering services firms. Requires Caltrans to comply with certain requirements relating to the advertisement and award of contracts in the event the department utilizes the prequalified list.</td>
<td>As Introduced</td>
<td>Senate Transportation and Housing Committee</td>
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<td>SB 1245 (Simitian) Express Lanes: Free Passage</td>
<td>Requires a high-occupancy vehicle (HOV) lane, including an express lane, on a highway or bridge that was free of tolls to high-occupancy vehicles as of January 1, 2010, to remain free of tolls with respect to those vehicles.</td>
<td>As Introduced</td>
<td>Senate Transportation and Housing Committee</td>
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<tr>
<td>SB 1260 (Yee) High-Speed Rail Bonds</td>
<td>States the intent of the Legislature to enact a bill to implement the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century.</td>
<td>As Introduced</td>
<td>Senate Rules Committee</td>
<td></td>
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<td>SB 1263 (Wyland) California Global Warming Solutions Act: Inoperative</td>
<td>Makes the provisions of the California Global Warming Solutions Act of 2006 and any regulation adopted by the California Air Resources Board (CARB) pursuant to the act inoperative.</td>
<td>As Introduced</td>
<td>Senate Environmental Quality Committee</td>
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<tr>
<td><strong>SB 1268</strong>&lt;br&gt;(Simitian)&lt;br&gt;Electronic Toll Collection Systems</td>
<td>Prohibits a transportation agency from selling or providing personally identifiable information of a subscriber, such as travel pattern data, address, telephone number, bank account information, or credit card information, obtained pursuant to the subscriber’s participation in an electronic toll collection system. Within practicable business and cost constraints, allows a transportation agency to store only personally identifiable information of a subscriber, such as the account name, credit card number, billing address, vehicle information, and other basic account information, that is required to perform account functions, such as billing, account settlement or enforcement activities. Requires all other information to be discarded within six months after the closure date of the billing cycle or 60 days after the bill has been paid, whichever occurs last. Within practical business and cost constraints, requires a transportation agency to make every effort to purge the personal account information of an account within 60 days after the date the account is closed or terminated. Authorizes a subscriber whose personally identifiable information has been sold or provided in violation of this bill to bring specified actions for recovery of damages, costs and attorney’s fees.</td>
<td>As Introduced</td>
<td>Senate Transportation and Housing Committee</td>
<td></td>
</tr>
<tr>
<td><strong>SB 1299</strong>&lt;br&gt;(Lowenthal)&lt;br&gt;Vehicle Miles Traveled Fee</td>
<td>By January 1, 2012, requires the Department of Motor Vehicles (DMV) to develop and implement a pilot program designed to assess the following issues related to putting in place a vehicle miles traveled (VMT) fee in California: (1) different methods of calculating mileage; (2) processes for transmitting data to protect the integrity of the data and ensure the privacy of drivers; and (3) the types of equipment that may be required of the state and of drivers in order to implement a VMT fee. Requires the DMV to prepare and submit a report of its findings to the Legislature by June 30, 2012. Requires the report to include all of the following elements: (1) recommendations regarding how best to implement a VMT fee in a manner that minimizes confusion and inconvenience to California’s drivers, while also ensuring their privacy; (2) given the technological and institutional demands associated with implementing a VMT fee, a discussion of different processes that may be used to transition from the fuel tax to a VMT fee over time; and (3) a discussion of issues that the Legislature may wish to consider when evaluating whether and how to implement a VMT fee.</td>
<td>As Introduced</td>
<td>Senate Transportation and Housing Committee</td>
<td></td>
</tr>
<tr>
<td><strong>SB 1320</strong>&lt;br&gt;(Hancock)&lt;br&gt;AC Transit: Fare Evasion and Passenger Misconduct</td>
<td>Authorizes the Alameda-Contra Costa Transit District (AC Transit) to impose and enforce civil administrative penalties for fare evasion and passenger misconduct in lieu of criminal penalties. Allows the revenues generated from the civil administrative penalties to be deposited in the AC Transit’s General Fund. Requires AC Transit to adhere to specified administrative adjudication procedures when imposing and enforcing these civil administrative penalties.</td>
<td>As Introduced</td>
<td>Senate Transportation and Housing Committee</td>
<td></td>
</tr>
<tr>
<td><strong>SB 1348</strong>&lt;br&gt;(Steinberg)&lt;br&gt;CTC Guidelines</td>
<td>Provides that California Transportation Commission (CTC) guidelines shall have no force or effect unless they are adopted as regulations pursuant to the Administrative Procedure Act.</td>
<td>As Introduced</td>
<td>Senate Transportation and Housing Committee</td>
<td></td>
</tr>
<tr>
<td>State Senate Bills</td>
<td>Subject</td>
<td>Last Amended</td>
<td>Status</td>
<td>VTA Position</td>
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<tr>
<td><strong>SB 1371</strong> (Lowenthal)</td>
<td>Requires Caltrans to work with local agencies to develop a list of potential projects that may be under contract within 90 days of the award of a second round of federal transportation economic stimulus funds to the state. In doing so, requires Caltrans to assess whether a particular project: (a) is included in the federal transportation improvement program (TIP); (b) has completed applicable state and federal environmental reviews; and (c) would have sufficient funding from other sources to complete the project if stimulus funds were to be provided.</td>
<td>As Introduced</td>
<td>Senate Transportation and Housing Committee</td>
<td></td>
</tr>
<tr>
<td><strong>SB 1418</strong> (Wiggins)</td>
<td>Increases the maximum amount of the vehicle registration surcharge that a Service Authority for Freeways and Expressways (SAFE) may impose from $1 to $2. In addition to call boxes and freeway service patrols, allows SAFE surcharge revenues to be used for mobile roadside assistance systems, intelligent transportation systems, incident management programs and coordination, traveler information system programs, and traffic operation centers. Allows the Metropolitan Transportation Commission (MTC) to use SAFE funds to install call boxes in parking lots and roadway areas in state and federal parks in the Bay Area where telecommunication services are not available.</td>
<td>As Introduced</td>
<td>Senate Transportation and Housing Committee</td>
<td></td>
</tr>
<tr>
<td><strong>SB 1445</strong> (DeSaulnier)</td>
<td>Requires the Planning Advisory and Assistance Council in the Office of Planning and Research to: (1) work with the Strategic Growth Council, regional agencies, cities, and counties to facilitate the implementation of regional blueprint plans; and (2) develop and propose recommendations to facilitate coordination between regional blueprint plans, state growth and infrastructure funding plans, and programs that facilitate the implementation of regional blueprint plans. Imposes a vehicle registration surcharge of $1. Requires the Department of Motor Vehicles (DMV) to distribute 5 percent of the net revenues from the surcharge to the Planning Advisory and Assistance Council. Requires the DMV to allocate the remaining net revenues to metropolitan planning organizations (MPOs), councils of governments (COGs), and transportation planning agencies in areas outside of MPOs and COGs based on the amount of surcharge revenues collected from motor vehicles registered within each jurisdiction. Requires MPOs, COGs and transportation planning agencies to use their surcharge revenues to: (a) develop and implement a sustainable communities strategy or regional blueprint plan; and (b) to provide grants to cities, counties and congestion management agencies for planning and projects related to the implementation of a regional blueprint plan.</td>
<td>As Introduced</td>
<td>Senate Transportation and Housing Committee</td>
<td></td>
</tr>
<tr>
<td><strong>SCA 2</strong> (Wyland)</td>
<td>Calls for placing before the voters an amendment to the California Constitution to revise the biennial sessions of the Legislature. Specifically, requires legislative sessions held in odd-numbered years to be budget sessions. In a budget session, specifies that the Legislature shall meet only to conduct oversight and review of the revenues and expenditures of the state, and to consider only budget bills and budget implementation bills for the succeeding two fiscal years, and related revenue bills. Provides an exception for bills to enact emergency statutes. In each odd-numbered calendar year, requires the Governor to submit to the Legislature proposed budgets for the two subsequent fiscal years. Requires legislative sessions held in even-numbered years to be general sessions, during which any bill may be considered.</td>
<td>3/16/10</td>
<td>Senate Rules Committee</td>
<td></td>
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<tr>
<td>State Senate Bills</td>
<td>Subject</td>
<td>Last Amended</td>
<td>Status</td>
<td>VTA</td>
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<tr>
<td>SCA 3</td>
<td>Calls for placing before the voters an amendment to the California Constitution to eliminate the ability of the Governor and the Legislature to suspend the transfer of gasoline sales tax revenues pursuant to Proposition 42 from the General Fund to the Transportation Investment Fund (TIF). Prohibits the loaning of TIF revenues under any circumstances. Prohibits the enactment of a statute that would reduce the extent to which gasoline sales tax revenues are deposited into the General Fund for transfer to the TIF for transportation purposes.</td>
<td>As Introduced</td>
<td>Senate Revenue and Taxation Committee</td>
<td></td>
</tr>
<tr>
<td>SCA 5</td>
<td>Calls for placing before the voters an amendment to the California Constitution to allow for General Fund appropriations in the state budget bill to be enacted by the Legislature with a majority vote.</td>
<td>As Introduced</td>
<td>Senate Floor</td>
<td></td>
</tr>
<tr>
<td>SCA 10</td>
<td>Calls for placing before the voters an amendment to the California Constitution regarding statewide initiative measures. Specifically, requires the Secretary of State’s Office to transmit a copy of an initiative measure certified for the ballot to both the Senate and Assembly no later than 176 days prior to the election at which the measure is to be considered by the electorate. Within 30 days, allows the Legislature to propose an amended form of the initiative measure by adopting a concurrent resolution. If the sponsors of the initiative measure accept the proposed amendments, requires the Legislature’s proposal to appear on the ballot in place of the certified initiative measure. If the amended form proposed by the Legislature is not accepted, requires information regarding the proposed amended form to be included in the ballot materials related to the initiative measure.</td>
<td>8/17/09</td>
<td>Senate Floor</td>
<td></td>
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<tr>
<td>SCA 14</td>
<td>Calls for placing before the voters an amendment to the California Constitution regarding the costs associated with statewide initiative measures. Specifically, prohibits an initiative measure that would result in a net increase in state or local government costs other than costs attributable to the issuance, sale or repayment of bonds from being placed on the ballot unless the Legislative Analyst’s Office and the Department of Finance jointly determine that the initiative measure provides for additional revenues in an amount that would meet or exceed the net increase in costs.</td>
<td>8/17/09</td>
<td>Senate Floor</td>
<td></td>
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</tbody>
</table>
### January

<table>
<thead>
<tr>
<th>Day</th>
<th>Event</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Statutes signed into law in 2009 take effect.</td>
</tr>
<tr>
<td>4</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>15</td>
<td>Last day for policy committees to hear and report fiscal bills introduced in their house of origin in 2009.</td>
</tr>
<tr>
<td>22</td>
<td>Last day for any committee to hear and report to the floor bills introduced in their house of origin in 2009. Last day to submit bill requests to the Legislative Counsel’s Office.</td>
</tr>
<tr>
<td>31</td>
<td>Last day for bills introduced in 2009 to be passed out of their house of origin.</td>
</tr>
</tbody>
</table>

### February

<table>
<thead>
<tr>
<th>Day</th>
<th>Event</th>
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<tbody>
<tr>
<td>19</td>
<td>Last day for new bills to be introduced.</td>
</tr>
</tbody>
</table>

### March

<table>
<thead>
<tr>
<th>Day</th>
<th>Event</th>
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<tbody>
<tr>
<td>25</td>
<td>Spring Recess begins upon adjournment.</td>
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</table>

### April

<table>
<thead>
<tr>
<th>Day</th>
<th>Event</th>
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</thead>
<tbody>
<tr>
<td>5</td>
<td>Legislature reconvenes from Spring Recess.</td>
</tr>
<tr>
<td>23</td>
<td>Last day for policy committees to hear and report fiscal bills introduced in their house of origin in 2010.</td>
</tr>
</tbody>
</table>

### May

<table>
<thead>
<tr>
<th>Day</th>
<th>Event</th>
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</thead>
<tbody>
<tr>
<td>7</td>
<td>Last day for policy committees to hear and report to the floor non-fiscal bills introduced in their house of origin in 2010.</td>
</tr>
<tr>
<td>28</td>
<td>Last day for fiscal committees to hear and report to the floor bills introduced in their house of origin in 2010.</td>
</tr>
</tbody>
</table>

### June

<table>
<thead>
<tr>
<th>Day</th>
<th>Event</th>
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<tbody>
<tr>
<td>4</td>
<td>Last day for bills introduced in 2010 to be passed out of their house of origin.</td>
</tr>
<tr>
<td>15</td>
<td>Budget must be passed by midnight.</td>
</tr>
<tr>
<td>24</td>
<td>Last day for legislative measures to qualify for placement on the November 2, 2010, general election ballot.</td>
</tr>
</tbody>
</table>

### July

<table>
<thead>
<tr>
<th>Day</th>
<th>Event</th>
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</thead>
<tbody>
<tr>
<td>2</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>
</tr>
</tbody>
</table>

### August

<table>
<thead>
<tr>
<th>Day</th>
<th>Event</th>
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<tbody>
<tr>
<td>2</td>
<td>Legislature reconvenes from Summer Recess.</td>
</tr>
<tr>
<td>13</td>
<td>Last day for fiscal committees to hear and report to the floor bills introduced in the other house.</td>
</tr>
<tr>
<td>20</td>
<td>Last day to amend bills on the Assembly and Senate floors.</td>
</tr>
<tr>
<td>31</td>
<td>Last day for each house to pass bills. Final Recess begins at the end of this day’s session.</td>
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</tbody>
</table>

### September

<table>
<thead>
<tr>
<th>Day</th>
<th>Event</th>
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</thead>
<tbody>
<tr>
<td>30</td>
<td>Last day for the Governor to sign or veto bills passed by the Legislature before September 1, and in his possession after September 1.</td>
</tr>
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</table>

### October

<table>
<thead>
<tr>
<th>Day</th>
<th>Event</th>
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<tbody>
<tr>
<td>2</td>
<td>General Election.</td>
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</table>

### November

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<thead>
<tr>
<th>Day</th>
<th>Event</th>
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</thead>
<tbody>
<tr>
<td>2</td>
<td>General Election.</td>
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</tbody>
</table>

### December

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<thead>
<tr>
<th>Day</th>
<th>Event</th>
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</thead>
<tbody>
<tr>
<td>6</td>
<td>The 2011-2012 regular legislative session convenes.</td>
</tr>
</tbody>
</table>