BOARD OF DIRECTORS MEETING

Thursday, August 5, 2010

5:30 P.M.
The Regular Session will commence immediately following the conclusion of the Closed Session.

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 or visit us on Facebook www.facebook.org/scvta.

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

1. ROLL CALL

2. RECESS TO CLOSED SESSION
   A. Existing Litigation - Conference with Legal Counsel
      [Government Code Section 54956.9(a)]
      Name of Case: Sharon Reed vs. J. Chow and Valley Transit
      (Santa Clara Superior Court No.: 1-09-CV-158800)
   B. Existing Litigation - Conference with Legal Counsel
      [Government Code Section 54956.9(a)]
      Name of Case: Benito Rabaria v. Santa Clara Valley Transportation Authority
      (Santa Clara Superior Court Case No.: 1-08-CV-125642)
   C. Existing Litigation - Conference with Legal Counsel
      [Government Code Section 54956.9(a)]
      Name of Case: Fernando Sanchez v. Santa Clara Valley Transportation Authority
      (Santa Clara Superior Court Case No.: 1-08-CV-122114)
   D. Anticipated Litigation - Conference with Legal Counsel
      Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9: Six Potential Cases

RECONVENE TO OPEN SESSION

3. CLOSED SESSION REPORT

4. ORDERS OF THE DAY

5. AWARDS AND COMMENDATIONS
   A. Employees of the Month for July and August 2010, and Supervisor of the Quarter
      Recognize Silvia Ramirez, Information Services Representative, River Oaks Administration; Emma Bryand-Madrid, Coach Operator, Chaboya Division; and Guy Bavoukian, Transit Foreperson, Chaboya Maintenance Division, as Employees of the Month for July 2010; and Lalitha Konanur, Operations System Supervisor, River Oaks, as Supervisor of the Quarter for the third quarter of 2010. Also recognize Robert Belden, Communications Systems Analyst, River Oaks Administration; Mehran Adl, Light Rail Operator, Guadalupe Division; and Jeff Larner, Transit Mechanic, Cerone Maintenance Division, as Employees of the Month for August 2010.
B. ACTION ITEM - Adopt a resolution recognizing Diane Alves, Facilities Maintenance Assistant, for 38 years of service.

6. 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.

7. REPORT FROM THE GENERAL MANAGER (Verbal Report)

8. REPORT FROM THE CHAIRPERSON (Verbal Report)
   - Right-of-Way Acquisition Process

9. Receive an update on Caltrans District 4 Activities in Santa Clara County (Bijan Sartipi, Director)


CONSENT AGENDA


14. ACTION ITEM - Ratify the following appointments and re-appointments to the Bicycle & Pedestrian Advisory Committee (BPAC):

   New Appointments:
   - Lisa Aragon, City of Morgan Hill and Steven Levin, County of Santa Clara, for term commencing August 2010 to June 30, 2012.

   Reappointments:
   - David Simons, City of Sunnyvale and Richard Ruh, City of Monte Sereno, for term commencing August 2010 to June 30, 2012.

15. ACTION ITEM - Ratify the nomination of Jeremy Barousse to the Citizens Advisory Committee representing the South Bay AFL-CIO Labor Council.
16. ACTION ITEM - Adopt a sponsoring agency resolution for Transportation Infrastructure Generating Recovery (TIGER) grant funds for VTA's joint application with Bay Area Rapid Transit (BART) for the BART Hayward Yard Reconstruction project; and further, authorize the General Manager to enter into any necessary agreements with BART, the State of California and/or the Federal Department of Transportation to receive these funds and implement this project.

17. ACTION ITEM - Authorize the General Manager to grant an Easement to AT&T for a fee of $24,000, for the placement of conduit beneath VTA's light rail tracks at Leigh Ave and Southwest Expressway.


REGULAR AGENDA

20. ACTION ITEM - Approve the Fiscal Year 2011 (FY11) Internal Audit Plan developed by the VTA Auditor General, and authorize the General Manager to execute all necessary task orders with Deloitte & Touche LLP to conduct the projects under the FY11 internal audit work plan.

21. ACTION ITEM - Authorize the General Manager to execute a Memorandum of Understanding with the Metropolitan Transportation Commission and other transit operators to implement the Clipper fare collection system at VTA.

22. ACTION ITEM - Authorize the General Manager to execute an Amendment to the Cooperative Agreement with Santa Clara Valley Water District Regarding the Combined Transportation and Flood Control Protection Improvements Across Lower Berryessa Creek adding the Wrigley Creek Improvements to the scope of the Agreement. The proposed amendment will be for $3.26 million, of which VTA’s share is $2.35 million and the Santa Clara Valley Water District's share is $0.91 million. VTA's share is 100% funded from the 2000 Measure A Program.

23. ACTION ITEM - Approve the recommended 2010 CMA Block Grant program of projects that includes the Local Streets and Roads Program, Community Design and Transportation Program, and Bicycle Expenditure Program.

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

25. INFORMATION ITEM - Receive informational presentation on Silicon Valley Berryessa Extension (SVBX) Draft Relocation Plan.
OTHER ITEMS

26. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

27. MONTHLY LEGISLATIVE HISTORY MATRIX

28. REPORTS (UNAPPROVED MINUTES) FROM STANDING COMMITTEES
   A. Administration and Finance Committee (No June/July Meetings Scheduled)
   B. Congestion Management Program and Planning Committee (No June/July Meetings Scheduled)
   C. Transit Planning and Operations Committee (No June/July Meetings Scheduled)
   D. Audit Committee

29. REPORTS (UNAPPROVED MINUTES) FROM ADVISORY COMMITTEES
   A. Committee for Transit Accessibility (CTA) (No June Meeting Scheduled)
   B. Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) (July Meeting Cancelled)
   C. Bicycle & Pedestrian Advisory Committee (BPAC)
   D. Technical Advisory Committee (TAC) (June Meeting Cancelled)
   E. Policy Advisory Committee (PAC) (June/July Meetings Cancelled)

30. 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

31. 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 (May Meeting Cancelled/No Meetings Scheduled)
   C. Downtown East Valley PAB (June Meeting Cancelled)
32. ANNOUNCEMENTS

33. 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 July and August 2010, and Supervisor of the Quarter

FOR INFORMATION ONLY

BACKGROUND:

July Employees of the Month and Supervisor of the Quarter:

Silvia Ramirez, Information Services Representative in the Customer Service department at River Oaks, is the Administration Award Winner for July. Silvia has been with VTA since 2000. Coworkers view her as an exceptional role model who is willing to share her expertise whenever needed. Silvia has been very helpful in providing bilingual services to our Spanish speaking customers who call for assistance, and her talents are also evident in her work with the Youth Outreach Program. Congratulations to Silvia Ramirez, Administration Employee of the Month for July!

Emma Bryand-Madrid, Coach Operator at Chaboya Division, is July’s Operations Award Winner. Emma exceeds the standards of her job, as indicated by numerous compliments from customers, with one recently thanking her for being so courteous to her passengers. Recognized for her professionalism and positive attitude, Emma helps make VTA a better place to work. An employee of VTA for over 29 years, Emma leaves a very positive impression of the VTA with our customers. Congratulations Emma Bryand-Madrid, Operations Employee of the Month for July!

Guy Bavoukian, Transit Foreperson at Chaboya Division, is our Maintenance Employee of the Month for July. Guy has been with VTA since 1980. In his current assignment Guy provides oversight of bus maintenance, repair and service. Guy’s coworkers observe that he is always willing to assist in the shop or on the fuel island to ensure that the buses are ready for pull-out. As a respected employee with a great attitude and an exceptional attention to detail, Guy is a true role model to his fellow employees. Congratulations to Guy Bavoukian, Maintenance Employee of the Month for July!
Lalitha Konanur, Operations Systems Supervisor at River Oaks, is our Supervisor of the Quarter for the third quarter of 2010. Lalitha has been with VTA for over 9 years. She currently supervises staff performing complex analytical studies and she advises management on business systems policy and planning activities. Lalitha’s staff appreciates her team-based approach, and she is recognized by management as a key member of the Division. Demonstrating these exceptional leadership skills, Lalitha is clearly an asset to VTA. Congratulations to Lalitha Konanur, Supervisor of the Quarter!

August Employees of the Month:

Robert Belden, Communications Systems Analyst in the Information Technology department at River Oaks, is the Administration award winner for August. Robert provides technical support for VTA’s Advanced Communication System, a state-of-the-art radio and fleet management system. Robert has been with VTA for 12 years, and is appreciated for his dedication and professionalism. Robert’s excellent technical skills and willingness to assist others helps to create a supportive work environment at VTA. Congratulations to Robert Belden, Administration Employee of the Month for August!

Mehran Adl, Guadalupe Division Light Rail Operator, is August’s Operations award winner. For nearly 24 years at VTA, Mehran has consistently met the high performance standards of his job. He has received numerous compliments from customers for treating them with courtesy and respect. Recognized by his supervisors for his attention to detail and for making safety a priority, Mehran sets a great example for his fellow Operators. He has repeatedly demonstrated his commitment to VTA’s values of safety. Congratulations to Mehran Adl, Operations Employee of the Month for August!

Jeff Larner, Transit Mechanic at Cerone Division, is our Maintenance Employee of the Month for August. Jeff has been with VTA for over 24 years. As a Transit Mechanic on the Minor Maintenance Team, Jeff diagnoses problems and performs repairs to ensure the safe operation of VTA buses. Recognized as a reliable and hardworking employee, Jeff is an admirable role model to his coworkers. Whether working independently or as a member of a team, Jeff upholds VTA’s standards of quality job performance. Congratulations to Jeff Larner, Maintenance Employee of the Month for August!

Prepared By: Mitsuno Baurmeister
Memo No. 2695
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief Administrative Officer, Bill Lopez

SUBJECT: Resolution for Retiring Employee, Facilities Maintenance Assistant, Diane Alves

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

Resolution

ACTION ITEM

RECOMMENDATION:

Adopt a resolution recognizing Diane Alves, Facilities Maintenance Assistant, for 38 years of service.

BACKGROUND:

Diane Alves, Badge #8302, has provided outstanding public service in several positions throughout her distinguished 38 year career with VTA.

DISCUSSION:

Diane’s career began with the Santa Clara County in January, 1972 as a Clerk Typist in Social Services, and later for the Sheriff’s Department. In 1989 she moved to the Transit District, working as a Clerk Typist at the Gladys Jackson yard. When that yard closed in 1992, Diane transferred to the Purchasing Coordination Unit, and later promoted to a Buyer Assistant. In 1997, Diane’s record of exemplary service continued as she was promoted to her most recent position, Facilities Maintenance Assistant. In this role, Diane has received many commendations for her outstanding work, and is highly respected by all who know and work with her.

Diane’s commitment to providing excellent customer service earned her the prestigious Employee of the Year award in 2003. Her co-workers will miss her pleasant personality and positive outlook as she begins a new chapter in her life.

Congratulations to Diane Alves.
FISCAL IMPACT:
N/A

Prepared by: Mitsuno Baermeister
Memo No. 2692
RESOLUTION OF COMMENDATION
BY THE BOARD OF DIRECTORS
OF THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY
GIVING SPECIAL TRIBUTE, DUE HONOR, AND RECOGNITION TO
FACILITIES MAINTENANCE ASSISTANT
DIANE ALVES

WHEREAS, Diane Alves retired from Santa Clara Valley Transportation Authority (VTA) on July 30, 2010 with 38 years of distinguished public service; and,

WHEREAS, Diane Alves began her career with the County of Santa Clara in January, 1972 as a Clerk Typist in Social Services, and later for the Sheriff’s Department; and,

WHEREAS, Diane Alves moved to the Transit District in 1989 at the Gladys Jackson yard. When that yard closed in 1992, Diane transferred to the Purchasing Coordination Unit, and later promoted to a Buyer Assistant; and,

WHEREAS, Diane Alves’ record of exemplary service continued as she was promoted in 1997 to her most recent position, Facilities Maintenance Assistant. In this role, Diane has received many commendations for her outstanding work, and is highly respected by all who know and work with her; and,

WHEREAS, Diane Alves’ commitment to providing excellent customer service earned her the prestigious Employee of the Year award in 2003.

THEREFORE, BE IT RESOLVED that the Santa Clara Valley Transportation Authority does hereby give special tribute, due honor, and recognition to Diane Alves for 38 years of dedicated public service.

PASS AND ADOPTED by the Santa Clara Valley Transportation Board of Directors on this 5th day of August, 2010.

AYES: Directors:

NOES: Directors:

ABSENT: Directors:

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

Sandra Weymouth  
Board Secretary

APPROVED AS TO FORM:

________________________  
Kevin D. Allmand  
General Counsel
CALL TO ORDER

The Regular Meeting of the Santa Clara Valley Transportation Authority’s (VTA) Board of Directors was called to order by Chairperson Liccardo at 5:35 p.m. in the Board of Supervisors’ Chambers, County Government Center, 70 West Hedding Street, San Jose, California.

1. ROLL CALL

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<tr>
<th>Attendee Name</th>
<th>Title</th>
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<tr>
<td>Margaret Abe-Koga</td>
<td>Vice Chairperson</td>
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<td>Marshall Anstandig</td>
<td>Alternate Board Member</td>
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<td>Nora Campos</td>
<td>Alternate Board Member</td>
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<td>Dean Chu</td>
<td>Ex-Officio Board Member</td>
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<td>Don Gage</td>
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<td>Rose Herrera</td>
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<td>Ash Kalra</td>
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<td>Liz Kniss</td>
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<td>Rich Larsen</td>
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<td>Sam Liccardo</td>
<td>Chairperson</td>
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<td>Jamie Matthews</td>
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<td>Pete McHugh</td>
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<td>Chris Moylan</td>
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<td>Chuck Page</td>
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<td>Nancy Pyle</td>
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<td>Chuck Reed</td>
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<td>George Shirakawa</td>
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<td>Perry Woodward</td>
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<td>Ken Yeager</td>
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* Alternates do not serve unless participating as a Member.

A quorum was present

2. RECESS TO CLOSED SESSION at 5:36 p.m.

Board Member Abe-Koga arrived at 5:36 p.m. and entered into Closed Session.
RECESS TO CLOSED SESSION

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

   Name of Case: Weaver v. Santa Clara Valley Transportation Authority  
   (Santa Clara County Superior Court No. 1-07-CV-093519)

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

   Property: Vacant land owned by VTA generally located at Lick Avenue near  
   Pepitone Avenue and Goodyear Street, San Jose, California, within the Tamien  
   Station area, comprised of approximately 3.5 acres

   Agency negotiator: Michael T. Burns, General Manager

   Negotiating parties: City of San Jose; Ed Shikada, Assistant City Manager

   Under negotiation: Price and terms of payment

RECONVENED TO OPEN SESSION at 6:00 p.m.

3. CLOSED SESSION REPORT

Kevin Allmand, General Counsel, reported there was no reportable action taken during  
Closed Session.

4. ORDERS OF THE DAY

Upon staff recommendation, Chairperson Liccardo removed the following Item from the  
Consent Agenda: Agenda Item #33 – Silicon Valley Rapid Transit Master Agreement  
between VTA and City of Milpitas.

Upon staff recommendation, Chairperson Liccardo removed the following Item from the  
Regular Agenda: Agenda Item #45 - Authorize funding VTA’s Partner Contribution for  
Caltrain’s FY2011 Operating Expense, after consideration of recommendations from the  
General Manager concerning fund sources and VTA’s payment obligations

M/S/C (Pyle/Herrera) to accept the Orders of the Day.

5. AWARDS AND COMMENDATIONS

Employees of the Month for June 2010

Chairperson Liccardo recognized and presented awards to Paula Aguirre, Senior  
Information Representative, Customer Service Department at River Oaks, Albert  
Candelaria, Chaboya Coach Operator. Kevin Morte, Paint and Body Worker at Cerone’s  
Overhaul and Repair Division was unable to attend.
6. **PUBLIC PRESENTATIONS**

Eugene Bradley, Silicon Valley Transit Users, commented that transit updates are posted on Twitter at Silicon Valley Transit Updates.

7. **REPORT FROM THE GENERAL MANAGER**

Michael T. Burns, General Manager, provided a brief report highlighting the following:

- April ridership for 2010 was down 3.8 percent systemwide when compared to April 2009. This is a positive trend to a negative number that is moving in an overall positive direction. Bus ridership down 2.5 percent, and light rail ridership is down 8 percent.

- VTA participated in the National Observance of the Moment of Rememberance on Memorial Day. All bus and light rail operators stopped their bus or light rail vehicle to observe the Moment of Rememberance and gratitude for those who have served and given their lives for our country.

- Thanked Vice Chairperson Abe-Koga for attending the VTA employee organized Asian Pan-American Festival 2010. Vice Chairperson Abe-Koga was the featured speaker at the festival. The event was attended by approximately 250 VTA employees.

- Noted the letter sent from Chairperson Liccardo to the State Senate endorsing a measure put forth by Senator Christopher Dodd, Chairman of the Senate Banking, Housing, and Urban Affairs Committee. The measure is identified as the Public Transportation Preservation Act and would authorize $2 billion in emergency public transportation operating assistance.

- Discussed the incident where motorist ran a red light and struck a light rail vehicle at Tasman and Zanker Roads. No one was injured and a bus bridge was established to route the riders. The Everbridge system was utilized to notify the Board Members. Mr. Burns encouraged the Board Members to provide feedback to Sandra Weymouth, Board Secretary, regarding their experience with the system.

- Noted removal of Agenda Item #45 – Authorize funding VTA’s Partner contribution for Caltrain’s FY2011 Operating Expense, after consideration of recommendations from the General Manager concerning fund sources and VTA’s payment obligations. VTA has been working with Member Agencies to identify funding solutions for the Caltrain FY2011 shortfall. Significant progress has been made and Caltrain is expecting to provide its Board a budget with a smaller deficit in July.

**Public Comment**

Michael Ludwig, Interested Citizen, expressed his support for continued Caltrain service.

Eugene Bradley, Silicon Valley Transit Users, expressed his support of Caltrain service.
6. **REPORT FROM THE CHAIRPERSON**

Sam Liccardo, Board Chairperson, announced the June 25, 2010 Regular/Workshop meeting has been cancelled.


Board Member Gage provided an update on the recommendations and topics covered by the Ad-Hoc Financial Recovery Committee, highlighting: 1) Policy approach to help reduce structural deficit; 2) South Bay Labor presented recommendations to approach financial challenges. Consultant Bob Kuo presented a review of projections and assumptions; 3) Reviewed policy recommendations to help guide VTA when formulating budgets and to determine where and how to add back service when VTA is in a better financial situation; and 4) Extending the Ad-Hoc Committee meeting schedule into the month of August.

**Public Comment**

Eugene Bradley, Silicon Valley Transit Users, referenced a letter he mailed to VTA on June 2, 2010.

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

Charlotte Powers, Citizens Advisory Committee (CAC) Chairperson, provided a report of the May 12, 2010, CAC meeting highlighting: 1) CAC Bylaw modifications to incorporate ACE Task Force recommendations; 2) Reviewed and unanimously recommended the Board place a ballot measure before the voters in November 2010 to authorize a $10 vehicle registration fee for transportation related programs; and 3) CAC in its capacity as the 2000 Measure A Citizens Watchdog Committee conducted a public hearing to gather public input on Measure A expenditures. The CAC is developing a publication strategy to provide the Annual Report to the public.

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

Jamie Matthews, Policy Advisory Committee (PAC) Chairperson, provided a report of the May 13, 2010 PAC meeting highlighting: 1) Recommendation the Board approve the actions regarding SB83 with the modification to remove the HOV/HOT Lane as an eligible category in the expenditure plan and to consider a 10-year sunset for the vehicle registration fee. The motion passed on a vote of 10 Ayes to 2 Noes; 2) Recommend the Board approve the FY2011 Congestion Management Work Program. One member expressed concern that VTA should only perform activities required by statute. The motion passed on a vote of 10 Ayes to 1 No; and 3) Recommend the Board adopt a resolution approving the project priorities for the FY2010/11 Countywide Transportation Development Act Article 3 Program. The motion passed on a vote of 10 Ayes to 1 No.
CONSENT AGENDA

12. Board of Directors Regular Meeting Minutes of May 6, 2010

M/S/C (Herrera/Gage) to approve the Board of Directors Regular Meeting Minutes of May 6, 2010.

13. Amendments to the Advisory Committee Bylaws Recommended by the Advisory Committee Task Force

M/S/C (Herrera/Gage) to adopt a resolution: 1) Amending the bylaws for the Bicycle & Pedestrian Advisory Committee, Citizens Advisory Committee, and the Committee for Transit Accessibility to implement changes recommended by the Advisory Committee Enhancement Task Force to enhance the advisory committee process; 2) Amending the Policy Advisory Committee and the Technical Advisory Committee bylaws to make minor technical adjustments and corrections; and 3) Amending the VTA Administrative Code to be consistent therewith.

14. Bicycle & Pedestrian Advisory Committee and Committee for Transit Accessibility Appointments to the Citizens Advisory Committee

M/S/C (Herrera/Gage) to ratify the appointments of the following individuals to the Citizens Advisory Committee (CAC) to represent the specified stakeholder group, as indicated:

- Herman Wadler  
  Bicyclists and Pedestrians
- Aaron Morrow  
  Disabled Community

15. Bicycle and Pedestrian Advisory Committee (BPAC) Member Appointments

M/S/C (Herrera/Gage) to ratify the following appointments and re-appointments to the Bicycle & Pedestrian Advisory Committee (BPAC):

**New Appointment:**
- Breene Kerr, Town of Los Altos Hills for term commencing July 1, 2010 to June 30, 2012.

**Reappointments:**
- Jerri-Ann Meyer, City of Mountain View for term commencing July 1, 2010 to December 31, 2011;
- Ray Cosyn, City of Saratoga; Thomas Muniz, City of Gilroy; John Sullivan, City of Santa Clara; and Richard Swent, City of Palo Alto for term commencing July 1, 2010 to June 30, 2012.

16. VTA FY2010-2011 Transportation Development Act and State Transit Assistance Allocation Claim

M/S/C (Herrera/Gage) to adopt a resolution authorizing the filing of an annual claim to the Metropolitan Transportation Commission (MTC) for allocation of FY 2010-2011 Transportation Development Act (TDA) and State Transit Assistance (STA) funds.

NOTE: M/S/C MEANS MOTION SECONDED AND CARRIED AND, UNLESS OTHERWISE INDICATED, THE MOTION PASSED UNANIMOUSLY.
17. **Bill Position: SB 901 (Ashburn)**

M/S/C (Herrera/Gage) to adopt a support position for SB 901 (Ashburn), which authorizes the lead agency for a grade separation or safety 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 and be eligible to seek reimbursement from bond proceeds at a later date under certain circumstances.

18. **Bill Position: SB 964 (Alquist)**

M/S/C (Herrera/Gage) to adopt a support position for SB 964 (Alquist), which requires the California High-Speed Rail Authority to contract with the state Employment Development Department to put together a strategy for ensuring that the necessary training programs are in place to facilitate the availability of a skilled, in-state workforce for California's proposed high-speed train system.

19. **Bill Position: AB2324 (J.Perez)**

M/S/C (Herrera/Gage) to adopt a support position for AB 2324 (J. Perez), which prohibits the following:  
(a) a person from knowingly possessing specified weapons within a sterile area of a public transit facility; 
(b) an unauthorized person from knowingly entering a restricted area of a public transit facility; and 
(c) a person from intentionally avoiding submission to screening and inspection when entering or re-entering a sterile area of a public transit facility. In addition, this bill increases the penalties for repeat fare evasion offenders and for certain acts of public transit passenger misconduct.

20. **Approval of Investment Banking Firm Pool**

M/S/C (Herrera/Gage) to designate fourteen investment banking firms to an underwriting pool for a period of seven years to provide the VTA access to capital markets in order to finance capital projects or refinance existing debt.

21. **Cellular Mobility – Contract Extension**

M/S/C (Herrera/Gage) to authorize the General Manager to execute a contract amendment with AT&T for cellular voice and data service. The contract amendment will extend the contract term for an additional one year for a cost of $200,000, for a new contract value of $1,558,000.

22. **Federal Fiscal Year 2010 Federal Transit Administration Grant Applications**

M/S/C (Herrera/Gage) to authorize the General Manager to submit federal Fiscal Year 2010 grant applications and execute grant agreements with the Federal Transit Administration (FTA) for Section 5307 Urbanized Area Formula, Section 5309 Fixed Guideway.
23. **Prop 84 Urban Greening for Sustainable Communities Planning Grant**

   M/S/C (Herrera/Gage) to adopt a resolution authorizing the filing and execution of grants under the Proposition 84 Urban Greening for Sustainable Communities Planning funding through the State of California’s Strategic Growth Council.

24. **STIP PPM Fund Transfer Agreement with Caltrans**

   M/S/C (Herrera/Gage) to adopt a resolution authorizing the General Manager to execute a fund transfer agreement with the State of California Department of Transportation (Caltrans) for five fiscal years from 2010 to 2014 for the State Transportation Improvement Program Planning, Programming and Monitoring Program.

25. **FY2010/11 TDA3 Project Priorities**

   M/S/C (Herrera/Gage) to adopt a resolution approving the project priorities for the FY2010/11 Countywide Transportation Development Act Article 3 Program.

26. **SR237/I-880 Express Connectors – System Integrator Contract Award**

   M/S/C (Herrera/Gage) to authorize the General Manager to execute a contract with TransCore for the the Electronic Toll Systems integration on the SR 237/I-880 Express Connectors project for the amount of $2.9 million. This authorization includes technical options which may be exercised by amendment. A combination of federal stimulus funds and VTA highway local funds will be used to fund this contract.

27. **Bike Sharing Study Final Report**

   M/S/C (Herrera/Gage) to accept the Bike Sharing Study Final Report.

28. **MTC Funding Agreement for Delivery of Freeway Performance Initiative (FPI) Projects**

   **Public Comment**
   James Wightman, Interested Citizen, expressed his support.

   M/S/C (Herrera/Gage) to authorize General Manager to execute a funding agreement for up to $2 million with the Metropolitan Transportation Commission (MTC) that specifies the roles and responsibilities to implement Traffic Operations Systems (TOS) improvements including ramp metering in Santa Clara County.

29. **FY08 Transit Security Grant Program (TSGP)**

   M/S/C (Herrera/Gage) to adopt a resolution authorizing the General Manager to submit and execute grant applications and agreements, certifications, assurances, and other documents as necessary to receive $1,256,836 from the U.S. Department of Homeland Security (DHS) FY 2008 Transit Security Grant Program (TSGP).
30. **Wrigley Creek Improvements Contract Award**

M/S/C(Herrera/Gage) to authorize the General Manager to execute a contract with Top Grade Construction, the lowest responsible bidder, in the amount of $997,635 for the construction of Wrigley Creek Improvements. This contract is 100% funded by the 2000 Measure A Program.

31. **Closed Circuit Television (Phase 6) Contract Award**

**Public Comment**

James Wightman, Interested Citizen, expressed concern the security camera at the Great America stop was not working.

M/S/C(Herrera/Gage) to authorize the General Manager to execute a contract with Cal Coast Telecom, the lowest responsible bidder, in the amount of $650,851 for the procurement and installation of Closed Circuit Television at Light Rail Stations (Phase 6). This contract is 100% funded under the Department of Homeland Security Transit Security Grant Program (FY07-TSGP) and Prop 1B California Transit Security Grant Program - California Transit Assistance Fund (FY07-08-CTSGP-CTAF).

32. **Freight Rail Relocation – Beerryessa Creek Crossing, Abel Street Seismic Retrofit, and UPRR Railroad Relocation Contract Amendment to the Gordon N. Ball Inc., Construction Contract**

M/S/C (Herrera/Gage) to authorize the General Manager to amend the Gordon N. Ball Inc. construction contract to accommodate scope additions and claims on the Berryessa Creek Crossing, Abel Street Seismic Retrofit, and UPRR Railroad Relocation contract in the amount of $3,425,000 for a new total contract amount of $20,953,305. This contract is funded by the 2000 Measure A Program.

33. **Removed from the Agenda and not heard:**

Silicon Valley Rapid Transit Master Agreement between VTA and City of Milpitas

34. **Silicon Valley Rapid Transit Program – Amendment to Engineering Services Contract with AECOM Technical Services, Inc.**

M/S/C(Herrera/Gage) to authorize the General Manager to execute a contract amendment with AECOM Technical Services, Inc. (formerly known as Earth Tech, Inc.) in an amount not to exceed $7.0 million, and extend the contract term to June 30, 2012, for engineering services for the Silicon Valley Berryessa Extension Project (SVBX) within the Silicon Valley Rapid Transit Program (SVRT). The current AECOM Technical Services, Inc. (AECOM) contract amount is $43.3 million.
35. **Silicon Valley Rapid Transit Program – Amendment to Engineering Services Contract with Booz Allen Hamilton, Inc.**

M/S/C (Herrera/Gage) to authorize the General Manager to execute a contract amendment with Booz Allen Hamilton, Inc. in an amount of $4.0 million, and extend the contract term to June 30, 2012, for design integration engineering services for the Silicon Valley Rapid Transit Program. The current Booz Allen Hamilton, Inc. contract amount is $16.19 million.

36. **Silicon Valley Rapid Transit Program – Amendment to Engineering Services Contract with HNTB Corporation**

M/S/C(Herrera/Gage) to authorize the General Manager to execute a contract amendment with the HNTB Corporation in an amount not to exceed $5.5 million, and extend the contract term to June 30, 2012, for engineering services for the Silicon Valley Berryessa Extension Project (SVBX) within the Silicon Valley Rapid Transit Program (SVRT). The current HNTB Corporation board authorized contract amount is $83.34 million.

37. **Silicon Valley Rapid Transit Program – Planning and Outreach Services Contract with Kimley-Horn and Associates, Inc.**

M/S/C (Herrera/Gage) to authorize the General Manager to execute a contract amendment with Kimley-Horn and Associates, Inc. in an amount of $3.3 million, and extend the contract term to June 30, 2012, for engineering services for the Silicon Valley Berryessa Extension Project (SVBX) within the Silicon Valley Rapid Transit Program (SVRT). The current Kimley-Horn and Associates, Inc. board authorized contract amount is $9.5 million.

38. **Silicon Valley Rapid Transit Program – Amendment to Engineering Services Contract with PGH Wong Engineering/PB Americas Joint Venture**

M/S/C(Herrera/Gage) to authorize the General Manager to execute a contract amendment with PGH Wong Engineering, Inc. and PB Americas, Inc. (Wong/PB Joint Venture) in an amount not to exceed $9.3 million, and extend the contract term to June 30, 2012, for engineering services for the Silicon Valley Berryessa Extension Project (SVBX) within the Silicon Valley Rapid Transit Program (SVRT). The current Wong/PB Joint Venture contract amount is $30.7 million.

39. **Fiscal Year 2010 Quarterly Statement of Revenues and Expenses for the Period Ending March 31, 2010**

M/S/C(Herrera/Gage) to review and accept the Fiscal Year 2010 Quarterly Statement of Revenues and Expenses for the period ending March 31, 2010.

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

On order of Chairperson Liccardo, and there being no objection, the Programmed Projects Quarterly Monitoring Report for January 2010 - March 2010 was received.
41. Proactive CMP Quarterly Report for January-March 2010

On order of Chairperson Liccardo, and there being no objection, the Proactive CMP Quarterly Report for January through March 2010 was received.

42. March 2010 Facilities Projects Semi-Annual Report

On order of Chairperson Liccardo, and there being no objection, the Facilities Projects Semi-Annual Report was received.

REGULAR AGENDA

43. Advanced Farebox System Procurement

Ali Hudda, Deputy Director of Accounting, provided an overview of the staff report. He noted VTA’s existing bus fareboxes are 22 years old, functionally obsolete, and the data they provide is limited and often inaccurate.

Mr. Hudda noted the proposed GFI Genfare Odyssey Validating Farebox integrates all passenger fare payment and fare media options into one convenient, secure device. It provides flexible fare strategies and the ability to provide a wide variety of traditional and electronic fare media options to passengers and transit agencies.

Mr. Hudda noted the “Clipper” Program (formerly Translink) is a regional electronic fare system sponsored by the Metropolitan Transit Commission (MTC). Clipper uses an electronic smart card which customers can load operator-specific passes. Fareboxes and Clipper are separate systems that will coexist on buses. Concept and technology for Clipper is similar to the FasTrak bridge toll payment system which is a payment option along with cash. Mr. Hudda also drew the distinction between fareboxes on buses and ticket vending machines at light rail stations.

Member Gage stated the Administration and Finance (A&F) Committee has reviewed the advanced farebox system and the Committee supports the staff recommendation.

Public Comment

Michael Ludwig, Interested Citizen, expressed concern about the ability of the new fareboxes to issue passes. Mr. Hudda answered in the affirmative.

M/S/C(Gage/Herrera) to authorize the General Manager to execute a contract in the amount of $7,696,261 with GFI Genfare, of Elk Grove Village, Illinois (a subsidiary of SPX Corporation) for the purchase of 450 electronic validating bus fareboxes plus related revenue transfer equipment, data systems, spare parts, and supplies, with an option to purchase up to 50 additional fareboxes if needed to support VTA fleet requirements at a cost of $11,400 each, for a total not-to-exceed contract value of $8,266,261.
44. **Substitution of Liquidity – 2008 Measure A Bonds**

Joseph T. Smith, Chief Financial Officer, reported on the recommendation to deliver and execute any and all documents, including a Remarketing Memorandum to facilitate the replacement of Banco Bilboa Vizcaya Argentaria (BBVA) S.A. with Sumitomo Mitsui Banking Corporation as the liquidity provider for the 2008 Measure A Sales Tax Refunding Bond Series A-D.

He stated the 2000 Measure A Sales Tax Revenue Refunding Bonds, 2008 Series A-Series D (Measure A 2008 Bonds) were issued as uninsured variable rate demand bonds (VRDBs) in June 2008. These are long term bonds that pay interest at rates that are reset weekly by remarketing agents. The VRDBs provide investors with the option to “put” the bonds back to the issuer at each interest reset date.

Kimberly Koenig, Fiscal Resources Manager, reported BBVA informed VTA that it could not commit to an additional extension. She stated with the assistance of VTA’s financial advisor, Peter Ross of Ross Financial, staff selected Sumitomo Mitsui Banking Corporation to replace BBVA. An annual saving of $0.065 million will be realized with the replacement of Sumitomo compared to current costs.

Ms. Koenig stated, due to the change in liquidity providers VTA is required to provide an updated disclosure document to investors. The Remarketing Memorandum is a disclosure document that is required by the Securities Exchange Commission (SEC).

Board Member Gage commented the Administration & Finance (A&F) Committee reviewed this item at their May 20, 2010 meeting. He stated the Committee was aware the Remarketing Memorandum is a disclosure document and should accurately reflect any statements concerning VTA. He reported the Committee unanimously recommended this item to the full Board for approval.

Board Member Herrera stated she supports the substitution of liquidity providers.

**Public Comment**

Ross Signorino, Interested Citizen, asked if VTA would be paying more in costs with Sumitomo Banking Corporation. Ms. Koenig commented that VTA will realize a saving of $0.65 million annually with Sumitomo.

**M/S/C(Herrera/Gage)** to adopt a resolution authorizing the General Manager or Chief Financial Officer to execute and deliver any and all documents, including a Remarketing Memorandum in connection with the 2008 Measure A Sales Tax Revenue Refunding Bonds, that are required to implement the replacement of Banco Bilboa Vizcaya Argentaria S.A. with Sumitomo Mitsui Banking Corporation as liquidity provider for Series C and Series D.
45. **Removed from the Agenda and not heard:**

Authorize funding VTA’s Partner Contribution for Caltrain’s FY2011 Operating Expense, after consideration of recommendations from the General Manager concerning fund sources and VTA’s payment obligations.

Member Gage left his seat at 6:47 p.m.
Member Matthews left his seat at 6:49 p.m.
Member Gage returned to his seat at 6:49 p.m.
Member Matthews returned to his seat at 6:51 p.m.
Member Woodward let his seat at 6:51 p.m.
Member Woodward returned to his seat at 6:53 p.m.

46. **Senate Bill 83 – Vehicle Registration Fee**

Scott Haywood, Policy and Communication Manager, provided an overview of the staff report. Mr. Haywood reported Senate Bill 83 (Hancock) was signed into law in 2009. He provided the results of the recent electorate polling.

Mr. Haywood reported on the recommendation to adopt a resolution to place a ballot measure before the voters in Santa Clara County in November 2010, to authorize a $10 increase in the fees of motor vehicle registration for transportation-related projects and programs, adopt an expenditure plan allocating the revenue to transportation-related programs and projects that benefit to the persons who pay the fee, allocate $1 million of Measure B Local Program Reserve funds to be used for costs associated with placing the measure on the ballot, and increase the expenditure appropriation in the amount of $1 million in the FY2011 Congestion Management Program Fund Operating Budget.

Mr. Haywood noted the ballot measure requires a simple majority to pass with the expected revenues of $14 million annually.

John Ristow, Chief CMA Officer, provided an update regarding the Expenditure Plan highlighting: 1) Return to Source Categories - 80 percent; 2) Regional Programs – 15 percent; 3) Finding of Fact including requirement of Statute, conducting of the Benefits Study and benefit to owners of automobiles.

Vice Chairperson Abe-Koga inquired about the Policy Advisory Committee’s comments regarding a sunset. Mr. Haywood reported SB 83 authorizes a $10 increase of fees and there is no sunset. He stated it would take legislation to increase the $10 fee. Mr. Ristow commented this measure unlike previous measures does not identify specific projects.

Vice Chairperson Abe-Koga asked if the monies go back to the cities each year. Mr. Ristow commented the funds would be provided to the cities. He further noted the cities will be required to spend those funds in allowed categories.
Board Member Moylan supported recommendations from the Policy Advisory Committee to remove the HOV/HOT Lanes from the Expenditure Plan as he believed other Federal/State funding may be available to fund those highway projects. Board Member Moylan recommended the Expenditure Plan should only include items that have a direct benefit to the people paying the fees. He further recommended the removal of pedestrian & bicycle facilities, road lighting, landscaping installation and rehabilitation from the Expenditure Plan.

Board Member Herrera stressed the importance of maintaining roads and pavement improvements.

Board Member Gage recommended disclosing a percentage of monies that would be funded for each program.

M/S/C (Moylan/Gage) to 1) Adopt a resolution to place a ballot measure before the voters of Santa Clara County in November 2010 to authorize a $10 increase in the fees of motor vehicle registration for transportation-related projects and programs, containing a finding of fact that the projects and programs to be funded by the fee increase have a relationship or benefit to the persons who will be paying the fee and the projects or programs are consistent with the Regional Transportation Plan; 2) Adopt an expenditure plan allocating the revenue to transportation-related programs and projects that have a direct relationship or benefit to the persons who pay the fee; 3) Allocate $1,000,000 of Measure B Local Program Reserve funds to be used for the costs associated with placing the measure on the ballot; and, 4) Increase expenditure appropriation in the amount of $1,000,000 in the FY 2011 Congestion Management Program Fund Operating Budget, and strike references to programs in the Resolution and Expenditure Plan that do not directly benefit the fee payor.

Public Comment

Ben Triposis, Transportation Policy Manager, City of San Jose, expressed the city’s support of the recommendation.

Eugene Bradley, Silicon Valley Transit Users, expressed concern about public outreach regarding the proposed ballot measure.

Vice Chairperson Abe-Koga left her seat at 7:27 p.m.
Vice Chairperson Abe-Koga returned to her seat at 7:29 p.m.

47. FY2011 CMP Work Program

John Ristow, Chief CMA Officer, provided an overview of the staff report which recommends the annual approval of the FY2011 CMP Work Program and the Member Agency fees that partially fund the program.

He reported the Program report has been reviewed by the Policy Advisory Committee (PAC), the Technical Advisory Committee (TAC), and the Congestion Management Program and Planning (CMPP) Committee. The CMPP Committee voted unanimously to approve the Work Program as proposed by staff except to delay staff development
work on the Countywide Development Impact Fee and to reduce the overall member Agency fees associated with that work scope reduction from the current FY2010 level by 3.5 percent or approximately $85,000.

Board Member Moylan requested clarification regarding the CMPP recommendations to staff regarding the Agency fees. Mr. Ristow responded staff concurs with the committee recommendation to reduce Agency fees.

Board Member Moylan thanked staff for their diligence and hard work.

M/S/C(Pyle/Herrera) to approve the Fiscal Year 2011 Congestion Management Work Program and to approve the Work Program as proposed by staff and with the recommendation of the CMPP Committee to delay staff development work on the County Wide Development Impact Fee until at least January 2011 and to reduce the overall Member Agency fees associated with that work scope reduction from the current FY2010 level by 3.5 percent or approximately $85,000.

OTHER ITEMS

48. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

There were no Items of Concern and Referral to Administration.

Public Comment

Paul Alvarado, Interested Citizen, expressed his support of Tamien Park and stressed the importance of parks in the community.

49. MONTHLY LEGISLATIVE HISTORY MATRIX

On order of Chairperson Liccardo and there being no objection, the Monthly Legislative History Matrix was accepted as contained in the Agenda packet.

50. REPORTS (UNAPPROVED MINUTES) FROM STANDING COMMITTEES

A. Administration and Finance Committee

On order of Chairperson Liccardo and there being no objection, the May 20, 2010, Administration and Finance (A&F) Committee Meeting Minutes were accepted as contained in the Agenda packet.

B. Congestion Management Program and Planning Committee

On order of Chairperson Liccardo and there being no objection, the May 21, 2010, Congestion Management Program and Planning (CMPP) Committee Minutes were accepted as contained in the Agenda packet.
C. **Transit Planning and Operations Committee**

On order of Chairperson Liccardo and there being no objection, the May 20, 2010 Transit Planning and Operations (TP&O) Committee Minutes were accepted as contained in the Agenda packet.

D. **Audit Committee**

There was no Audit Committee meeting scheduled for April.

51. **REPORTS (UNAPPROVED MINUTES) FROM ADVISORY COMMITTEES**

A. **Committee for Transit Accessibility (CTA) no meeting**

There was no Committee for Transit Accessibility meeting scheduled for April.

B. **Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC)**

On order of Chairperson Liccardo and there being no objection, the May 12, 2010, Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) Minutes were accepted as contained in the Agenda Packet.

C. **Bicycle & Pedestrian Advisory Committee (BPAC)**

On order of Chairperson Liccardo and there being no objection, the May 12, 2010, Bicycle & Pedestrian Advisory Committee (BPAC) Minutes were accepted as contained in the Agenda packet.

D. **Technical Advisory Committee (TAC)**

On order of Chairperson Liccardo and there being no objection, the May 13, 2010, Technical Advisory Committee (TAC) Minutes were accepted as contained in the Agenda packet.

E. **Policy Advisory Committee (PAC)**

On order of Chairperson Liccardo and there being no objection, the May 13, Policy Advisory Committee (PAC) Minutes were accepted as contained in the Agenda Packet.

52. **REPORTS FROM JOINT POWERS BOARDS (JPBs) & REGIONAL COMMISSIONS**

A. **Peninsula Corridor JPB**

On order of Chairperson Liccardo and there being no objection, the June 3, 2010, Summary Notes from the Peninsula Corridor Joint Powers Board were accepted as contained on the dais.
B. **Capitol Corridor JPB**

There was no report from the Capitol Corridor JPB.

C. **Dumbarton Rail Corridor Policy Committee**

There was no report from the Dumbarton Rail Corridor Policy Committee.

D. **Metropolitan Transportation Commission (MTC)**

On order of Chairperson Liccardo and there being no objection, the May 26, 2010, Summary Notes from the Metropolitan Transportation Committee Meeting were accepted as contained on the dais.

E. **Sunol Smart Carpool Lane Joint Powers Authority**

On order of Chairperson Liccardo and there being no objection, the May 10, 2010, Summary Notes from the Sunol Smart Carpool Lane Joint Powers Authority Governing Board were accepted as contained on the dais.

53. **REPORTS FROM VTA POLICY ADVISORY BOARDS (PABs)**

A. **Vasona Light Rail PAB**

There was no report from the Vasona Light Rail PAB.

B. **Silicon Valley Rapid Transit Corridor & BART Warm Springs Extension PAB**

There was no report from the Silicon Valley Rapid Transit Corridor & BART Warm Springs Extension PAB.

C. **Downtown East Valley PAB**

There was no report from the Downtown East Valley PAB.

54. **ANNOUNCEMENTS**

Ex-Officio Member Chu announced a celebration will be held Friday, June 4, 2010 at 10:30 am in Downtown Sunnyvale for the Grand Reopening of Murphy Street Historic Park. The site rehabilitation was possible by the joint efforts of VTA/MTC with funds through the Liveable Communities Program.
55. ADJOURNMENT

On order of Chairperson Liccardo and there being no objection, the meeting was adjourned at 7:35p.m.

Respectfully submitted,

Jacqueline F. Golzio, Board Assistant
VTA Office of the Board Secretary
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Board Secretary, Sandra Weymouth

SUBJECT: BPAC Appointments and Re-appointments

ACTION ITEM

RECOMMENDATION:

Ratify the following appointments and re-appointments to the Bicycle & Pedestrian Advisory Committee (BPAC):

New Appointments:
- Lisa Aragon, City of Morgan Hill and Steven Levin, County of Santa Clara, for term commencing August 2010 to June 30, 2012.

Reappointments:
- David Simons, City of Sunnyvale and Richard Ruh, City of Monte Sereno, for term commencing August 2010 to June 30, 2012.

BACKGROUND:

The BPAC advises the VTA Board of Directors on planning and funding for bicycle and pedestrian projects and issues. The BPAC also serves as the countywide bicycle and pedestrian advisory committee for the County of Santa Clara. The 16 voting members are appointed by each of VTA’s Member Agencies (15 cities in the County and the County of Santa Clara), and there is also a non-voting ex-officio member and an alternate ex-officio member appointed by the Silicon Valley Bicycle Coalition (SVBC).

The BPAC bylaws specify the appointment term is two years and members may be appointed to successive terms. BPAC members must live or work in Santa Clara County during their term. Voting members must be a representative of the Member Agency’s local bicycle advisory committee. If the Member Agency does not have a local bicycle advisory committee, their...
representative must be individuals interested in bicycle or pedestrian issues. BPAC members are precluded from representing a Member Agency that is their employer.

To fill vacancies, VTA staff notifies the appointing authority of the vacancy and current membership requirements. The appointing authority then appoints one member for the designated membership position. For vacancies occurring mid-term, the bylaws specify that they be filled for the remainder of the term by the appointing authority. In both cases, the VTA Board must ratify the appointment.

**DISCUSSION:**

Staff notified Member Agencies of their current representatives’ term expiration, advised them of their current standing, provided information on the appointment process and requested that they appoint their BPAC representative to a new term.

The City of Morgan Hill appointed Lisa Aragon as their representative to the BPAC. Ms. Aragon serves on the City of Morgan Hills’ Parks and Recreation Commission.

Steven Levin was appointed by the Santa Clara County Board of Supervisors to serve as their representative to the BPAC. Mr. Levin is a Commissioner on Santa Clara County’s Roads Commission.

The City of Sunnyvale reappointed David Simons to serve as their representative for another two-year term. Mr. Simons has been serving the BPAC since 1998. Mr. Simons currently serves as the BPAC Chairperson and well-served the Committee.

Richard Ruh has been re-appointed for a two-year term on the BPAC by the City of Monte Sereno last June 15, 2010. Mr. Ruh has well-served the Committee since his initial appointment in 2009.

Staff recommends the VTA Board of Directors ratify these appointments and re-appointments for term beginning August 2010 until June 30, 2012.

**ALTERNATIVES:**

The Board could choose not to ratify some or all of these appointments.

**FISCAL IMPACT:**

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

Prepared by: Elaine Baltao, Board Assistant
Memo No. 2674
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: Citizens Advisory Committee Appointment

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

ACTION ITEM

RECOMMENDATION:

Ratify the nomination of Jeremy Barousse to the Citizens Advisory Committee representing the South Bay AFL-CIO Labor Council.

BACKGROUND:

The Citizens Advisory Committee (CAC) is a 17-member committee representing the residents of the various city/county groupings of the VTA Board of Directors, as well as specified community stakeholder groups with an interest in transportation. The CAC advises the Board and VTA administration on issues impacting the communities and organizations they represent. It also serves in two other functions: (1) as the ballot-specified Citizens Watchdog Committee for the 2000 Measure A Transit Improvement Program; and (2) as the 2008 Measure D ballot-specified advisory body that reviews and comments on VTA’s comprehensive transit program as part of the countywide transportation plan.

The CAC bylaws require that a committee member must be a resident of Santa Clara County while on the committee and cannot concurrently hold elected public office. Committee members cannot be VTA staff or employed by a city they represent. The committee membership term is indefinite, with CAC members serving until resignation or replacement by their appointing organization or the VTA Board.

The process to fill CAC vacancies, as defined by the bylaws, is that member agencies, specified business and labor groups, and other specified groups nominate representatives for their respective membership positions. For the four at-large Community Interests positions, VTA’s Administration & Finance Committee appoints one member per position from nominations submitted by advocacy groups or received at-large. In all cases, the VTA Board must ratify the
DISCUSSION:

The VTA Administrative Code establishes the membership of the CAC. One of the five positions in the Business and Labor Groups section represents the South Bay AFL-CIO Labor Council (SBLC). The SBLC has nominated Jeremy Barousse as its new CAC representative to replace its former representative, Erik Larsen, who resigned earlier this year.

Mr. Barousse, a lifelong San José resident, currently works as a researcher for the Service Employees International Union (SEIU) Local 521. He has a Bachelor of Science degree in Journalism from San Jose State University. Mr. Barousse is active in the local community, including being a member of the District 8 Community Roundtable, where he serves as Secretary. The Roundtable is as a district-wide forum where residents can discuss issues critical to their community, including land-use, transportation, and economic development. Additionally, he has volunteered as a board member on San Jose City Councilmember Rose Herrera’s Day in the Park event, and has volunteered with ABC Project Cornerstone, where parents and other adults spend time in elementary school classrooms using literacy to address issues like student to student respect and how to avoid being the victim of a bully, as well as values like honesty, caring, and responsibility.

Based on his qualifications and local community involvement, staff recommends that the Board ratify the SBLC's nomination of Mr. Barousse to this position.

ALTERNATIVES:

The Board could choose to not ratify the nomination of this individual and ask the SBLC to nominate another individual.

FISCAL IMPACT:

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

Prepared by: Stephen Flynn, Sr. Management Analyst
Memo No. 2687
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: TIGER II Grant Application - BART Hayward Yard

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

ACTION ITEM

RECOMMENDATION:

Adopt a sponsoring agency resolution for Transportation Infrastructure Generating Recovery (TIGER) grant funds for VTA’s joint application with Bay Area Rapid Transit (BART) for the BART Hayward Yard Reconstruction project; and further, authorize the General Manager to enter into any necessary agreements with BART, the State of California and/or the Federal Department of Transportation to receive these funds and implement this project.

BACKGROUND:

On June 1, 2010, the United States Department of Transportation (USDOT) issued a call-for-projects for the Transportation Infrastructure Generating Recovery (TIGER) grant program. The TIGER program provides grants for transportation projects of national, statewide and greater regional significance. Projects will be selected primarily based on the degree to which they bring the existing transportation system into a “State of Good Repair”, contribute to a region’s economic competitiveness, livability, sustainability and improve safety.

This is the second round of funding - the first was issued on June 15, 2009 as part of the American Reconstruction and Recovery Act (ARRA). This second round provides $660 Million nationwide, with a maximum total of $150 Million for any one state. Minimum project size for urban areas is $10 Million, and a 20% non-Federal match is required. Pre-applications were due to DOT on July 24, 2010. Those invited by USDOT to proceed must submit final applications by August 23, 2010.

DISCUSSION:

There is tremendous demand for the TIGER program; in the first round, more than 1400 projects, requesting approximately $60 Billion, were submitted to USDOT. Locally, Metropolitan Transportation Commission (MTC) coordinated and prioritized the Bay Area’s submittals for the
first round in 2009.

At that time, VTA staff submitted the following three projects to MTC and Caltrans for consideration:

1. BART Hayward Yard - Expansion and Reconstruction (joint application with BART): $50M
2. Capitol Expressway Light Rail Expansion to Eastridge: $25M
3. Vasona Light Rail Expansion to Vasona Junction: $25M

MTC staff evaluated the applications based on the federal DOT’s project selection criteria, and MTC’s own ARRA investment principles and on July 22, 2009, the MTC Commission adopted the VTA/BART South Hayward Yard Enhancement project as one of the Bay Area’s four priority projects for TIGER funding. The MTC Commission re-affirmed that priority for the project by adopting it as one of the Bay Area's priority projects for the current TIGER funding cycle on July 28, 2010.

The South Hayward Yard Reconstruction Project modernizes and expands BART's primary maintenance facility, providing for more efficient operation of the current system, as well as additional storage and maintenance capacity for future BART expansion, including the BART Silicon Valley extension. The facility is already almost 40 years old and in need of rehabilitation, expansion and modernization to reflect BART’s recently adopted Strategic Maintenance Program.

Of the three projects considered by VTA staff, this best meets the Federal criteria of improving the condition of a significant existing transit system (State of Good Repair), improving safety (for riders and maintenance workers), and economic development and energy efficiency (enabling expansion of the BART system to Santa Clara County).

The project was not funded in the first TIGER cycle. However, based on discussions with USDOT staff, BART staff, and with MTC's continued support, VTA staff recommends jointly re-submitting a revised application to USDOT with BART for this current TIGER funding cycle. The final application to Federal DOT requires a governing board action showing local support and commitment to the project. The VTA resolution is included with this memo as Attachment A. The total project cost is $42.9 Million and the TIGER grant application requests $20 Million.

**ALTERNATIVES:**

There are no practical alternatives to the recommended action if the Board of Directors wishes to jointly submit the BART Hayward Yard project for TIGER funding.

**FISCAL IMPACT:**

There is no immediate fiscal impact to VTA. If this application is successful, an undetermined amount of Measure A SVRT Project expenditures will be provided by federal ARRA funds.

Prepared by: Bill Hough
Memo No. 2683
Resolution No.

RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SANTA CLARA VALLEY TRANSPORTATION AUTHORITY AUTHORIZING
TIGER GRANT APPLICATION FOR BART HAYWARD YARD RECONSTRUCTION AND
EXPANSION PROJECT

WHEREAS, Santa Clara Valley Transportation Authority (VTA) (herein referred as APPLICANT) is jointly with the Bay Area Rapid Transit District (BART) submitting an application to the Federal Department of Transportation (USDOT) for up to $40,000,000 in Transportation Infrastructure Generating Recovery (TIGER) funding for the BART-HAYWARD YARD RECONSTRUCTION & EXPANSION project (herein referred as PROJECT); and

WHEREAS, pursuant to the TIGER program, eligible project sponsors wishing to receive TIGER funds for a project shall submit an application to the USDOT, for review and evaluation; and

WHEREAS, APPLICANT is an eligible project sponsor for TIGER funds; and

WHEREAS, as part of the application for grant funding, USDOT requires a statement of support adopted by the responsible implementing agency stating the following:

1) That the sponsor understands that the grant funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional TIGER funds; and
2) That PROJECT will comply with all the project-specific requirements as set forth by US DOT and appropriate applicable regulations or guidance.

NOW, THEREFORE BE IT RESOLVED, by the Board of Directors of the Santa Clara Valley Transportation Authority, that VTA (APPLICANT) is authorized to execute and file an application for funding under the TIGER program for the PROJECT; and be it further

RESOLVED that APPLICANT by adopting this resolution does hereby state that:
1. APPLICANT understands that the TIGER funding for the project is fixed at the USDOT-approved programmed amount, and that any cost increases must be funded by APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional TIGER funds; and
2. APPLICANT understands the funding deadlines associated with these funds and will comply with the applicable provisions and requirements of the TIGER Program; and
3. The PROJECT will be implemented as described in the complete application and in this resolution; and
4. PROJECT will comply with all the project-specific requirements as set forth in the appropriate applicable regulations or guidance; and be it further
RESOLVED that there is no legal impediment to APPLICANT making applications for the funds; and be it further

RESOLVED that there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such projects; and be it further

RESOLVED that APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with USDOT for TIGER funding for the PROJECT as referenced in this resolution; and be it further

RESOLVED that a copy of this resolution will be transmitted to the USDOT conjunction with the filing of the application; and be it further

RESOLVED that APPLICANT requests the Metropolitan Transportation Commission (MTC) support the application for the PROJECT described in the resolution and to include the PROJECT, if approved, in MTC's TIP.

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

AYES: Directors:

NOES: Directors:

ABSENT: Directors:

Sam Liccardo, Chairperson

APPROVED AS TO FORM: ATTEST:

Kevin D. Allmand, General Counsel Sandra Weymouth, Board Secretary
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: Grant of Easement to AT&T @ Leigh Avenue

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

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to grant an Easement to AT&T for a fee of $24,000, for the
placement of conduit beneath VTA's light rail tracks at Leigh Ave and Southwest Expressway.

BACKGROUND:

Staff has negotiated a tentative agreement with AT&T in which VTA agrees to grant a
permanent easement to AT&T to locate a new AT&T conduit underneath VTA's light rail tracks
at Leigh Avenue and Southwest Expressway. Specifically, this conduit will occupy
approximately 270 square feet of underground area. More details about the easement and its
implications to VTA are discussed below. Staff recommends the VTA Board of Directors
authorize the General Manager to grant the proposed easement to AT&T as negotiated.

DISCUSSION:

AT&T desires to place new conduit underneath VTA's light rail tracks at Leigh Avenue and the
Southwest Expressway. The conduit will go directly under the tracks and will not impede VTA's
operations. The conduit will be 4” in diameter and 70’ long and will be located approximately
7-9 feet underground. AT&T will have the responsibility of all costs related to the construction
and maintenance of this new conduit.

Typically, VTA issues licenses for such conduit rights to maintain flexibility. However, in this
case, after consultation with appropriate VTA departments, including Permits and Utilities, VTA
real estate staff recommends granting a permanent easement right as it will generate significantly
more revenue to VTA. The difference is approximately $20,000 between the two rights. As
such conduit is seldom if ever moved or terminated by VTA, and the proposed easement area is not expected to needed in the likely future, granting a right that generates the higher income is preferred. Further, the proposed agreement protects VTA for future changed needs by allowing the VTA to relocate the easement to another area at AT&T's cost.

**ALTERNATIVES:**

VTA could issue a license and would generate a fee of $4,750.

VTA can also choose not to grant the easement, but in doing so, it would forgo the income as discussed above.

**FISCAL IMPACT:**

This transaction will generate a one time fee of $24,000. This is payable prior to recordation of the easement documents.

Prepared by: Dennis Thornton
Memo No. 2698
## ATTACHMENT A

**Government Code Section 84308**

<table>
<thead>
<tr>
<th>Grantee</th>
<th>Grantee Role</th>
<th>Name</th>
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<tbody>
<tr>
<td>AT&amp;T</td>
<td>Placing conduit underground</td>
<td>Ed Beyer</td>
<td>3475 B N. 1st. St</td>
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<tr>
<td></td>
<td>To light rail tracks @ Leigh Ave</td>
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<td>San Jose, Ca 95134</td>
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<td></td>
<td>&amp; Southwest Expressway</td>
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BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Auditor General, Greg Thomas

SUBJECT: Investment Controls Internal Audit

FOR INFORMATION ONLY

BACKGROUND:

At the June 4, 2009, meeting, the VTA Board of Directors approved the FY 2010 internal audit work plan and authorized the General Manager to execute task orders with Deloitte & Touche LLP to conduct the internal audit projects identified in the plan. In January 2010, Deloitte & Touche initiated the third audit in the work plan, which was an audit of VTA’s internal controls for investments. The audit was performed in accordance with the Standards for Consulting Services issued by the American Institute for Certified Public Accountants. The results of this audit are presented in Auditor General Report No. 2009-03 (see Attachment A).

DISCUSSION:

The purpose of this internal audit was to assess the operating effectiveness of the internal controls for investment of restricted and unrestricted funds. Internal controls are required by VTA’s investment policy (FRS-PL-07-01, dated 2/5/2009); the policy also requires an annual review of the controls by the internal auditor.

The attached report describes the objectives established for this audit, the scope of internal controls reviewed, and the approach for testing those controls. The report presents the test results, and internal audit team’s observations and recommendation for addressing each observation. The report also includes VTA management’s response to each observation, and steps that have been or will be taken to address the Auditor General’s recommendations.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Audit Committee considered this item on June 3, 2010. Director Page asked whether VTA is able to apply the lessons learned from this audit to other areas of the organization. Chief Financial Officer (CFO) Joseph Smith replied that VTA has undertaken an extensive review of
internal controls for more than 20 processes throughout the organization, applying the principles of the Sarbanes-Oxley (SOX) Act, even though SOX does not apply to public agencies. The initial SOX review mapped major processes, identified potential risks and key controls, and noted control deficiencies. The CFO and his staff are meeting with the various business process owners to review control deficiencies and modify internal controls as necessary to mitigate risks.

The Committee unanimously agreed to forward this report to the Board of Directors.

Prepared By: Greg Thomas, Auditor General’s Office
Memo No. 2379
Enclosed is our summary report for the Investment Transaction Controls Testing.

Our testing was performed in accordance with the terms of the agreement between Santa Clara Valley Transportation Authority and Deloitte & Touche LLP for Auditor General Services, Contract No. SO9022, dated January 9, 2009, and in accordance with the Standards for Consulting Services issued by the American Institute of Certified Public Accountants. This summary report is intended solely for the information and use of management and the Audit Committee of the Santa Clara Valley Transportation Authority and is not intended to be used by anyone other than these specified parties. Recommendations for improvement are presented for management’s consideration. Management is responsible for the effective implementation of corrective action plans.

Please contact Greg Thomas at the VTA Auditor General’s office, if you have any questions.
BACKGROUND, OBJECTIVE, SCOPE AND APPROACH:

Santa Clara Valley Transportation Authority (VTA) has a Treasury function which is responsible for managing VTA’s investment portfolio in unrestricted and restricted funds. VTA currently invests in four separate funds: three funds managed by Payden & Rygel and one with the State of California Local Agency Investment Funds (LAIF). The investment program is required to comply with the California Government Section 53601 et seq. and VTA’s internal policy entitled ‘Investment of Unrestricted and Restricted funds’ (the Policy) to help ensure successful and prudent management of public funds.

The Policy, Section 7 – ‘Internal Controls,’ states that ‘The internal controls shall be reviewed with the Auditor General and the independent external auditor. The internal auditor shall perform a review of the internal controls at least on an annual basis.’ Management documented the key internal controls over the investment transactions in a risk and controls matrix modeled after the requirements for Sarbanes Oxley Act Section 404 compliance.

The objective of the investment controls testing is to assess whether key treasury controls over investment transactions are operating as intended. Internal Audit performed an assessment of the operating effectiveness of the key internal controls over investments, as identified by management, for the period February 1, 2009 through February 1, 2010. Internal Audit obtained management’s control matrix which included 12 key treasury controls mapped to risks. Eight controls were selected for testing to obtain appropriate coverage for each risk identified by management. Testing was performed by conducting interviews and obtaining supporting evidence.

RESULTS:
Based on the work performed and the samples selected, the key controls tested appeared to be operating effectively as designed. However, there were two documentation lapses that should be addressed to provide better evidence of the control execution and one instance where approved entries were posted by an unauthorized individual. More information is provided below:
<table>
<thead>
<tr>
<th>Risk Description*</th>
<th>Key Control Description*</th>
<th>Observation</th>
<th>Recommendation</th>
<th>Management Response</th>
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</thead>
<tbody>
<tr>
<td>Insufficient liquid funds are available to meet cash requirements, resulting in the need to sell a security at a loss.</td>
<td>Monthly and Semi-Annual Review of cash flow needs are conducted. (Control implemented October, 2009)</td>
<td>Although the control appears to be performed based on our interviews, no evidence is available that a review of the monthly and semi-annual review of cash flow needs spreadsheets was conducted.</td>
<td>We recommend that the monthly and semi-annual cash flow needs spreadsheets be reviewed by appropriate individuals and the review be evidenced by sign-off.</td>
<td>VTA concurs with the recommendation. Effective April 2010, the monthly and semiannual cash flow needs worksheets will be signed by a Fiscal Resources Manager or higher level manager in Fiscal Resources as evidence of the review.</td>
</tr>
<tr>
<td>Investment portfolios are not monitored regularly leading to potential loss due to risky investments and/or underperforming portfolios. Money Managers make investment decisions that are inconsistent with VTA Investment Policy and/or lead to loss on portfolio/ change in management that affects investment portfolio management or other risk associated with fund manager. Management does not receive timely and detailed reports regarding investment portfolios, performance, asset allocation and market risks, leading to underperformance of portfolios and/or loss of investments due to market risk and exposure.</td>
<td>Memo and Monthly Investment Report are reviewed and signed by GM and submitted to Admin &amp; Finance Committee for review.</td>
<td>Although the control appears to be performed based on our interviews, no evidence is available that General Manager reviewed the Memo and Monthly Investment Report prior to submission to the Administration &amp; Finance Committee for review.</td>
<td>We recommend that the General Manager evidence his review and approval of the Memo and the Monthly Investment Report.</td>
<td>VTA concurs with the recommendation. Effective April 2010, the monthly investment report will be signed by the General Manager as evidence of the review.</td>
</tr>
<tr>
<td>Risk Description*</td>
<td>Key Control Description*</td>
<td>Observation</td>
<td>Recommendation</td>
<td>Management Response</td>
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<td>Deposits or withdrawals are not recorded to general ledger account, resulting in inaccurate Fund financial statements. Duties within function are not segregated leading to potential fraud and loss of investments. Entries related to investment gain/loss and interest are not reviewed by Management leading to inaccurate reporting of investments.</td>
<td>All journal entries prepared during month-end are reviewed and approved by Investment Manager prior to posting by Sr. Accountant.</td>
<td>Although the Investment Manager did approve the 15 journal entries we tested, 3 of the 15 journal entries selected were posted by the Accountant III instead of the Senior Accountant. An Accountant III is a lower level position than the Senior Accountant.</td>
<td>Given that the key control point is the review and approval of the journal entry by the Investment Manager, we recommend that management consider rewording the control to remove specific reference to posting of the entries by the Senior Accountant.</td>
<td>VTA concurs with the recommendation. Given that the Investment Manager reviews and approves the journal entries which is a key control already in place, VTA will reword the control description to remove “Senior” allowing any level accountant to post the journal entries consistent with current practice.</td>
</tr>
</tbody>
</table>

* Source - VTA’s risk and controls matrix

The Internal Audit team will assess the completion of management’s remedial actions as part of next year’s annual testing, and will report its findings at a subsequent Audit Committee meeting.
BOARD MEMORANDUM

TO:       Santa Clara Valley Transportation Authority
          Board of Directors

THROUGH:  General Manager, Michael T. Burns

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

SUBJECT:  VTP Highway Program Semi-Annual Report - April 2010

FOR INFORMATION ONLY

DISCUSSION:

Please find attached the Semi-Annual Report for the VTP Highway Program for the period ending April 30, 2010. We look forward to your continued feedback on this report as the VTP Highway Program moves forward.

Prepared By: Tim Phillips, Lead Cost Engineer
Memo No. 2586
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SECTION 1

EXECUTIVE SUMMARY
SECTION 1 – EXECUTIVE SUMMARY

A. BACKGROUND

The Congestion Management Program (CMP) for Santa Clara County was created in 1990 in response to Proposition 111. It was established as a joint powers authority with a separate governing board. On January 1, 1995, pursuant to the separation of the Santa Clara County Transit District from the County of Santa Clara, the CMP was merged with the Transit District to form the Valley Transportation Authority (VTA) under a new governing Board.

The CMP is currently governed by a joint powers agreement entered into between its 16 member agencies, which are the 15 municipalities within the Santa Clara County and the County of Santa Clara. The Member Agencies are the cities of Campbell, Cupertino, Gilroy, Los Altos, Milpitas, Monte Sereno, Morgan Hill, Mountain View, Palo Alto, Saratoga, San Jose, Santa Clara, and Sunnyvale and the towns of Los Altos Hills and Los Gatos; and the County of Santa Clara. VTA serves as the managing agency of the CMP.

The CMP is responsible for development and implementation of the Valley Transportation Plan (VTP), the comprehensive long-range multimodal transportation plan for the County, and for preparing and implementing the state-mandated CMP. It is also responsible for the programming and monitoring of discretionary federal, state, regional and local funds programmed by the VTA Board of Directors, and for serving as the program manager for certain grant funds, including the Transportation Fund for Clean Air (TFCA) and the Measure B Transportation Improvement Program (MBTIP) Ancillary Program. The CMP is also responsible for preparation and implementation of the Countywide Bicycle Plan, Pedestrian Program and the Intelligent Transportation Systems (ITS) Plan.

The CMP is funded in part by annual fees charged to each Member Agency based on a formula adopted by the VTA governing board. The contribution formula considers each Member Agency’s share of Proposition 111 state gas tax monies, as well as employment within the County. The CMP is also funded by federal and state planning grants and other grant sources, TFCA administration fees and SB45 programmed project monitoring funds. The fiscal resources of the CMP are distinct from those of the VTA Transit Enterprise.

The VTP Highway Program includes projects from the currently approved long range countywide transportation plan for Santa Clara County. The VTP is developed by the CMP, and projects must be included in the plan as a prerequisite for eligibility to receive Federal, State, regional and local discretionary fund programming. One hundred percent of VTP Highway Program expenditures are funded by grants (Federal, State, regional or local) or agreements with the appropriate city. No VTA funds are required for these projects, except where noted.
B. EXECUTIVE SUMMARY

The Valley Transportation Plan (VTP) Highway Program consists of potentially over $1 billion of highway improvement projects currently in various phases from conceptual study to construction. The projects are located throughout Santa Clara County (and adjoining areas) and seek to improve key elements of the highway transportation system, utilizing a variety of funding sources.

Funding is a key issue for many of the highway projects. VTA, acting as the CMA for Santa Clara County, must assemble a number of funding sources in order to advance each project through its various phases to completion. As a consequence, in this report we refer to several terms associated with a project’s funding level. These terms, arranged in order of increasing certainty of funding availability, are as follows:

1. **Estimated Cost** – An estimate of the total cost of a project given the currently known scope and configuration of the project. For early stage projects, this estimate may be based on very conceptual information and, therefore, has associated with it a high level of uncertainty and a correspondingly low level of accuracy. In the individual project information sheets, we have included the “Estimate Class” in order to give an idea of the level of uncertainty associated with the estimated cost. A more detailed discussion of this topic is included in the appendix.

2. **Identified Funding** – Funding identified as being ultimately available from project funding agencies to complete the work, as of the writing of this report. Depending on the stage of the project, the identified funding may be less than the estimated cost of a project. In such cases, we use the term “To Be Determined” (TBD) funding to describe the difference between the estimated cost and identified funding.

3. **Appropriation** - The most recent Adopted Budget includes appropriations, based on an estimate of expenditures during fiscal years 2010 and 2011, for various VTP Highway Program projects. Since these projects can run beyond FY11, the appropriation amount is only a time-constrained slice of total estimated expenditures.

4. **Secured Funding** – Funding that has been committed by funding agencies and is now available to VTA for project expenditures. In many cases, secured funding is at a lower level than the appropriation in the Adopted Budget. For these projects, it is anticipated that additional funding may be secured during the FY10/11 period. It is important to note that, regardless of the level of appropriation, actual expenditures will not exceed secured funding at any time.
Figure 1.1 shows the total estimated cost of all projects contained in this report, broken down by the currently identified funding sources.

Figure 1.1

VTP Highway Program Identified Funding Sources

Note the large proportion of funding shown in Figure 1.1 that is designated as “To Be Determined.” Clearly, significant sources of federal, state, and/or local funding will be required to complete many of these projects. VTA’s strategy continues to be to advance a number of projects through the early (and relatively low-cost) stages of project development so that they will be ready to take advantage of funding that may become available in the future.

Figure 1.2, on the next page, shows the projects categorized by phase of development, and shows what portion of the estimated cost has been identified for each project.
## VTP Highway Projects Identified Funding Levels

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<tr>
<th>Project Name</th>
<th>Portion of Estimated Cost For Which Funding Has Been Identified</th>
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<td>Route 87 Planting</td>
<td><img src="image32" alt="100%" /></td>
</tr>
<tr>
<td>Ramp Metering Implementation</td>
<td><img src="image33" alt="100%" /></td>
</tr>
</tbody>
</table>
By way of a brief progress report, during the 6-month period covered by this report:

- The Draft Implementation Plan for the **US 101 Implementation – Trimble to Mabury/Taylor** project was completed in late 2009.
- Plans, Specifications, and Engineering (PS&E) work began for the Route 237/I-880 Express Connectors element of the **Silicon Valley Express Lanes** project.
- The PA/ED (environmental) phase for the Route 85 Express Lanes portion of the **Silicon Valley Express Lanes** project began in early 2010.
- The final Project Study Report for the **Calaveras Boulevard Improvements** project was submitted to Caltrans and approved in February 2010.
- The combined Project Study Report/Project Report for the **Mary Avenue Extension** project was approved by Caltrans in December 2009.
- The **US 101 Improvements – I-280 to Yerba Buena Road** construction contract was advertised for bids in April 2010. Caltrans will administer this construction contract.
- The 65% PS&E submittals were completed for both the **US 101 Auxiliary Lanes** and **I-880 HOV Widening** projects.
- The **Route 152/156 Interchange** project received the Project of the Year Award from the Construction Management Association of America, Northern California Chapter, increasing to three the number of major awards bestowed upon this project.

C. **SECURED FUNDING**

Figure 1.3 at the end of this section shows the prior and current period appropriations for each group of VTP Highway projects. Changes in appropriations during the report period are discussed below.

**Changes in Secured Funding**

1. **Conceptual Study Projects**

   Secured funding remains unchanged at $7.1 million.

2. **Projects in the Environmental/Preliminary Engineering Phase**

   The appropriation increased by a total of $1.8 million to a new total of $17.4 million due to the following increases in funding for the **Silicon Valley Express Lanes** projects:
   a. $0.5 million in Federal Earmark funding was secured for Route 85 Express Lanes.
   b. $1.3 million in Local Program Reserve funding was released for use on Route 85 Express Lanes.
C. SECURED FUNDING, Continued

3. Projects in Final Design (PS&E)

Secured funding increased by a net total of $5.1 million to a new total of $53.7 million due to the following:

a. The US 101 Improvements I-280 to Yerba Buena (CMIA) project received an additional $1.2 million in CMIA funding for construction support.

b. The US 101 Capitol Expressway-Yerba Buena Interchange project budget was established with $4.4 million in Local Program Reserve funds being secured. This was made possible by the award of $4.4 million in American Recovery and Reinvestment Act (ARRA) funds to the US 101 Improvements – I-280 to Yerba Buena Road project.

c. The secured funding for the I-880/Route 237 Planting project was reduced by $0.5 million as the result of reduced scope reflected in an amendment to the cooperative agreement with the City of Milpitas.

4. Projects Under Construction

Secured funding remains unchanged at $43.6 million.
### Figure 1.3

**VTP Highway Program Secured Funding**  
* $'s in millions

<table>
<thead>
<tr>
<th>Project/Category</th>
<th>a Previous Secured Funding Oct-09</th>
<th>b Current Secured Funding Apr-10</th>
<th>c = (b - a) Changes This Period</th>
<th>d Text</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Conceptual Study Projects</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Route 152 Alignment</td>
<td>$4.6</td>
<td>$4.6</td>
<td>$0.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>US 101 Implementation - Trimble to Maybury/Taylor</td>
<td>$1.8</td>
<td>$1.8</td>
<td>$0.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>El Camino Real/Route 85/237/Middlefield</td>
<td>$0.8</td>
<td>$0.8</td>
<td>$0.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$7.1</td>
<td>$7.1</td>
<td>$0.0</td>
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<td></td>
</tr>
<tr>
<td><strong>Projects in the Environmental/Preliminary Engineering Phase</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Silicon Valley Express Lanes</td>
<td>$15.6</td>
<td>$17.4</td>
<td>$1.8</td>
<td>2.a,b</td>
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</tr>
<tr>
<td>US 101 Widening - Monterey Rd to Route 129</td>
<td>$5.5</td>
<td>$5.5</td>
<td>$0.0</td>
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</tr>
<tr>
<td>US101 De La Cruz Blvd/Trimble Rd</td>
<td>$0.7</td>
<td>$0.7</td>
<td>$0.0</td>
<td></td>
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</tr>
<tr>
<td>Charcot Avenue Extension</td>
<td>$0.8</td>
<td>$0.8</td>
<td>$0.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Calaveras Blvd. Improvements</td>
<td>$0.6</td>
<td>$0.6</td>
<td>$0.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mary Avenue Extension</td>
<td>$1.6</td>
<td>$1.6</td>
<td>$0.0</td>
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</tr>
<tr>
<td><strong>Total</strong></td>
<td>$24.8</td>
<td>$26.6</td>
<td>$1.8</td>
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<tr>
<td><strong>Projects In Final Design (PS&amp;E)</strong></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>US 101 Improvements I-280 to Yerba Buena (CMIA)</td>
<td>$9.0</td>
<td>$10.2</td>
<td>$1.2</td>
<td>3.a</td>
<td></td>
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<tr>
<td>US 101 Capitol Expressway-Yerba Buena Interchange</td>
<td>$0.0</td>
<td>$4.4</td>
<td>$4.4</td>
<td>3.b</td>
<td></td>
</tr>
<tr>
<td>US 101 Auxiliary Lanes - Embarcadero to Rt. 85 (CMIA)</td>
<td>$17.1</td>
<td>$17.1</td>
<td>$0.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I-880 HOV Widening (CMIA)</td>
<td>$11.7</td>
<td>$11.7</td>
<td>$0.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I-880/I-280/Stevens Creek Improvements</td>
<td>$7.1</td>
<td>$7.1</td>
<td>$0.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I-880/Route 237 Planting</td>
<td>$3.8</td>
<td>$3.3</td>
<td>$(0.5)</td>
<td>3.c</td>
<td></td>
</tr>
<tr>
<td>I-880/Coleman Avenue Planting</td>
<td>$0.0</td>
<td>$0.0</td>
<td>$0.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$48.6</td>
<td>$53.7</td>
<td>$5.1</td>
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<td><strong>Projects Under Construction</strong></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Route 152/156 Interchange</td>
<td>$36.7</td>
<td>$36.7</td>
<td>$0.0</td>
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<td></td>
</tr>
<tr>
<td>Route 87 Planting</td>
<td>$4.9</td>
<td>$4.9</td>
<td>$0.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ramp Metering Implementation</td>
<td>$2.1</td>
<td>$2.1</td>
<td>$0.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$43.6</td>
<td>$43.6</td>
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<tr>
<td><strong>GRAND TOTAL</strong></td>
<td>$124.1</td>
<td>$131.0</td>
<td>$6.9</td>
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</tr>
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</table>
D. INCURRED COSTS

Figure 1.4 below shows the incurred costs for the VTP Highway Program at the beginning and end of the period as well as the percent of the project appropriation incurred as of April 30, 2010.

**Figure 1.4**

**VTP Highway Program Incurred Costs**

<table>
<thead>
<tr>
<th>Project/Category</th>
<th>a Incurred Costs Through Oct-09</th>
<th>b Incurred Costs Through Apr-10</th>
<th>c = (b - a) Incurred Costs This Period</th>
<th>d Percent of Secured Funding Incurred Apr-10</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Conceptual Study Projects</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Route 152 Alignment</td>
<td>$0.4</td>
<td>$1.5</td>
<td>$1.1</td>
<td>31.6%</td>
</tr>
<tr>
<td>US 101 Implementation - Trimble to Maybury/Taylor</td>
<td>$1.7</td>
<td>$1.7</td>
<td>$0.0</td>
<td>100.0%</td>
</tr>
<tr>
<td>El Camino Real/Route 85/237/Middlefield</td>
<td>$0.6</td>
<td>$0.6</td>
<td>$0.0</td>
<td>78.3%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$2.7</strong></td>
<td><strong>$3.8</strong></td>
<td><strong>$1.1</strong></td>
<td><strong>53.4%</strong></td>
</tr>
<tr>
<td><strong>Projects in the Environmental/Preliminary Engineering Phase</strong></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Silicon Valley Express Lanes</td>
<td>$3.5</td>
<td>$4.8</td>
<td>$1.3</td>
<td>27.5%</td>
</tr>
<tr>
<td>US 101 Widening - Monterey Rd to Route 129</td>
<td>$4.7</td>
<td>$5.0</td>
<td>$0.3</td>
<td>91.5%</td>
</tr>
<tr>
<td>US101 De La Cruz Blvd/Trimble Rd</td>
<td>$0.5</td>
<td>$0.5</td>
<td>$0.0</td>
<td>75.0%</td>
</tr>
<tr>
<td>Charcot Avenue Extension</td>
<td>$0.8</td>
<td>$0.8</td>
<td>$0.0</td>
<td>95.6%</td>
</tr>
<tr>
<td>Calaveras Blvd. Improvements</td>
<td>$0.6</td>
<td>$0.6</td>
<td>$0.0</td>
<td>99.6%</td>
</tr>
<tr>
<td>Mary Avenue Extension</td>
<td>$1.0</td>
<td>$1.0</td>
<td>$0.0</td>
<td>65.6%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$11.2</strong></td>
<td><strong>$12.7</strong></td>
<td><strong>$1.6</strong></td>
<td><strong>47.9%</strong></td>
</tr>
<tr>
<td><strong>Projects In Final Design (PS&amp;E)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>US 101 Improvements I-280 to Yerba Buena (CMIA)</td>
<td>$7.2</td>
<td>$7.5</td>
<td>$0.3</td>
<td>73.3%</td>
</tr>
<tr>
<td>US 101 Capitol Expressway - Yerba Buena Interchange</td>
<td>$0.0</td>
<td>$0.2</td>
<td>$0.2</td>
<td>4.6%</td>
</tr>
<tr>
<td>US 101 Auxiliary Lanes - Embarcadero to Rt. 85 (CMIA)</td>
<td>$6.7</td>
<td>$9.0</td>
<td>$2.3</td>
<td>52.7%</td>
</tr>
<tr>
<td>I-880 HOV Widening (CMIA)</td>
<td>$5.9</td>
<td>$8.0</td>
<td>$2.2</td>
<td>68.7%</td>
</tr>
<tr>
<td>I-880/I-280/Stevens Creek Improvements</td>
<td>$3.2</td>
<td>$4.1</td>
<td>$0.8</td>
<td>57.3%</td>
</tr>
<tr>
<td>I-880/Route 237 Planting</td>
<td>$0.5</td>
<td>$0.5</td>
<td>$0.0</td>
<td>15.8%</td>
</tr>
<tr>
<td>I-880/Coleman Avenue Planting</td>
<td>$0.0</td>
<td>$0.0</td>
<td>$0.0</td>
<td>X</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$23.4</strong></td>
<td><strong>$29.3</strong></td>
<td><strong>$5.9</strong></td>
<td><strong>54.6%</strong></td>
</tr>
<tr>
<td><strong>Projects Under Construction</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Route 152/156 Interchange</td>
<td>$32.7</td>
<td>$32.8</td>
<td>$0.1</td>
<td>89.5%</td>
</tr>
<tr>
<td>Route 87 Planting</td>
<td>$3.3</td>
<td>$4.1</td>
<td>$0.8</td>
<td>84.7%</td>
</tr>
<tr>
<td>Ramp Metering Implementation</td>
<td>$1.1</td>
<td>$1.4</td>
<td>$0.3</td>
<td>67.0%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$37.1</strong></td>
<td><strong>$38.3</strong></td>
<td><strong>$1.2</strong></td>
<td><strong>87.9%</strong></td>
</tr>
<tr>
<td><strong>GRAND TOTAL</strong></td>
<td><strong>$74.3</strong></td>
<td><strong>$84.2</strong></td>
<td><strong>$9.9</strong></td>
<td><strong>64.3%</strong></td>
</tr>
</tbody>
</table>
Figure 1.5 - VTP Highway Program Overview Map
SECTION 2

PROJECT SUMMARY REPORTS
VTP HIGHWAY PROJECT SUMMARY REPORTS

A. CONCEPTUAL STUDY PROJECTS
   1. New Route 152 Alignment
   2. US 101 Implementation - Trimble to Mabury/Taylor
   3. El Camino Real/Route 85/237/Middlefield

B. PROJECTS IN THE ENVIRONMENTAL/PRELIMINARY ENGINEERING PHASE
   1. Silicon Valley Express Lanes
   2. US 101 Widening - Monterey Road to Route 129
   3. US 101 De La Cruz Boulevard/Trimble Road Interchange
   4. Charcot Avenue Extension
   5. Calaveras Boulevard Improvements
   6. Mary Avenue Extension

C. PROJECTS IN FINAL DESIGN (PS&E)
   1. US 101 Improvements - I-280 to Yerba Buena Road (CMIA)
   2. US 101 Capitol Expressway – Yerba Buena Interchange
   3. US 101 Auxiliary Lanes – Embarcadero to Route 85 (CMIA)
   4. I-880 HOV Widening (CMIA)
   5. I-880/I-280/Stevens Creek Improvements
   6. I-880/Route 237 Planting
   7. I-880/Coleman Avenue Planting

D. PROJECTS UNDER CONSTRUCTION
   1. Route 152/156 Interchange
   2. Route 87 Planting
   3. Ramp Metering Implementation
Estimated Cost: $450 million
   Estimate Class 5 (see appendix)

Appropriation through FY 11:
   $4.6 million

Secured Funding to Date:
   $4.6 million

Year of Completion:
   2010 - Traffic and Revenue Study
   2012 - PA/ED

Project Manager: Darrell Vice
Designer: HDR

Project Description:
This project is part of a larger effort led by VTA and Caltrans to develop an east-west Trade and Mobility Corridor on Route 152 between US 101 and Route 99. The larger project includes evaluating roadway improvements and financing strategies that could benefit the movement of goods in the corridor.

The New Route 152 Alignment project is intended to enhance travel safety and benefit the movement of goods in the US 101 to Route 156 segment of the overall corridor connecting the Central Valley with Silicon Valley.

This project will require coordination with the US 101 Widening - Monterey Road to Route 129 project (see page 2-13) as both projects depend upon improvements to the US 101/Route 25 Interchange.

Project Status:
- VTA received $5 million of State funding from ITIP, matched with VTA LPR funding of $5 million.
- The Cooperative Agreement between VTA and Caltrans has been executed.
- HDR is providing planning and engineering services toward Preliminary Traffic and Revenue and Corridor studies.
- VTA has begun coordination with the HDR team to scope the environmental phase efforts.

Project Schedule:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Start</th>
<th>End</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Traffic &amp; Revenue Study/Environmental/PE</td>
<td>Early 2009</td>
<td>Late 2012</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Design &amp; Beyond</td>
<td>TBD</td>
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</table>
Cost:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Apr-10 Committed Costs</th>
<th>Apr-10 Incurred Costs</th>
<th>Secured Funding Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Real Estate</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Labor, Services and Support</td>
<td>4,375</td>
<td>1,969</td>
<td>1,452</td>
<td>2,923</td>
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<tr>
<td>Contingency</td>
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<td>225</td>
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<tr>
<td>Total</td>
<td>4,600</td>
<td>1,969</td>
<td>1,452</td>
<td>3,148</td>
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</table>

Secured Funding Incurred: 32%
Secured Funding Committed: 43%

NOTE: All amounts are Year Of Expenditure dollars in $1,000's

Funding (millions):

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Identified</th>
<th>Secured</th>
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<tbody>
<tr>
<td>Local (Other)</td>
<td>$0.15</td>
<td>$0.15</td>
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<tr>
<td>Measure A/STIP Swap</td>
<td>5.00</td>
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<tr>
<td>State - STIP</td>
<td>5.00</td>
<td>2.30</td>
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<tr>
<td>TBD</td>
<td>440</td>
<td>-</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$450</strong></td>
<td><strong>$4.60</strong></td>
</tr>
</tbody>
</table>

Portion of Estimated Cost for which funding has been identified:

- Local: 0.4%
- State: 0.4%
- TBD: 99.1%

Existing Route 152 Trade Corridor

P-0617

19.a
US 101 Implementation - Trimble to Mabury/Taylor

Estimated Cost:
$1.75 million (Conceptual Study)

Appropriation through FY 11:
$5.5 million

Secured Funding to Date:
$1.75 million

Year of Completion:
2009 (Conceptual Study)

Project Manager: Darrell Vice

Designer: T.Y. Lin International

Project Description:

Note: The description and funding indicated are solely for the production of an Implementation Plan. Any project arising from the Implementation Plan will be defined and scoped separately.

Prepare an Implementation Plan for the US 101 corridor from the Trimble/De La Cruz Interchange to the proposed Taylor/Mabury Interchange. This scope of work requires traffic studies and mapping of the corridor area, and preparation of geometric concepts and phasing implementation plan for the 4th St./Zanker Road, Taylor/Mabury Road, and Old Oakland Road Interchanges. The Implementation Plan will determine which projects should be advanced to the Project Study Report phase, and the timing of those projects.

Project Status:

Implementation Plan: The Draft Implementation Plan has been prepared and submitted to the City of San Jose. The plan was completed in late 2009, and recommends advancing the Taylor/Maybury Road Interchange.

The preparation of a Project Study Report is the next phase of project development, and will be undertaken as funding is made available.

Project Schedule:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Start</th>
<th>End</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
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<tr>
<td>Implementation Plan</td>
<td>Mid 2007</td>
<td>Late 2009</td>
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**Cost:**

<table>
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<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Apr-10 Committed Costs</th>
<th>Apr-10 Incurred Costs</th>
<th>Secured Funding Balance</th>
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</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>-</td>
<td>-</td>
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<td>-</td>
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<tr>
<td>Real Estate</td>
<td>-</td>
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<tr>
<td>Labor, Services and Support</td>
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<td>1,750</td>
<td>1,750</td>
<td>0</td>
</tr>
<tr>
<td>Contingency</td>
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<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>1,750</td>
<td>1,750</td>
<td>1,750</td>
<td>0</td>
</tr>
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</table>

Secured Funding Incurred 100%
Secured Funding Committed 100%

NOTE: All amounts are Year Of Expenditure dollars in $1,000's

**Funding (millions):**

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<thead>
<tr>
<th>Funding Source</th>
<th>Identified</th>
<th>Secured</th>
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<td>Meas B Swap</td>
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<td>$0.50</td>
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<tr>
<td>Local (San Jose)</td>
<td>4.75</td>
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<tr>
<td>TBD</td>
<td>0.25</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$5.50</strong></td>
<td><strong>$1.75</strong></td>
</tr>
</tbody>
</table>

Portion of Estimated Cost for which funding has been identified

Existing 4th/Zanker Interchange, from existing 4th Street onramp

US 101 SB Traffic exiting onto Oakland Road
VTP Highway Projects

El Camino Real/Route 85/237/Middlefield

**Estimated Cost:**
$0.75 million (Conceptual Study)

  Estimate Class 5 (see appendix)

**Appropriation through FY 11:**
$2.0 million

**Secured Funding to Date:**
$0.75 million

**Year of Completion:** 2011
(Conceptual Study)

**Project Manager:** Darrell Vice

**Designer:** Nolte Associates

---

**Project Description:**

*Note: The description and funding indicated are solely for the production of a Project Study Report-Project Development Support (PSR-PDS). Any project arising from the Project Study Report will be defined and scoped separately.*

Perform Conceptual Studies and prepare a PSR-PDS for improvements on Route 85 and Route 237. Possible alternatives include operational improvements to the El Camino Real/Route 85 Interchange, auxiliary lanes on Route 85 from El Camino Real to the Route 85 / Route 237 Interchange, and operational improvements at the Middlefield Road / Route 237 Interchange.

---

**Project Status:**

**Project Study Report:** The footprint of the ultimate Route 85/Route 237 interchange has been determined, and a range of options for projects which could be advanced within the study area has been identified. The draft PEAR and Preliminary Geotechnical Report have been prepared, and traffic studies are ongoing.

Funding is actively being pursued, including the submittal of an application for federal earmark funds, and any other federal, state, or local funds to advance the project beyond PSR-PDS.

The PSR-PDS is expected to be completed in early 2011.

---

**Project Schedule:**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Start</th>
<th>End</th>
<th>2006</th>
<th>2007</th>
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<th>2009</th>
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<th>2010</th>
<th>2011</th>
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<td>PSR-PDS</td>
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### Cost:

<table>
<thead>
<tr>
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<th>Secured Funding a</th>
<th>Apr-10 Committed Costs b</th>
<th>Apr-10 Incurred Costs c</th>
<th>Secured Funding Balance d = (a-c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Real Estate</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Labor, Services and Support</td>
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<td>750</td>
<td>587</td>
<td>163</td>
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<td>Contingency</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>750</strong></td>
<td><strong>750</strong></td>
<td><strong>587</strong></td>
<td><strong>163</strong></td>
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Secured Funding Incurred: 78%
Secured Funding Committed: 100%

**NOTE:** All amounts are Year Of Expenditure dollars in $1,000's

### Funding (millions):

<table>
<thead>
<tr>
<th>Funding Source</th>
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<tbody>
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<td>Meas B Swap</td>
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<td>$0.50</td>
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<tr>
<td>Local (Mountain View)</td>
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<tr>
<td><strong>Total</strong></td>
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<td><strong>$0.75</strong></td>
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</table>

Local 100%

Portion of Estimated Cost for which funding has been identified

---

Route 237 looking west towards Route 85

Route 85 Northbound, approaching Route 237/US 101
VTP Highway Projects

Silicon Valley Express Lanes

Estimated Cost:
Initial Study - $3 million
237/880 Express Connector - $9 million
Route 85 Express Lanes - $96 million
US 101 Express Lanes - $416 million

Estimate Class 5 (see appendix)

Appropriation through FY 11:
$21.4 million

Secured Funding to Date:
$17 million

Year of Completion:
237/880 Express Connectors - 2011
Route 85 Express Lanes – 2013
US 101 Express Lanes - 2016

Project Managers:
237/880 Express Connectors - Leo Scott
Route 85 Express Lanes – Jane Yu
US 101 Express Lanes - Murali Ramanujam

Designers:
237/880 Express Connectors - PB Americas
Route 85 Express Lanes – URS

Program Overview:
The benefits of the Silicon Valley Express Lanes program include:

- **Increased efficiency of existing roadway** - Carpool lanes are underutilized and have the capacity to accommodate more vehicles. By encouraging transit and carpools, and allowing solo drivers to pay a fee to access the lanes, we can make more efficient use of existing roadways.

- **Option for reliable travel** - Through the use of dynamic pricing, VTA can manage the amount of traffic in the express lanes and maintain free-flowing speeds even when the general purpose lanes are congested. Motorists who choose to use the express lanes can count on reliable travel times.

- **Revenue reinvested in the corridor** - Tolls collected will be used to operate the lanes and for other transportation improvements in the Express Lanes corridors including transit.

Tolls for solo drivers will vary based on the level of congestion in the lanes, and will be adjusted to maintain a minimum speed of 45 miles per hour in the lanes. When traffic is light, toll prices are low. When congestion increases, toll prices go up to regulate the number of drivers entering the express lanes. The California Highway Patrol (CHP) will be in charge of enforcement using a combination of new technologies and visual checks for occupancy (as with HOV lanes). Revenue from Express Lanes will be used to support CHP enforcement.
Project Schedule:

<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>Preliminary Eng &amp; PA/ED</td>
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<td>Early</td>
<td></td>
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<tr>
<td>237/880 Express Connectors</td>
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<td>SR 85 Express Lanes</td>
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<td>US-101 Express Lanes</td>
<td>Mid</td>
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</tbody>
</table>

*Funding not identified, schedule is tentative.

Near Term Silicon Valley Express Lanes Projects Description and Status:

**Route 237/I-880 Express Connectors** -
This project will convert the direct carpool lane to carpool lane connectors at the Route 237/I-880 interchange to express lanes operation. This project is funded through local and federal funds, including the American Recovery and Reinvestment Act (ARRA), and the Value Pricing Pilot Program.

The project team has worked with Caltrans to analyze current and future traffic conditions and is currently completing project design work. Plans, Specifications & Estimate work for the development of the congestion pricing system and civil components is underway, and coordination with Caltrans, FHWA and other stakeholders is ongoing. VTA anticipates awarding a contract for systems integration in mid 2010, with construction and public outreach efforts also occurring through mid 2011.
Near Term Silicon Valley Express Lanes Projects Description and Status (Continued)

**Route 85 Express Lanes** - This project includes conversion of the entire 24 miles of Route 85 carpool lanes to express lanes. The project is also analyzing the inclusion of short express lane segments on US 101 to make use of the unused capacity through the interchange available on existing carpool lane to carpool lane direct connectors at the two US 101/Route 85 interchanges. Enhancements to the project include conversion of certain segments of Route 85 to two-lane express lanes to provide added congestion relief and operational benefits to users.

This project is a recipient of federal ARRA and earmark funds that will be used for the preliminary engineering, environmental documentation and final design efforts. Preparation of a Caltrans project initiation document and Project Study Report is ongoing. Work on traffic forecasting and operations reports are under preparation for submittal and approval by Caltrans.

**US 101 Express Lanes** - The project involves converting 34 miles of existing carpool lanes on US 101 between Cochrane Road in Morgan Hill and the San Mateo County line.

The current recommendation is to implement two lanes of express lanes within the existing footprint to accommodate projected travel demand for US 101. Work on US 101 will lag behind Route 85 express lanes. Caltrans and VTA are collaborating to develop the traffic report that was initiated as part of the preliminary engineering work undertaken along with the Route 85 express lanes project.

**I-680 Express Lanes** – This project will convert the existing 14 mile southbound carpool lane between Route 84 in Alameda County and Route 237 in Santa Clara County (approximately 3 miles within Santa Clara County). VTA is a member of the Joint Powers Authority for this project which is lead by the Alameda County Congestion Management Agency (ACCMA).

This project will be open to traffic in September 2010.
Cost:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Apr-10 Committed Costs</th>
<th>Apr-10 Incurred Costs</th>
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<td>4,786</td>
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Secured Funding Incurred 28%
Secured Funding Committed 61%

NOTE: All amounts are Year Of Expenditure dollars in $1,000's

Funding (millions):

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<td></td>
<td>US 101 Express Lanes</td>
<td>Route 85 Express Lanes</td>
</tr>
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<td>TBD (STIP, Federal)</td>
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<td>$96</td>
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</table>

Portion of Estimated Cost for which funding has been identified

VTA Express Lanes provide improved access and reliable travel for everyone.
• Solo drivers with a prepaid FasTrak transponder can choose to pay a toll and use the Express Lanes.
• Transit vehicles, carpools, vanpools, motorcycles, and eligible hybrids can use the Express Lanes at no charge.
**Estimated Cost:** $450 million

Estimated Class 4 (see appendix)

**Appropriation through FY 11:** $11.1 million

**Secured Funding to Date:** $5.5 million

**Year of Completion:** TBD

**Project Manager:** Darrell Vice

**Designer:** URS Corporation

**Project Description:**

The project proposes to widen US 101 from four to six lanes in Santa Clara and San Benito Counties to meet future traffic demands and to provide access control. The project also includes constructing a new interchange at the intersection of US 101 and Route 25, extending Santa Teresa Boulevard to connect to Route 25 at the Route 25/US 101 Interchange, and improvements on Route 25 required for the operation of the Route 25/US 101 interchange.

The project extends approximately 2.6 miles into San Benito County and approximately 4.1 miles into Santa Clara County. VTA is in partnership with San Benito Council of Government, Caltrans District 4, Caltrans District 5, local agencies and developers to deliver the project.

The project is contemplated to be delivered in two segments after completion of the environmental/PE phase. The first segment extends from the northern limit of the project to the US 101/Route 25 interchange. The second segment extends from just south of the US 101/Route 25 interchange to the US 101/Route 129 interchange.

This project will impact the New Route 152 Alignment project (see page 2-3) as both projects would require improvements to the US 101/Route 25 Interchange.

**Project Status:**

**Environmental/Preliminary Engineering:** Work is underway on conceptual design and environmental clearance for the proposed US 101/Route 25 interchange and US 101 widening from Monterey Road to Route 129. The current studies are looking at access control, freeway alignment, right-of-way, utilities, and a new US 101/Route 25 interchange. The current budget will allow work to be completed through the Draft Environmental Document. Additional funding of approximately $0.5 million must be secured to complete the Environmental Document.

**Project Schedule:**

<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
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<td>Design (PS&amp;E)</td>
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*Funding not identified, schedule is tentative.
## Cost:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Apr-10 Committed Costs</th>
<th>Apr-10 Incurred Costs</th>
<th>Secured Funding Balance</th>
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<tr>
<td>Construction and Major Procurement</td>
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<tr>
<td>Real Estate</td>
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<td>Labor, Services and Support</td>
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<td><strong>Total</strong></td>
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Secured Funding Incurred 92%
Secured Funding Committed 99%

NOTE: All amounts are Year Of Expenditure dollars in $1,000's

## Funding (millions):

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<th>Funding Source</th>
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<td>1.0</td>
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<td><strong>Total</strong></td>
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0% Portion of Estimated Cost for which funding has been identified

---

Northbound US 101 approaching Route 129 Overcrossing

Northbound US 101 at Route 25 Overcrossing
**Estimated Cost:** $27 million

   Estimate Class 4 (see appendix)

**Appropriation through FY 11:**

$4.9 million

**Secured Funding to Date:**

$0.7 million

**Year of Completion:** TBD

**Project Manager:**
Darrell Vice

**Designer:** Rajappan & Meyer Consulting Engineers, Inc.

**Project Description:**

The project evaluates improvements to the US 101-De La Cruz Boulevard/Trimble Road interchange, including:

- Replacing the existing US 101 overcrossing
- Widening De La Cruz Blvd/Trimble Road to six travel lanes through the interchange limits
- Reconstructing the southbound exit loop to a partial cloverleaf design and incorporating a new intersection on De La Cruz Boulevard
- Adding a southbound auxiliary lane from De La Cruz Boulevard to the Route 87 exit ramp, depending on results of operational studies
- Configuring interchange and surface street improvements for multi-modal uses, including pedestrian and bicycle users.

**Project Status:**

**Environmental/Preliminary Engineering:** A Project Study Report/Project Report and Environmental Document (State - CEQA only) for the interchange improvements in the City of San Jose will be completed in mid 2011.

The City of San Jose has agreed to contribute an additional $150,000 to fund additional studies and engineering work required to complete the environmental phase.

**Project Schedule:**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Start</th>
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<th>2007</th>
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<th>2009</th>
<th>2010</th>
<th>2011</th>
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<tbody>
<tr>
<td>Environmental/PE</td>
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<td>Mid 2011</td>
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<tr>
<td>Design &amp; Beyond</td>
<td>TBD</td>
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<td></td>
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Cost:

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<tr>
<th>Project Cost Element</th>
<th>Secured Funding a</th>
<th>Apr-10 Committed Costs b</th>
<th>Apr-10 Incurred Costs c</th>
<th>Secured Funding Balance d = (a-c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Real Estate</td>
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<tr>
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<td><strong>Total</strong></td>
<td>700</td>
<td>700</td>
<td>525</td>
<td>175</td>
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Secured Funding Incurred 75%
Secured Funding Committed 100%

NOTE: All amounts are Year Of Expenditure dollars in $1,000's

Funding (millions):

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<td><strong>Total</strong></td>
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<td>$0.7</td>
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</table>

Portion of Estimated Cost for which funding has been identified: TBD 82%, Local 18%

Approaching the bridge over US 101

Trimble/De La Cruz bridge from US 101 Northbound
Charcot Avenue Extension

Estimated Cost: $35 million
   Estimate Class 5 (see appendix)
Appropriation through FY 11: $5.6 million
Secured Funding to Date: $0.8 million
Year of Completion: TBD
Project Manager: Michelle Jiang
Designer: Parsons Brinkerhoff

Project Description:
The Charcot Avenue Extension project proposes to extend Charcot Avenue over Interstate 880 via an overcrossing in the City of San Jose between Old Oakland Road and Paragon Drive. This will provide improved east-west connectivity across the I-880 corridor in the North San Jose area.
The project scope consists of the following:

- An approximately 530-foot long overcrossing bridge over Interstate 880 that will accommodate the future widening of I-880 (one HOV lane in each direction), likely requiring a bridge pier in the median of I-880
- Roadway construction to extend and connect Charcot Avenue from Old Oakland Road to Paragon Drive in the City of San Jose
- Minor improvements on either side of I-880 only as necessary to accommodate a standard overcrossing
- Limited local roadway improvements to conform to existing roads, including the widening of Silk Wood Lane
- Elements, such as sound walls and retaining walls, necessary to complete the project
- Bicycle and pedestrian facilities, including a dedicated bike lane and sidewalk

Project Status:

**Preliminary Engineering and Environmental Document:** The current scope includes surveying, traffic studies, construction cost estimates, as well as environmental technical studies of air, noise, biological, cultural, visual, and community impacts toward preparation of an Initial Study and Mitigated Negative Declaration (IS/MND) for the environmental document. All technical studies have been drafted along with the IS/MND for the project. A combined Project Study Report / Project Report has been drafted as part of the project approval document.

This project is currently on hold due to City of San Jose budget constraints.

Project Schedule:

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<th>Start</th>
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<th>2008</th>
<th>2009</th>
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<tbody>
<tr>
<td>Preliminary Engineering &amp; Draft ED</td>
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<td>Construction and Major Procurement</td>
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<tr>
<td>Real Estate</td>
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<tr>
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<tr>
<td>Contingency</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>800</strong></td>
<td><strong>793</strong></td>
<td><strong>765</strong></td>
<td><strong>35</strong></td>
</tr>
</tbody>
</table>

- Secured Funding Incurred 96%
- Secured Funding Committed 99%

**NOTE:** All amounts are Year Of Expenditure dollars in $1,000's

#### Funding (millions):

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Identified</th>
<th>Secured</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local (San Jose)</td>
<td>$5.5</td>
<td>$0.8</td>
</tr>
<tr>
<td>TBD</td>
<td>29.5</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$35.0</strong></td>
<td><strong>$0.8</strong></td>
</tr>
</tbody>
</table>

- Local 16%
- TBD 84%
- Portion of Estimated Cost for which funding has been identified

Proposed overcrossing location, looking north along O'Toole Ave at Charcot Ave and I-880

Simulation of overcrossing
Calaveras Boulevard Improvements

Estimated Cost: $77 million
   Estimate Class 4 (see appendix)

Appropriation through FY 11: $2.35 million

Secured Funding to Date: $0.60 million

Year of Completion: TBD

Project Manager: Darrell Vice
Designer: Nolte Associates, Inc.

Project Description:
The work includes widening the existing four-lane facility to six lanes, from Town Center Drive in the east to Abel Street in the west. In addition, the work assumes auxiliary lanes will be added to the current six-lane facility between Abel Street and Abbott Avenue. The proposed widening will require widening/replacement of the bridges over Main Street and the Union Pacific Railroad tracks to accommodate the proposed BART extension.

Project Status:

Conceptual Engineering/Project Study Report: The Project Study Report includes three project alternatives: the “widen in,” “widen out,” and “no build” options. Both the “widen in” and “widen out” options include three lanes on the bridge with auxiliary lanes on the eastern approach.

The final PSR was approved by Caltrans in February 2010.

Project Schedule:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Start</th>
<th>End</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conceptual Eng/PSR</td>
<td>Late 2007</td>
<td>Early 2010</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Enviromental &amp; Beyond</td>
<td>TBD</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Cost:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Apr-10 Committed Costs</th>
<th>Apr-10 Incurred Costs</th>
<th>Secured Funding Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>a</td>
<td>b</td>
<td>c</td>
<td>d = (a-c)</td>
</tr>
<tr>
<td>Construction and Major Procurement</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Real Estate</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Labor, Services and Support</td>
<td>600</td>
<td>600</td>
<td>598</td>
<td>2</td>
</tr>
<tr>
<td>Contingency</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>600</strong></td>
<td><strong>600</strong></td>
<td><strong>598</strong></td>
<td><strong>2</strong></td>
</tr>
</tbody>
</table>

Secured Funding Incurred 100%
Secured Funding Committed 100%

NOTE: All amounts are Year Of Expenditure dollars in $1,000's

### Funding (millions):

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Identified</th>
<th>Secured</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meas B Swap</td>
<td>$0.15</td>
<td>$0.15</td>
</tr>
<tr>
<td>Local (Milpitas)</td>
<td>0.45</td>
<td>0.45</td>
</tr>
<tr>
<td>TBD</td>
<td>76.40</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$77.00</strong></td>
<td><strong>$0.60</strong></td>
</tr>
</tbody>
</table>

100%

Portion of Estimated Cost for which funding has been identified

---

Eastbound Calaveras Blvd.

Intersection of Calaveras Blvd. & Abbott Ave. Approaching Route 237 West
Mary Avenue Extension

**Estimated Cost:** $72 million

   Estimate Class 4 (see appendix)

** Appropriation through FY 09:** $9.1 million

**Secured Funding to Date:** $1.6 million

**Year of Completion:** TBD

**Project Manager:**
Margaret Simmons-Cross

**Designer:** BKF Engineers

**Project Description:**
Extend Mary Avenue across US 101 and Route 237 to improve traffic operations and circulation and access to the Moffett Industrial Park.

Mary Avenue runs from Homestead Road to Almanor Avenue in the City of Sunnyvale. The proposed 0.5-mile extension project will extend Mary Avenue northerly over US 101 and Route 237 to the Moffett Industrial Park area west of Mathilda Avenue.

The proposed roadway section includes four lanes, with bike lanes and sidewalks on both sides. The project will include a 0.25 mile structure spanning US 101, Route 237 and the VTA Light Rail Station north of Route 237. Impacts to the freeway system are anticipated to be limited to bridge support column placements in the rights-of-way of US 101 and Route 237.

**Project Status:**

**Environmental/Preliminary Engineering:** The Final Environmental Impact Report (EIR) was approved in October 2008. However, a recent Santa Clara County Superior Court ruling may require revising the existing EIR or preparing a supplemental EIR.

The combined Project Study Report/Project Report was finalized and approved by Caltrans in December 2009.

The project is planned to move into the PS&E phase. It has not yet been determined who will administer and fund the next phase of work.

**Project Schedule:**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Start</th>
<th>End</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental/PE</td>
<td>Mid 2005</td>
<td>Late 2009</td>
<td>✅</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Design &amp; Beyond</td>
<td>TBD</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Cost:**

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Apr-10 Committed Costs</th>
<th>Apr-10 Incurred Costs</th>
<th>Secured Funding Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Real Estate</td>
<td>0.1</td>
<td>0.1</td>
<td>0.1</td>
<td>-</td>
</tr>
<tr>
<td>Labor, Services and Support</td>
<td>1,590</td>
<td>1,092</td>
<td>1,043</td>
<td>547</td>
</tr>
<tr>
<td>Contingency</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,590</strong></td>
<td><strong>1,092</strong></td>
<td><strong>1,043</strong></td>
<td><strong>547</strong></td>
</tr>
</tbody>
</table>

**Secured Funding Incurred**: 66%

**Secured Funding Committed**: 69%

*NOTE: All amounts are Year Of Expenditure dollars in $1,000’s*

**Funding (millions):**

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Identified</th>
<th>Secured</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meas B Swap</td>
<td>$0.25</td>
<td>$0.25</td>
</tr>
<tr>
<td>Local (Sunnyvale)</td>
<td>5.37</td>
<td>1.34</td>
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<tr>
<td>TBD</td>
<td>66.39</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$72.00</strong></td>
<td><strong>$1.59</strong></td>
</tr>
</tbody>
</table>

**Portion of Estimated Cost for which funding has been identified**: 92%
Estimated Cost: $65 million
    Estimate Class 1 (see appendix)
Appropriation through FY 11:
    $63 million
Secured Funding to Date: $10.2 million
Year of Completion: 2012
Project Manager: Ven Prasad
Designer: HMH Engineers

Project Description:

Improve operation on US 101 in east San Jose by adding a lane in the southbound direction from south of Story Road to north of Capitol Expressway and reconfigure the US 101/Tully Road interchange from the existing full cloverleaf to a partial cloverleaf interchange.

The balance of the operational improvements between Capital Expressway and Yerba Buena Road covered in the Environmental Document will be addressed in a future project.

Additionally, the proposed project replaces the Tully Road Overcrossing. The project fully accommodates bicyclists and pedestrians with a bike lane and sidewalk on both sides along the full length of Tully Road.

This project has been selected by the California Transportation Commission (CTC) for partial funding through the Corridor Mobility Improvement Account (CMIA) Proposition 1B Funding Program.

Project Status:

Design (PS&E): The Mitigated Negative Declaration was signed by Caltrans on December 1, 2005. Project approval was achieved in March 2009, and VTA has filed the Mitigated Negative Declaration at the County of Santa Clara and at the State Clearinghouse to meet NEPA requirements.

The Final PS&E package was submitted to Caltrans in September 2009. Utilities relocations are underway.

The construction contract was advertised for bids in April 2010, and the contract will be awarded before the end of 2010. Construction administration will be conducted by Caltrans.

Project Schedule:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Start</th>
<th>End</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental/PE</td>
<td>Mid 2007</td>
<td>Early 2009</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Design (PS&amp;E)</td>
<td>Early 2008</td>
<td>Early 2010</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction</td>
<td>Mid 2010</td>
<td>Late 2012</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Open to Traffic</td>
<td>Early 2012</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Closeout</td>
<td>Early 2013</td>
<td>Late 2013</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Cost:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding a</th>
<th>Apr-10 Committed Costs b</th>
<th>Apr-10 Incurred Costs c</th>
<th>Secured Funding Balance d = (a-c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>1,350</td>
<td>1,307</td>
<td>169</td>
<td>1,181</td>
</tr>
<tr>
<td>Real Estate</td>
<td>605</td>
<td>440</td>
<td>436</td>
<td>170</td>
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<tr>
<td>Labor, Services and Support</td>
<td>8,260</td>
<td>6,956</td>
<td>6,884</td>
<td>1,375</td>
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<tr>
<td>Contingency</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>10,215</td>
<td>8,702</td>
<td>7,489</td>
<td>2,726</td>
</tr>
</tbody>
</table>

Secured Funding Incurred 73%
Secured Funding Committed 85%

NOTE: All amounts are Year Of Expenditure dollars in $1,000's

Funding (millions):

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>VTA Administered</th>
<th>Administered By Others</th>
<th>Total</th>
<th>Federal</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Identified</td>
<td>Secured</td>
<td>Identified</td>
<td>18%</td>
</tr>
<tr>
<td>Meas A/STIP Swap</td>
<td>$7.4</td>
<td>$4.6</td>
<td>$0.0</td>
<td>$7.4</td>
</tr>
<tr>
<td>Meas B Swap</td>
<td>0.1</td>
<td>0.1</td>
<td>-</td>
<td>0.1</td>
</tr>
<tr>
<td>Local (CSJ)</td>
<td>10.0</td>
<td>4.0</td>
<td>3.2</td>
<td>13.2</td>
</tr>
<tr>
<td>Local (Other)</td>
<td>0.3</td>
<td>0.3</td>
<td>-</td>
<td>0.3</td>
</tr>
<tr>
<td>State (CMIA)</td>
<td>1.2</td>
<td>1.2</td>
<td>28.8</td>
<td>30.0</td>
</tr>
<tr>
<td>State (SHOPP)</td>
<td>-</td>
<td>-</td>
<td>2.2</td>
<td>2.2</td>
</tr>
<tr>
<td>Federal (ARRA)</td>
<td>-</td>
<td>-</td>
<td>4.6</td>
<td>4.6</td>
</tr>
<tr>
<td>Federal (Earmark)</td>
<td>-</td>
<td>-</td>
<td>7.2</td>
<td>7.2</td>
</tr>
<tr>
<td>Total</td>
<td>$19.1</td>
<td>$10.2</td>
<td>$45.9</td>
<td>$65.0</td>
</tr>
</tbody>
</table>

Local 32%  State 50%  Federal 18%  Total 100%  Portion of Estimated Cost for which funding has been identified

NOTE: The intersection improvements include:
- Interchange bulb outs to decrease pedestrian crossing distance
- 6-foot wide continuous bike lanes
- Combination of 11-foot and 12-foot lane widths
- Squared-up pedestrian friendly intersections for lower vehicle speed
- Wider 10-foot sidewalk
US 101 Capitol Expwy – Yerba Buena Interchange

Estimated Cost: $35 million
   Estimate Class 4 (see appendix)

Appropriation through FY 11:
   $4.4 million

Secured Funding to Date: $4.4 million

Year of Completion: TBD

Project Manager: Ven Prasad

Designer: HMH Engineers

Project Description:

This project will improve highway operations along US 101 by reducing congestion at the Capitol Expressway and Yerba Buena Road Interchanges. The improvements in the current phase of work, Phase 2, are divided into two sub-phases as follows:

Phase A:

- Extending the fifth southbound lane of US 101 from north of Capitol Expressway to Yerba Buena Road
- Adding a southbound auxiliary lane between Capitol Expressway and Yerba Buena Road
- Making interim improvements to the southbound Capitol Expressway – Yerba Buena collector/distributor road and initially providing a one lane off-ramp to Yerba Buena Road

Phase B:

- Modifying the Capitol Expressway Interchange from a full cloverleaf to a partial cloverleaf
- Modifying the northbound on-ramp from Yerba Buena Road and constructing a northbound slip on-ramp from the northbound collector/distributor road
- Completing a two-lane southbound off-ramp to Yerba Buena Road

Project Status:

Environmental/Preliminary Engineering: HMH Engineers has been engaged to proceed with Phase A final design. Phase B will follow pending funding availability.

Project Schedule:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Start</th>
<th>End</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase A Design</td>
<td>Mid 2010</td>
<td>Early 2011</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phase B Design</td>
<td>Late 2010</td>
<td>Early 2012</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phase A Construction</td>
<td>Early 2011</td>
<td>Late 2011</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phase B Construction</td>
<td>TBD</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Cost:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Apr-10 Committed Costs</th>
<th>Apr-10 Incurred Costs</th>
<th>Secured Funding Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>300</td>
<td>-</td>
<td>-</td>
<td>300</td>
</tr>
<tr>
<td>Real Estate</td>
<td>225</td>
<td>10</td>
<td>-</td>
<td>225</td>
</tr>
<tr>
<td>Labor, Services and Support</td>
<td>3,787</td>
<td>1,150</td>
<td>183</td>
<td>3,605</td>
</tr>
<tr>
<td>Contingency</td>
<td>44</td>
<td>-</td>
<td>-</td>
<td>44</td>
</tr>
<tr>
<td>Total</td>
<td><strong>4,356</strong></td>
<td><strong>1,160</strong></td>
<td><strong>183</strong></td>
<td><strong>4,173</strong></td>
</tr>
</tbody>
</table>

Secured Funding Incurred: 4%
Secured Funding Committed: 27%

NOTE: All amounts are Year Of Expenditure dollars in $1,000's

### Funding (millions):

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Identified</th>
<th>Secured</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meas A/STIP Swap</td>
<td>$4.4</td>
<td>$4.4</td>
</tr>
<tr>
<td>TBD</td>
<td>30.6</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td><strong>$35.0</strong></td>
<td><strong>$4.4</strong></td>
</tr>
</tbody>
</table>

- Local: 13%
- TBD: 87%

Current US 101-Capitol Expressway Interchange
VTP Highway Projects

US 101 Auxiliary Lanes – Embarcadero Rd to Route 85

Estimated Cost:  $102.3 million
                      Estimate Class 2 (see appendix)

Appropriation through FY 11:  
$102.3 million

Secured Funding to Date:
$17.1 million

Year of Completion:  2013

Project Manager:  Lam Trinh

Designer:  URS Corporation

Project Description:
Construct auxiliary lanes and extended dual HOV lanes in each direction of a 3.2 mile segment of US 101 between Route 85 in Mountain View and Embarcadero Road in Palo Alto.

This project has been selected by the California Transportation Commission (CTC) for construction funding through the Corridor Mobility Improvement Account (CMIA) Proposition 1B Funding Program.

Project Status:

Environmental/Preliminary Engineering:  The Project Approval/Environmental Document (PA/ED) phase is complete. The Environmental Document and Project Study Report/Project Report were approved in July 2009.

Final Design:  The final engineering design – Plans, Specifications, and Estimate (PS&E) – work is ongoing with 65% PS&E completed in early 2010. The 95% PS&E submittal is on schedule for June 2010. Final PS&E is targeted for completion in late 2010.

Based on the current design, the project will require right-of-way acquisitions and several temporary construction easements as well as utility relocations. Coordination with the Cities of Palo Alto and Mountain View is ongoing.

Project Schedule:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Start</th>
<th>End</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental/PE</td>
<td>Mid 2007</td>
<td>Mid 2009</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Design (PS&amp;E)</td>
<td>Mid 2009</td>
<td>Mid 2011</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Right-of-Way</td>
<td>Mid 2009</td>
<td>Late 2010</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Construction</td>
<td>Mid 2011</td>
<td>Mid 2013</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Open to Traffic</td>
<td>Mid 2013</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Closeout</td>
<td>Mid 2013</td>
<td>Mid 2014</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Cost:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Apr-10 Committed Costs</th>
<th>Apr-10 Incurred Costs</th>
<th>Secured Funding Balance d = (a+c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>3,500</td>
<td>38</td>
<td>38</td>
<td>3,462</td>
</tr>
<tr>
<td>Real Estate</td>
<td>1,477</td>
<td>595</td>
<td>362</td>
<td>1,114</td>
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<td>Labor, Services and Support</td>
<td>11,973</td>
<td>11,102</td>
<td>8,603</td>
<td>3,370</td>
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<tr>
<td>Contingency</td>
<td>120</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Total</td>
<td>17,070</td>
<td>11,736</td>
<td>9,004</td>
<td>8,066</td>
</tr>
</tbody>
</table>

Secured Funding Incurred 53%
Secured Funding Committed 69%

NOTE: All amounts are Year Of Expenditure dollars in $1,000's

Funding (millions):

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Identified</th>
<th>Secured</th>
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<tbody>
<tr>
<td>Meas A/STIP Swap</td>
<td>$17.1</td>
<td>$17.1</td>
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<tr>
<td>Local (LPR)</td>
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<td>State (CMIA)</td>
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<tr>
<td>Total</td>
<td>$102.3</td>
<td>$17.1</td>
</tr>
</tbody>
</table>

State 83%
Local 17%

Portion of Estimated Cost for which funding has been identified

Double HOV lanes south of Old Middlefield Road

US 101 – Route 85 Interchange
VTP Highway Projects

I-880 HOV Widening

Estimated Cost: $95 million

- Estimate Class 2 (see appendix)

Appropriation through FY 11:

$95 million

Secured Funding to Date: $11.7 million

Year of Completion: 2013

Project Manager: Lam Trinh

Designer: Mark Thomas & Company, Inc.

Project Description:

This project will add a High Occupancy Vehicle (HOV) lane in each direction of 4.6 miles of Interstate 880 between US 101 in San Jose and Route 237 in the City of Milpitas.

This project has been selected by the California Transportation Commission (CTC) for construction funding through the Corridor Mobility Improvement Account (CMIA) Proposition 1B Funding Program.

Project Status:

Environmental/Preliminary Engineering: The Project Approval/Environmental Document (PA/ED) phase is complete. The Environmental Document and Project Report were approved in June 2009.

Final Design: The final engineering design – Plans, Specifications, and Estimate (PS&E) – work is ongoing with 65% PS&E completed in December 2009. The 95% PS&E submittal is scheduled for mid 2010. Final PS&E is targeted for completion in late 2010.

This project will require right-of-way acquisition and temporary construction easements as well as utility relocations. Coordination with the Cities of San Jose and Milpitas is ongoing.

Project Schedule:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Start</th>
<th>End</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental/PE</td>
<td>Mid 2007</td>
<td>Mid 2009</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Design (PS&amp;E)</td>
<td>Mid 2009</td>
<td>Mid 2011</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Right-of-Way</td>
<td>Mid 2009</td>
<td>Late 2010</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction</td>
<td>Mid 2011</td>
<td>Mid 2013</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Open to Traffic</td>
<td>Mid 2013</td>
<td></td>
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<tr>
<td>Closeout</td>
<td>Late 2013</td>
<td>Mid 2014</td>
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### Cost:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Apr-10 Committed Costs</th>
<th>Apr-10 Incurred Costs</th>
<th>Secured Funding Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>5</td>
<td>5</td>
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<tr>
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<td>400</td>
<td>294</td>
<td>278</td>
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<td>Labor, Services and Support</td>
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<td>9,335</td>
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<td>1,287</td>
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<td>Total</td>
<td>11,700</td>
<td>9,634</td>
<td>8,036</td>
<td>3,664</td>
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- Secured Funding Incurred: 69%
- Secured Funding Committed: 82%

**NOTE:** All amounts are Year Of Expenditure dollars in $1,000's

### Funding (millions):

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Identified</th>
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<tr>
<td>Meas A/STIP Swap</td>
<td>$23.4</td>
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<tr>
<td>State (CMIA)</td>
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<td>Total</td>
<td>$95.0</td>
<td>$11.7</td>
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</table>

![I-880/Brokaw Road Interchange](image1.png)

![I-880/Route 237 Interchange](image2.png)

Portion of Estimated Cost for which funding has been identified

Local 25%

State 75%
Estimated Cost: $130 - $150 million

Appropriation through FY 11: $23.6 million

Secured Funding to Date: $7.1 million

Year of Completion: 2013

Project Manager: Ven Prasad

Designer: Mark Thomas & Company, Inc.

Project Description:

The project improves traffic operations, enhances safety, and improves access between the I-880 and I-280 freeway corridors, including modifications to the Route 17/I-280/I-880 freeway-to-freeway interchange itself, as well as to the two adjacent interchanges at I-880/Stevens Creek Boulevard and I-280/Winchester Boulevard.

Specific improvements include:

• Reconfiguring the existing full cloverleaf I-880/Stevens Creek Boulevard Interchange to improve traffic flow in the interchange area by widening and realigning ramps, widening the overcrossing structure at Stevens Creek Boulevard over I-880, improving intersections, and providing enhanced access to pedestrians and bicyclists.

• Separating freeway-to-freeway traffic from local traffic by constructing a new direct connector from northbound I-280 to northbound I-880.

• Providing a new point of access by constructing a new northbound I-280 off-ramp at Winchester Blvd.

Environmental/Preliminary Engineering: Preliminary Engineering and conceptual design work for the project is ongoing. Current efforts include traffic studies, right-of-way mapping, and preparation of a Project Study Report and Environmental Impact Report/Environmental Assessment. Conceptual design for a new off-ramp connection from northbound I-280 to Winchester Boulevard is included in the environmental studies. Additionally, Final PS&E is underway for the western half of the I-880/Stevens Creek Boulevard interchange (Phase 1), for which funding exists through construction. Northbound I-280 to northbound I-880 connector improvements (Phase 2) will be added to the scope as a result of the award of $32 million in CMIA funds to the project.

Project Schedule:

<table>
<thead>
<tr>
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</tr>
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<tbody>
<tr>
<td>Environmental/PE</td>
<td>Early 2007</td>
<td></td>
<td></td>
<td>Early 2011</td>
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<tr>
<td>PHASE 1 SB I880, Monroe Ramp &amp; Stevens Creek Bridge</td>
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<tr>
<td>Phase 1 Design PS&amp;E</td>
<td>Early 2009</td>
<td></td>
<td></td>
<td>Late 2011</td>
<td></td>
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<td></td>
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<tr>
<td>Phase 1 Right-of-Way</td>
<td>Early 2011</td>
<td></td>
<td></td>
<td>Late 2011</td>
<td></td>
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<tr>
<td>Phase 1 Construction</td>
<td>Late 2011*</td>
<td></td>
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<td>Late 2012*</td>
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</tr>
<tr>
<td>Phase 1 Open to Traffic</td>
<td>Late 2012*</td>
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<tr>
<td>PHASE 2 NB I880, NB 280, New Ramp &amp; Direct Connector</td>
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<tr>
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<td></td>
<td>Mid 2012*</td>
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</tr>
<tr>
<td>Phase 2 Right-of-Way</td>
<td>Early 2011*</td>
<td></td>
<td></td>
<td>Mid 2012*</td>
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<td>Phase 2 Construction</td>
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<td>Mid 2012*</td>
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<tr>
<td>Phase 1 Open to Traffic</td>
<td>Late 2013*</td>
<td></td>
<td></td>
<td>Late 2013*</td>
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<tr>
<td>Closeout</td>
<td>Early 2014*</td>
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<td>TBD</td>
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<tr>
<td>Phases III &amp; IV</td>
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<td></td>
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</tr>
</tbody>
</table>

*Funding not identified, schedule is tentative.
## Cost:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding $\text{a}$</th>
<th>Apr-10 Committed Costs $\text{b}$</th>
<th>Apr-10 Incurred Costs $\text{c}$</th>
<th>Secured Funding Balance $d = (a-c)$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Real Estate</td>
<td>73</td>
<td>52</td>
<td>23</td>
<td>51</td>
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<td>Labor, Services and Support</td>
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<td>4,052</td>
<td>2,787</td>
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<td><strong>Total</strong></td>
<td><strong>7,116</strong></td>
<td><strong>4,625</strong></td>
<td><strong>4,075</strong></td>
<td><strong>3,041</strong></td>
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</table>

Secured Funding Incurred 57%
Secured Funding Committed 65%

NOTE: All amounts are Year Of Expenditure dollars in $1,000's

### Funding (millions):

<table>
<thead>
<tr>
<th>Funding Source</th>
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<tbody>
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<td>Meas A/STIP Swap</td>
<td>$0.5</td>
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<tr>
<td>Local (San Jose)</td>
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<td>1.6</td>
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<td>State (CMIA)</td>
<td>32.2</td>
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<tr>
<td>Federal (Earmark)</td>
<td>19.5</td>
<td>5.1</td>
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<tr>
<td>TBD (Future STIP, other)</td>
<td>75-95</td>
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</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$130-150</strong></td>
<td><strong>$7.1</strong></td>
</tr>
</tbody>
</table>

[Image of project area]

Northbound I-280 at Northbound I-880 Junction

[Image of project area]

Arial View of Project Area
VTP Highway Projects

I-880/Route 237 Planting

**Estimated Cost:** $3.29 million

Estimate Class 2 (see appendix)

**Appropriation through FY 11:**
$3.29 million

**Secured Funding to Date:**
$3.29 million*

* Pending execution of agreements between Caltrans and the City of Milpitas

**Year of Completion:** TBD

**Project Manager:** Ven Prasad / Stuart Bussian

**Designer:** Parsons Transportation, Orsee Design

**Project Description:**

The project consists of landscape improvements in the City of Milpitas for the I-880 / Route 237 interchange, and the McCarthy Road Median. Work will include replacement planting, a recycled-water automatic irrigation system, erosion control work, and a 3-year plant establishment maintenance period.

The initial phase includes the western half of the interchange and continues westerly along Route 237 including and ending with two medians at McCarthy Boulevard.

**Project Status:**

**Final Design (PS&E):** Work is now underway to complete the design to bid-ready status. A construction schedule is dependent upon the execution of agreements between Caltrans and the City of Milpitas.

The project is being phased to coordinate with the I-880 HOV Widening project in the same corridor.

**Project Schedule:**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Start</th>
<th>End</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Final Design (PS&amp;E)</td>
<td>Early 2008</td>
<td>Mid 2010</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planting</td>
<td>Mid 2010</td>
<td>Mid 2011</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Plant Establishment</td>
<td>Mid 2011</td>
<td>Early 2014</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Scope not defined, schedule is tentative.
### Cost:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Apr-10 Committed Costs</th>
<th>Apr-10 Incurred Costs</th>
<th>Secured Funding Balance</th>
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</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>2,000</td>
<td>-</td>
<td>-</td>
<td>2,000</td>
</tr>
<tr>
<td>Real Estate</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Labor, Services and Support</td>
<td>1,285</td>
<td>665</td>
<td>520</td>
<td>765</td>
</tr>
<tr>
<td>Contingency</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>3,285</strong></td>
<td><strong>665</strong></td>
<td><strong>520</strong></td>
<td><strong>2,765</strong></td>
</tr>
</tbody>
</table>

Secured Funding Incurred: 16%
Secured Funding Committed: 20%

NOTE: All amounts are Year Of Expenditure dollars in $1,000's

### Funding (millions):

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Identified</th>
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</thead>
<tbody>
<tr>
<td>Local (Milpitas)</td>
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<td>$3.29</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$3.29</strong></td>
<td><strong>$3.29</strong></td>
</tr>
</tbody>
</table>

Portion of Estimated Cost for which funding has been identified:

- 100%
- 0%

I-880/Route 237 Interchange

Typical Landscaping
**VTP Highway Projects**

**I-880/Coleman Avenue Planting**

**Estimated Cost:** $3.6 million  
Estimate Class 2 (see appendix)

**Appropriation through FY 11:**  
$3.6 million

**Secured Funding to Date:** $0  

**Year of Completion:** TBD

**Project Manager:** Ven Prasad / Stuart Bussian  

**Designer:** URS Corporation, City of San Jose

**Project Description:**  
The Coleman Avenue/I-880 interchange is a major gateway to San Jose Mineta International Airport and downtown San Jose. The project consists of landscape improvements including replacement planting, installation of a reclaimed water automatic irrigation system, erosion control work, and a possible public art installation. In addition to the interchange area, improvements are proposed for Coleman Avenue from McKendrie Street to Newhall Drive.

Final scope will be reflective of the availability of funding and maintenance agreements.

**Project Status:**  
The project is currently on hold pending resolution of issues related to funding, maintenance, and design elements.

**Project Schedule:**

<table>
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<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Final Design (PS&amp;E)</td>
<td>Early 2007</td>
<td>Early 2012*</td>
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<td></td>
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<tr>
<td>Planting</td>
<td>Early 2012*</td>
<td>Late 2012*</td>
<td></td>
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</tr>
<tr>
<td>Plant Establishment</td>
<td>Early 2013*</td>
<td>Late 2015*</td>
<td></td>
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</tbody>
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*Funding/scope not identified/defined, schedule is tentative.
## Cost:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Apr-10 Committed Costs</th>
<th>Apr-10 Incurred Costs</th>
<th>Secured Funding Balance</th>
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<tr>
<td>Construction and Major Procurement</td>
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<tr>
<td>Real Estate</td>
<td>-</td>
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<td>-</td>
</tr>
<tr>
<td>Labor, Services and Support</td>
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<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Contingency</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>-</strong></td>
<td><strong>-</strong></td>
<td><strong>-</strong></td>
<td><strong>-</strong></td>
</tr>
</tbody>
</table>

Secured Funding Incurred X
Secured Funding Committed X

NOTE: All amounts are Year Of Expenditure dollars in $1,000's

### Funding (millions):

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<thead>
<tr>
<th>Funding Source</th>
<th>Identified</th>
<th>Secured</th>
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</thead>
<tbody>
<tr>
<td>Federal (GARVEE)</td>
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<td>TBD (Other)</td>
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<td><strong>Total</strong></td>
<td><strong>$3.6</strong></td>
<td><strong>$0.0</strong></td>
</tr>
</tbody>
</table>

Federal 28%
TBD 72%

Portion of Estimated Cost for which funding has been identified

**Coleman Avenue/I-880 Offramp Overview**

**Coleman Avenue/I-880 Northbound Ramp**
VTP Highway Projects

Route 152/156 Interchange

Estimated Cost: $35.0 million

Estimate Class 1 (see appendix)

Appropriation through FY 09: $36.7 million

Secured Funding to Date: $36.7 million

Year of Completion: 2009 (Construction) 2012 (Overall Project)

Project Manager: Ven Prasad

Designer: Biggs Cardosa Associates

Contractor: RGW, Inc.

Project Description:

This project provides operational improvements and safety enhancements at the Route 152 / Route 156 intersection by grade separating the left-turn movement from westbound Route 152 to westbound Route 156 and eliminating conflicting traffic movements. This project's features include:

- Construction of a one-lane elevated flyover (overpass) for eastbound Route 152 traffic
- Construction of a ground-level eastbound Route 152 to westbound Route 156 connector ramp
- Reconstruction of the roadway between westbound Route 152 and westbound Route 156 as well as the eastbound and westbound lanes of Route 152
- Landscaping within the intersection area
- Mitigation Planning and Monitoring

Project Status:

Construction: RGW Construction, Inc. was awarded the construction contract for the project, in March 2007. On August 28, 2008, six weeks ahead of schedule, the flyover (overpass) was opened to traffic. Work has been completed and the contract is being closed out. Mitigation planting and monitoring will continue through mid-2012. A follow-on plant establishment contract was advertised for bids in April 2010.

The project has earned three major awards. In February 2009, the Engineering Excellence Merit Award given by the American Council of Engineering Companies was awarded to VTA’s design consultant Biggs Cardosa Associates. In June 2009, VTA was honored with the Project of the Year Award from the American Public Works Association. In April 2010, VTA received the Project of the Year Award from the Construction Management Association of America, Northern California Chapter.

Project Schedule:

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental/PE</td>
<td>Early 2002</td>
<td>Mid 2004</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Design (PS&amp;E)</td>
<td>Mid 2004</td>
<td>Early 2007</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Right-of-Way</td>
<td>Late 2004</td>
<td>Late 2006</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction</td>
<td>Early 2007</td>
<td>Mid 2009</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Flyover Open to Traffic</td>
<td>Mid 2008</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fully Open to Traffic</td>
<td>Mid 2009</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Plant Establishment Period</td>
<td>Mid 2009</td>
<td>Mid 2012</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
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### Cost:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Apr-10 Committed Costs</th>
<th>Apr-10 Incurred Costs</th>
<th>Secured Funding Balance d = (a-c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>19,749</td>
<td>19,101</td>
<td>18,960</td>
<td>789</td>
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<tr>
<td>Real Estate</td>
<td>2,429</td>
<td>2,429</td>
<td>2,418</td>
<td>12</td>
</tr>
<tr>
<td>Labor, Services and Support</td>
<td>12,055</td>
<td>11,550</td>
<td>11,460</td>
<td>594</td>
</tr>
<tr>
<td>Contingency</td>
<td>2,456</td>
<td>-</td>
<td>-</td>
<td>2,456</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>36,689</strong></td>
<td><strong>33,081</strong></td>
<td><strong>32,838</strong></td>
<td><strong>3,851</strong></td>
</tr>
</tbody>
</table>

Secured Funding Incurred 90%
Secured Funding Committed 90%

NOTE: All amounts are Year Of Expenditure dollars in $1,000's

### Funding (millions):

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Identified</th>
<th>Secured</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meas A/STIP Swap</td>
<td>$1.0</td>
<td>$1.0</td>
</tr>
<tr>
<td>Meas B Swap</td>
<td>7.1</td>
<td>7.1</td>
</tr>
<tr>
<td>State (RIP)</td>
<td>5.9</td>
<td>5.9</td>
</tr>
<tr>
<td>State (ITIP)</td>
<td>5.3</td>
<td>5.3</td>
</tr>
<tr>
<td>Federal (STP)</td>
<td>7.2</td>
<td>7.2</td>
</tr>
<tr>
<td>Federal (Earmark)</td>
<td>10.2</td>
<td>10.2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$36.7</strong></td>
<td><strong>$36.7</strong></td>
</tr>
</tbody>
</table>

Portion of Estimated Cost for which funding has been identified: 100%

View of roadway below from flyover structure

Aerial view of flyover structure
VTP Highway Projects

Route 87 Planting

Estimated Cost: $4.9 million

Estimate Class 1 (see appendix)

Appropriation through FY 11: $4.9 million

Secured Funding to Date: $4.9 million

Year of Completion:
2010 (Construction)
2012 (Plant Establishment)

Project Manager: Ven Prasad

Designer: BKF Engineers, Sugimura & Associates

Contractor: McGuire and Hester

Project Description:
The project consists of landscape improvements including replacement planting, automatic irrigation system, and erosion control work, with a 3-year plant establishment and maintenance period. The project extends from Capitol Expressway to Julian Street in Downtown San Jose, and includes four major interchanges: Capital Expressway, Curtner Avenue, Almaden Expressway, and Julian Street.

Project Status:

Construction: Bid opening occurred on June 25, 2008. McGuire and Hester was awarded the contract.

Construction started in August 2008 and was completed in October 2009, two months ahead of schedule.

The three-year Plant Establishment Phase runs from October 2009 through October 2012.

Project Schedule:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Start</th>
<th>End</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Final Design (PS&amp;E)</td>
<td>Mid 2006</td>
<td>Late 2008</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Planting</td>
<td>Late 2008</td>
<td>Late 2009</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Plant Establishment</td>
<td>Late 2009</td>
<td>Late 2012</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Cost:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Apr-10 Committed Costs</th>
<th>Apr-10 Incurred Costs</th>
<th>Secured Funding Balance d = (a-c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>3,580</td>
<td>3,265</td>
<td>2,912</td>
<td>669</td>
</tr>
<tr>
<td>Real Estate</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Labor, Services and Support</td>
<td>1,290</td>
<td>1,253</td>
<td>1,212</td>
<td>77</td>
</tr>
<tr>
<td>Contingency</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>4,870</strong></td>
<td><strong>4,519</strong></td>
<td><strong>4,124</strong></td>
<td><strong>746</strong></td>
</tr>
</tbody>
</table>

Secured Funding Incurred 85%
Secured Funding Committed 93%

NOTE: All amounts are Year Of Expenditure dollars in $1,000's

## Funding (millions):

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Identified</th>
<th>Secured</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meas B Swap</td>
<td>$2.1</td>
<td>$2.1</td>
</tr>
<tr>
<td>Federal (STP Funds)</td>
<td>2.5</td>
<td>2.5</td>
</tr>
<tr>
<td>Federal (GARVEE)</td>
<td>0.3</td>
<td>0.3</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$4.9</strong></td>
<td><strong>$4.9</strong></td>
</tr>
</tbody>
</table>

Local 43%
Federal 57%

Portion of Estimated Cost for which funding has been identified

Newly planted landscaping
VTP Highway Projects

Ramp Metering Implementation

**Estimated Cost:**
$2.1 million
  Estimate Class 1
  *(see appendix)*

**Appropriation through FY 11:**
$13.5 million

**Secured Funding to Date:**
$2.1 million

**Year of Completion:**
2011

**Project Manager:**
David Kobayashi

**Designer:**
Mark Thomas & Company

**Project Description:**
Implement ramp metering along Southbound US 101 between Embarcadero Road and De La Cruz Boulevard, the entire length of Route 87, and Southbound Route 85 between Almaden Expressway and Cottle Road during the AM and PM peak periods. Additionally, a proposed fourth corridor is the I-880 corridor between Route 237 and Interstate 280.

This project implements ramp metering on corridors that already have existing ramp metering equipment. The project includes some minor construction activity to repair vehicular detection systems and other related equipment to ensure that the ramp metering equipment is in functional order prior to the implementation. The goals of the project are to minimize overall corridor delay by managing access at on-ramps during peak commute periods, and to minimize the impact on local street traffic resulting from the implementation of ramp metering.

**Project Status:**
Ramp metering plans along the Route 87 and Route 85 corridors were implemented in the first half of 2009, and the “After” studies on these corridors to evaluate the effectiveness of the ramp metering to improve traffic operations have been completed.

“After” studies for ramp metering along the completed southbound US 101 corridor will be finished by early 2011. The ramp metering work for southbound I-880 and northbound Route 87 is expected to be completed by late 2010, with follow-on studies concluded in mid 2011.

**Project Schedule:**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Start</th>
<th>End</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design</td>
<td>Early 2008</td>
<td>Mid 2010</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Construction</td>
<td>Late 2008</td>
<td>Late 2010</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Evaluation &amp; Closeout</td>
<td>Mid 2010</td>
<td>Mid 2011</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## Cost:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Apr-10 Committed Costs</th>
<th>Apr-10 Incurred Costs</th>
<th>Secured Funding Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>227</td>
<td>182</td>
<td>121</td>
<td>105</td>
</tr>
<tr>
<td>Real Estate</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Labor, Services and Support</td>
<td>1,679</td>
<td>1,626</td>
<td>1,252</td>
<td>427</td>
</tr>
<tr>
<td>Contingency</td>
<td>145</td>
<td>-</td>
<td>-</td>
<td>145</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2,051</strong></td>
<td><strong>1,807</strong></td>
<td><strong>1,373</strong></td>
<td><strong>678</strong></td>
</tr>
</tbody>
</table>

Secured Funding Incurred 67%
Secured Funding Committed 88%

NOTE: All amounts are Year Of Expenditure dollars in $1,000's

### Funding (millions):

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Identified</th>
<th>Secured</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal (CMAQ)</td>
<td>$2.1</td>
<td>$2.1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$2.1</strong></td>
<td><strong>$2.1</strong></td>
</tr>
</tbody>
</table>

Federal 100%

Portion of Estimated Cost for which funding has been identified

---

**Metered Onramp**

**Ramp Metering Schematic**
Figure 1 shows a mapping of Estimate Class to Level of Project Definition. Intuitively, estimates become more accurate and have less uncertainty as project definition increases. This table provides a rough framework to describe the accuracy of project estimated costs in this report. A discussion of cost estimate classes, in order of increasing accuracy, is presented below:

- **Class 5** (Order-of-Magnitude Estimates) – Order-of-magnitude estimates are sometimes referred to as “conceptual” or “ballpark” estimates. These estimates are made without detailed engineering data using only basic criteria such as area or distance. An estimate of this type would normally be expected to be accurate within +100 percent to -50 percent. Order-of-magnitude estimates are used to quickly screen several types of alternative designs.

- **Classes 4 and 3** (Preliminary Estimates) – Preliminary estimates are prepared once enough preliminary engineering has taken place to further define the project scope. An estimate of this type is normally expected to be accurate within +50 percent to -30 percent. Since the preliminary estimate is more definitive than the order-of-magnitude estimate, it is better suited for determining project feasibility.

- **Classes 2 and 1** (Final Estimates) – Final estimates are prepared from very defined engineering data. This data includes, as a minimum, fairly complete plans and specifications. An estimate of this type is usually expected to be accurate within +15 percent to -15 percent. The final estimate has a level of accuracy that is appropriate for setting project budgets.
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Auditor General, Greg Thomas

SUBJECT: Review and Approve FY11 Internal Audit Plan

ACTION ITEM

RECOMMENDATION:

Approve the Fiscal Year 2011 (FY11) Internal Audit Plan developed by the VTA Auditor General, and authorize the General Manager to execute all necessary task orders with Deloitte & Touche LLP to conduct the projects under the FY11 internal audit work plan.

BACKGROUND:

In January 2009, the VTA Board of Directors authorized the General Manager to execute a task order contract with Deloitte & Touche LLP, to provide Auditor General Services.

As its initial task, Deloitte & Touche LLP was charged with: (1) developing and recommending goals and objectives for the internal audit program; and (2) developing and recommending an annual internal audit plan. The VTA Board approved the goals and objectives of the internal audit program on April 2, 2009.

To develop the internal audit plan, Deloitte & Touche LLP conducted a risk assessment of potential financial and business risks. They presented a summary of the risk assessment methodology and results to the Audit Committee in March 2009. The Audit Committee concurred with the risk prioritization and internal audit focus areas.

In May 2009, the Audit Committee reviewed a two-year plan and approved the FY10 internal audit work plan, which included five audit projects and Auditor General support services. Three out of the five audit projects have been completed. The remaining two projects were deferred, and are now planned to be completed during FY11.
DISCUSSION:

Based on direction from the Audit Committee, and in collaboration with the General Manager and VTA staff, Deloitte & Touche LLP has defined two new audit projects for FY11, as follows:

- **SVRT contract compliance**
  
  Conduct an assessment of the contract between Hatch Mott MacDonald/Bechtel and VTA; evaluate how the contracts are organized and if there are clear deliverables and milestones enforced.

- **Investment control design assessment**
  
  Evaluate the existing investment controls by performing a design assessment on the adequacy and appropriateness of management’s key controls. (This internal audit is required to be performed annually according to VTA investment policy.)

Both of these audits build on previous audits conducted as part of the FY10 work plan, and SVRT contract compliance was identified as an audit opportunity during interviews with VTA management to update the original risk assessment. In addition, the FY11 work plan includes a task order to follow up on VTA management’s efforts to address the findings and implement the recommendations contained in the FY10 and FY11 audits, as they are completed. It is the Auditor General’s responsibility to determine the adequacy, effectiveness, and timeliness of actions taken by VTA management on reported observations and recommendations. Finally, the FY11 work plan provides for continued Auditor General services, including quarterly status reports and attendance at Audit Committee meetings, periodic meetings with VTA management, and overall engagement and project management activities.

The FY11 work plan, including proposed internal audit topics and budget, is summarized below.

<table>
<thead>
<tr>
<th>Internal Audit Project</th>
<th>Type</th>
<th>FY11</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Est. hours</td>
<td>Est. $000</td>
</tr>
<tr>
<td>SVRT contract compliance</td>
<td>Compliance audit/value-added</td>
<td>300</td>
<td>$65</td>
<td></td>
</tr>
<tr>
<td>Investment controls</td>
<td>Annual compliance requirement</td>
<td>70</td>
<td>$15</td>
<td></td>
</tr>
<tr>
<td>Follow-up to FY10 audits</td>
<td>NA</td>
<td>50</td>
<td>$12</td>
<td></td>
</tr>
<tr>
<td>Follow-up to FY11 audits</td>
<td>NA</td>
<td>110</td>
<td>$25</td>
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</tr>
<tr>
<td>Auditor General Services support</td>
<td>NA</td>
<td>125</td>
<td>$35</td>
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</tr>
<tr>
<td>Related expenses</td>
<td>NA</td>
<td>0</td>
<td>$8</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td>655</td>
<td><strong>$160</strong></td>
<td></td>
</tr>
</tbody>
</table>

For the internal audit projects scheduled for FY11, the Auditor General conducted additional staff interviews and data collection in order to develop more detailed plans. Attachment B describes each project in more detail. Each description includes the objective(s) of the internal audit, the specific scope of operations to be included in the internal audit, the general approach or methodology to be employed by the auditors, and the expected content of the internal audit report deliverables.
The internal audit projects will be executed according to the following schedule, with findings and recommendations presented at future Audit Committee meetings. The proposed timing of these projects, including those audits from FY10 not yet completed, is shown below:

<table>
<thead>
<tr>
<th>Internal Audit</th>
<th>FY2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>SAP SOD (FY10 plan)</td>
<td></td>
</tr>
<tr>
<td>IT security (FY10 plan)</td>
<td></td>
</tr>
<tr>
<td>SVRT contract compliance (FY11 plan)</td>
<td></td>
</tr>
<tr>
<td>Investment controls (FY11 plan)</td>
<td></td>
</tr>
</tbody>
</table>

**ALTERNATIVES:**

The Audit Committee could reject some or all of the specific projects and services included in the FY11 internal audit work plan, add additional projects to the work plan, and/or direct the Auditor General to develop a new work plan. Due to limited resources, not all the potential risk areas identified in the March 2009 risk assessment are addressed by the two-year internal audit plan.

**FISCAL IMPACT:**

Appropriation to complete the FY11 Internal Audit Plan is included in the FY11 Adopted VTA Transit Enterprise Fund Operating Budget.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Audit Committee considered this item on June 3, 2010. In response to committee members’ questions, Greg Thomas, the Auditor General, indicated that there were no new items or changes in importance among the issues identified in the risk assessment. He clarified that those audits focused on operational efficiencies may yield recommendations for cost savings, whereas compliance audits are often undertaken in response to policy or regulatory requirements. The internal audit work plan is predicated on a broad view of risk, and focuses on areas of potential vulnerability. The scope of the work plan also is constrained by the availability of resources, and Deloitte & Touche LLP has attempted to balance the types of audits and areas of investigation in a particular audit period.

Director Page asked why the SVRT contract compliance audit was not the first audit on the schedule, given the relatively high risk and vulnerability ratings for this focus area. Farah Faruqui, a partner with Deloitte & Touche LLP, explained that this is a follow-up to the earlier
SVRT soft cost audit, and that it was not particularly time-sensitive. Nevertheless, Deloitte & Touche will consider moving it up on the schedule.

Director Herrera emphasized the importance of following up on recommendations from previous audits and reviewing the extent to which VTA has implemented those recommendations. Mr. Thomas confirmed that the FY11 work plan includes a task to do just that, and that Deloitte & Touche’s findings will be reported to the Audit Committee.

Committee members asked whether the Auditor General would or could be tasked with following up on recommendations from the Ad Hoc Financial Recovery Committee. Mr. Thomas indicated that Deloitte & Touche could potentially do the work, although it might involve trade-offs among the planned audits or adding resources to the audit contract. General Manager Michael Burns clarified that additional tasks could be added to the work plan, at the Audit Committee’s and Board’s direction. He noted that Deloitte & Touche may not always be the appropriate firm to do the work, depending on the nature of the recommendation.

Director Herrera questioned whether the upcoming IT security audit would include recommendations for both hardware and software upgrades, and the potential cost of those improvements. Mr. Thomas clarified that the audit had not been initiated yet, and that it was primarily aimed at reviewing network configuration and settings, security levels and access controls, and operating protocols, as well as some scans and penetration testing.

The Committee unanimously recommended approval of the work plan and to forward this item to the Board of Directors.

Prepared by: Greg Thomas, Auditor General
Memo No. 2376
## Attachment A

Listing of Consultants  
FY 2011 Internal Audit Work Plan

<table>
<thead>
<tr>
<th>FIRM</th>
<th>ADDRESS</th>
<th>CONTACT</th>
<th>TITLE</th>
</tr>
</thead>
</table>
| Deloitte & Touche, LLP| 50 Fremont Street  
San Francisco, CA, 94105 | Greg Thomas  
Denise Martini | Principal  
Director |
| Deloitte & Touche, LLP| 225 West Santa Clara Street  
Suite 600  
San Jose, CA 95113 | Farah Faruqui  
Emily Kwan | Partner  
Manager    |
<table>
<thead>
<tr>
<th>SVRT Contract Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Objective</strong></td>
</tr>
<tr>
<td>1. Evaluate contract compliance of one of the large consultant contracts to evaluate and assess how the contract is structured and whether there are clear deliverables and milestones enforced.</td>
</tr>
<tr>
<td>2. Conduct some sample transactional testing of the payment applications and any associated change orders to determine if the consultant team is reporting cost information in accordance with contract requirements.</td>
</tr>
<tr>
<td><strong>Scope</strong></td>
</tr>
<tr>
<td>The scope of the SVRT Contract Compliance Audit will include an evaluation and assessment of the consultant contract between Hatch-Mott McDonald/Bechtel and the VTA organization.</td>
</tr>
<tr>
<td><strong>Approach</strong></td>
</tr>
<tr>
<td>Evaluate the consultant contract between Hatch-Mott McDonald/Bechtel and VTA to understand the requirements and terms and conditions included in the contract.</td>
</tr>
<tr>
<td>Interview key VTA and consultant personnel who are involved in either managing the consultant work or providing the services to VTA to gain an understanding of the contract and the work associated with it including how the contract is organized, contract terms and conditions, contract deliverables, contract milestones and how payment applications and any associated change orders are processed by the team.</td>
</tr>
<tr>
<td>Conduct sample testing of reports or tools used to manage and monitor contract deliverables and milestones and a sample of payment applications and change orders.</td>
</tr>
<tr>
<td>Assess contract compliance related to contract deliverables, milestones and costs and identify potential areas of improvement in managing and monitoring the services provided under the consultant contract.</td>
</tr>
<tr>
<td><strong>Deliverables</strong></td>
</tr>
<tr>
<td>A report describing our scope, methodology and observations and recommendations focused on contract compliance issues related to contract deliverables, contract milestones and incurred costs and change orders. As part of the recommendations, the report will identify potential areas of improvement in managing and monitoring the services provided under the consultant contract.</td>
</tr>
<tr>
<td><strong>Investment Controls</strong></td>
</tr>
<tr>
<td>------------------------</td>
</tr>
<tr>
<td><strong>Objective</strong></td>
</tr>
<tr>
<td>Perform a design assessment of processes and controls related to investment management activities. Current processes will be evaluated for compliance with VTA's investment policy and compared to leading practices to identify opportunities to improve internal controls design effectiveness.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Scope</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>The scope of controls audited will include:</td>
</tr>
<tr>
<td>• Key internal controls over investment transactions as identified by management (e.g., proper approvals, compliance with investment policy restrictions) and included in documentation modeled after Sarbanes Oxley Act compliance.</td>
</tr>
</tbody>
</table>

Out of Scope - the following items are out of scope for this audit:
| • Sample testing for operating effectiveness |
| • Externally managed investments (third party money managers) |
| • Pension investments |

<table>
<thead>
<tr>
<th><strong>Approach</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>• Review existing investment policy, procedures and reporting.</td>
</tr>
<tr>
<td>• Conduct process interviews with relevant personnel involved in executing, confirming, approving, managing, and monitoring VTA's internally managed investments.</td>
</tr>
<tr>
<td>• Gain an understanding of management's practices for monitoring investment quality and risk.</td>
</tr>
<tr>
<td>• Compare VTA's existing processes to leading industry practices and recommend changes, if any, to improve internal controls effectiveness or operational efficiency.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Deliverables</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>A memorandum summarizing our overall design assessment of the processes and controls and enhancement opportunities, if any.</td>
</tr>
</tbody>
</table>
## Follow-up to FY10 and FY11 Audits

### Objective
Determine the adequacy, effectiveness and timeliness of actions taken by management on reported observations and recommendations from previous internal audits. Evaluate and assess VTA management’s progress on implementing management responses to audit observations.

### Scope
A follow up on VTA management’s efforts to address the findings and implement the recommendations contained in the issued FY10 and FY11 audit reports. An evaluation and assessment of management responses and implementation tasks included in the audit reports for the following projects:

- SVRT Soft Cost Audit
- IT Security
- SAP SOD Review
- SVRT Contract Compliance Audit

### Approach
Interview key VTA personnel involved in developing the management responses to discuss and understand what implementation tasks have been completed in addressing the issues identified in the audit reports. Gather evidence or corroborate management’s responses to assess if the remediation plans have been adopted and address the findings and recommendations noted.

### Deliverables
A memorandum describing our methodology and approach, and the results of the follow-up work.

---

## Auditor General Services Support

Overall internal audit engagement management activities, project management activities including periodic meetings with management and the preparation for and attendance at the quarterly audit committee meetings.

### Deliverables
Status reports and memoranda delivered at quarterly Audit Committee meetings.
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief Financial Officer, Joseph T. Smith

SUBJECT: Clipper Fare Collection System MOU

Policy-Related Action: No

Government Code Section 84308 Applies: Yes

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to execute a Memorandum of Understanding with the Metropolitan Transportation Commission and other transit operators to implement the Clipper fare collection system at VTA.

BACKGROUND:

Clipper (formerly known as TransLink) is a regional electronic transit fare collection system sponsored by the Metropolitan Transportation Commission (MTC). Initially justified primarily as a means of facilitating inter-operator transit trips, the program is now intended to become the primary means of fare collection for both intra- and inter-operator travel. The original design of the Clipper system was to replicate each participating agency’s existing fare policies (including, for example, regular and discounted cash fares, transfer rules, day-, week-, and monthly passes, etc.). Clipper has since been implemented and is currently in operation on several Bay Area transit operators including AC Transit, BART, Caltrain, Golden Gate Ferry and Transit, and SFMTA.

The initial development contract for Clipper was awarded by MTC in 1999, and MTC has remained as manager of the contract since that time. In December 2003, MTC and six of the transit operators entered into an Interagency Participation Agreement (IPA) creating the TransLink Consortium and establishing the TransLink Management Group (TMG), comprised of the chief executive officers of each of the parties as the primary decision-making body for the program. The IPA included provisions assigning responsibilities to MTC and the operators relative to the implementation, operation, and maintenance of the program, including payment of operating fees due to the contractor. VTA became a charter member of the TransLink
Consortium along with Golden Gate Ferry and Transit, AC Transit, BART, SFMTA, Caltrain, and MTC.

On November 1, 2009, MTC gave notice to the transit operators that unless another party agreed to take over management of the Clipper contract, MTC would withdraw from the TransLink Consortium on June 30, 2010. The parties discussed various options over the next several months, but were not able to agree upon any structure that would maintain the role of the TransLink Consortium.

In February 2010, MTC adopted Resolution 3866, updating the Transit Coordination Implementation Plan, incorporating extensive requirements for participation and support of TransLink. Among these requirements is that operators shall “Implement, operate, and promote TransLink as the primary fare payment system for each Operator.” Non-compliance with any of the requirements of Resolution 3866 may result in MTC withholding state, federal, or any other funds over which MTC has control.

MTC has withdrawn from the Translink Consortium effective July 1, 2010 and has terminated the IPA. This action concluded the authority of the TransLink Consortium and returned MTC to the position of being the sole governing entity for the program as well as manager of the vendor contract. In place of the IPA, MTC has proposed a Memorandum of Understanding (MOU) that will provide a means for MTC and the operators to agree to their continuing roles and obligations regarding the implementation, operation, and maintenance of Clipper.

**DISCUSSION:**

Under the proposed MOU, key VTA responsibilities will include the following:

- Implement Clipper according with the Operating Rules, as adopted and amended by MTC
- Pay its share of Clipper operating costs
- Make facilities and staff available to MTC and the Clipper contractor
- Perform site preparation for installation of Clipper equipment and provide training to employees using the equipment
- Accept transfer of ownership of Clipper equipment
- Participate in periodic reviews of the cost allocation formula

Responsibilities of MTC include:

- Operate Clipper on behalf of the Operators including management of the Clipper contractor
- Notify and consult with the Operators regarding changes to the Operating Rules
- Fund a portion of Clipper operating costs
- Transfer ownership of Clipper capital equipment to Operators
- Provide reports (at least quarterly) to the Operators
- Provide system data affecting the cost allocation formula
- Hold and manage the Clipper bank accounts
• Maintain records and audits relating to Clipper and make these available to the Operators within specified conditions

*Clipper Operating Rules*

Under the IPA, VTA and the other transit operator members of the TransLink Consortium had a formal role in governance of Clipper including development and approval of changes to program Operating Rules. Under the proposed MOU, authority for approval of changes would be transferred to MTC with the expectation that MTC would notify operators in advance and if requested, consult with affected operators prior to adoption. If an operator objects to the proposed change, as modified during the consultation process, such operator may initiate a dispute resolution process as further described below.

*Cost Sharing*

The proposed MOU addresses the split of Clipper costs (capital and operating) between MTC and the transit operators. As compared to the IPA, the MOU adds some items to the list of costs, which are considered operator responsibilities, such as network communications and active card fees. Allocation of Clipper operating costs to individual transit operators is based on a combination of revenue collected and the number of “fee payment transactions” processed, and is unchanged from the formula in the current IPA.

*Indemnification*

The MOU includes provisions for mutual indemnification similar to those include in the IPA, covering all parties to the MOU (including directors, commissioners, officers, agents, and employees).

*Dispute Resolution*

The MOU establishes informal dispute resolution as a first step followed by mediation, arbitration, or other alternative dispute resolution processes. However, any such process shall only proceed by mutual consent of the parties. A transit operator who disputes amounts claimed by MTC to be due under the MOU is required to pay the amount claimed pending dispute resolution. For proposed changes to the Operating Rules, MTC will delay the implementation of a disputed change until the conclusion of the dispute resolution process.

*Term*

The term of the MOU will begin upon the effective date (once all parties have approved the MOU) and continue through November 2, 2019, unless terminated by written agreement of the parties. A party to the agreement may withdraw by 240 days advance written notice to all current signatories.

**OPEN ISSUES:**

VTA has been actively engaged in the implementation of Clipper and has regularly communicated our system requirements to MTC. MTC has concurred with VTA’s needs and is working with VTA to resolve these issues.
**VTA Fare Products (Day Pass)**

The current version of the Clipper business rules does not accommodate VTA’s day pass which is used by approximately 20% of VTA’s riders. This limitation could penalize a significant portion of VTA’s riders who may be charged more than the day pass price if they take more than three rides on the same day. VTA brought this concern to MTC’s attention when the business rules were first drafted (more than two years ago) and requested a solution, and has been informed by MTC that a solution will be provided. VTA is still awaiting an implementation plan and schedule. Initiating a roll out of the Clipper system without this key functionality would compromise the interests of VTA’s customers.

Whereas much work remains to be done on this issue, there has been progress made since the Administration and Finance Committee meeting in May 2010. MTC and their contractor CUBIC have prioritized this issue. MTC has received a proposal from CUBIC to perform the work which has been shared with VTA and MTC is working with VTA to implement the day pass in Clipper.

**Independent Verification of Fare Revenue**

The TransLink Consortium had authorized the development of a Consortium Information Management System (CIMS) to enable operators to independently verify their fare revenues collected by the system. This system has since been developed but has not been able to be deployed because the operators have not been given access to the Clipper database to access information. Lack of this ability will preclude VTA from independently verifying its revenues.

Since the Administration and Finance Committee meeting in May 2010, VTA has been given the necessary access and this issue has been resolved.

**Funding for Ticket Vending Machine Integration**

An integral component of the Clipper system is a distribution network where cardholders can add fare products and electronic “e-cash” to their cards. Given that VTA already has 157 ticket vending machines (TVMs) operating on our light rail platforms, MTC and VTA have agreed to integrate the Clipper “add value” function into VTA’s existing TVMs. BART is taking the same approach with the TVMs in their stations. VTA has completed all of the platform retrofit work to link the existing TVMs to the Clipper back office, and has executed a contract with VenTek, the TVM manufacturer, to retrofit the TVM doors and other hardware to accommodate Clipper-specific components (such as the smart card reader). In January 2010, MTC’s Operations Committee approved the final piece of funding in the amount of $1.75 million to VTA to complete this project. VTA has not yet received a funding agreement from MTC. VTA cannot complete the project without this funding and may have to ask the contractor to cease work, potentially jeopardizing the project schedule and possibly its completion.

Since the Administration and Finance Committee meeting in May 2010, a funding agreement has been executed and this issue has been resolved.
**ALTERNATIVES:**

The Board could choose not to authorize execution of the MOU. This will expose VTA to potential funding sanctions for non-compliance with MTC Resolution 3866, Transit Coordination Implementation Plan, as described above.

**FISCAL IMPACT:**

MTC estimates VTA’s share of operating costs could be as much as $800,000 per year once Clipper is fully implemented at VTA. The first $683,271 of such costs will be covered by project “incentive” funds provided by MTC, but once incentive funds are exhausted, VTA will be responsible for these costs. MTC forecasts VTA’s total share of Clipper operating costs from FY 2011 through FY 2019 could be up to $7,047,166, which will need to be included in future VTA Transit operating budgets. These costs may be mitigated by reductions in existing fare collection costs once the Clipper system is fully operational.

VTA will also incur additional expenses for staff support of Clipper activities, including training, coordination, marketing, accounting, equipment maintenance, and customer service, and will be responsible for capital costs of replacing Clipper equipment when this becomes necessary. No estimate of costs for replacement equipment has been made at this time.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Administration and Finance Committee at its meeting on May 20, 2010 stressed the importance of resolving these outstanding issues and requested an update as the process evolves. Staff reported that the August 5th Board Meeting agenda will have an update and hopefully a recommendation to authorize the General Manager to execute the MOU.

**ADVISORY COMMITTEE DISCUSSION/RECOMMENDATION:**

The Citizens Advisory Committee heard this item at their June 9, 2010 meeting. Member Chang inquired about the day pass, Ali Hudda responded that it will require software development by MTC’s contractor. Members Morrow, Tebo, and Blaylock commented that the project implementation was taking too long.

Reviewed and approved by: Ali Hudda, Deputy Director of Accounting

Prepared by: David Sausjord, Revenue Services Manager
Memo No. 2632
LISTING OF CONTRACTORS
Clipper Fare Collection System MOU

Firm
Cubic Transportation Systems
1800 Sutter Place, Suite 901
Concord, California, 94520

Contact Information
Dave Lapczynski
Vice President
(925) 686-8200
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: Cost Share Agreement with Santa Clara Valley Water District for Wrigley Creek

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

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to execute an Amendment to the Cooperative Agreement with Santa Clara Valley Water District Regarding the Combined Transportation and Flood Control Protection Improvements Across Lower Berryessa Creek adding the Wrigley Creek Improvements to the scope of the Agreement. The proposed amendment will be for $3.26 million, of which VTA’s share is $2.35 million and the Santa Clara Valley Water District’s share is $0.91 million. VTA’s share is 100% funded from the 2000 Measure A Program.

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 which will fulfill VTA’s obligations under the Purchase and Sale Agreement with UPRR.

The Santa Clara Valley Water District (District) and VTA mutually agreed upon combined transportation and flood protection improvements (Combined Project) that consisted of: 1) new box culvert to support the Union Pacific Railroad (UPRR) and SVRT BART tracks; 2) Berryessa Creek channel transitions to align with the new box culvert; and 3) environmental clearance for the Combined Project. The Regional Water Quality Control Board (RWQCB) requires mitigation for impacts to the creeks.

Project development responsibilities for the Combined Project were covered in a prior “Cost Share Agreement for Engineering Services in Connection with Combined Transportation and Flood Protection Improvements Across Berryessa Creek in the City of Milpitas,” dated
December 19, 2006, entered into between VTA and the District. Project construction responsibilities for the Combined Project were covered in a prior “Cooperative Agreement Regarding the Combined Transportation and Flood Protection Improvements Across Lower Berryessa Creek,” dated October 6, 2008, entered into between VTA and the DISTRICT. In these agreements, VTA and the District agreed that the environmental mitigation for the Combined Project would be the subject of an amendment, as satisfied in the form of this Amendment to the Cooperative Agreement.

The Wrigley Creek Improvements (Wrigley Project; Exhibit A) mitigates the impacts to the creeks of the Combined Project. The District and VTA mutually desire to cooperate in performing necessary Engineering Services and construction for the Wrigley Project that consist of:

a. Realigning existing linear channel to a more natural meandering creek.

b. Creating a 2-3 year floodplain and riparian area.

c. Desilting existing culvert and channel.

The District acknowledges that the design for the Wrigley Project, developed by VTA, satisfies the objectives of the District and mitigates the Combined Project planned by VTA and the District, and acknowledges the urgency to proceed with construction for the Wrigley Project in order to meet environmental permit timing constraints.

**DISCUSSION:**

The estimated cost responsibilities by each agency are described below:

<table>
<thead>
<tr>
<th>Percent Responsibility</th>
<th>VTA</th>
<th>DISTRICT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design</td>
<td>77.5%</td>
<td>22.5%</td>
</tr>
<tr>
<td>Construction</td>
<td>68.5%</td>
<td>31.5%</td>
</tr>
<tr>
<td>Cost Estimate</td>
<td>$2.3M</td>
<td>$0.9M</td>
</tr>
</tbody>
</table>

**ALTERNATIVES:**

The VTA Board may decide not to authorize an amendment to the cooperative agreement with the Santa Clara Valley Water District and take on the full cost of design and construction of the Wrigley Creek Improvements.

**FISCAL IMPACT:**

Appropriation for this expenditure is included in the FY10 2000 Measure A Transit Improvement Program Fund Capital Budget. Funding for the expenditures will be provided by Santa Clara Valley Water District ($914,129) and 2000 Measure A ($2,348,107).

Prepared by: Jim Costantini, Deputy Director
Memo No. 2607
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 CMA Officer, John Ristow

SUBJECT: 2010 CMA Block Grant Awards

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

ACTION ITEM

RECOMMENDATION:

Approve the recommended 2010 CMA Block Grant program of projects that includes the Local Streets and Roads Program, Community Design and Transportation Program, and Bicycle Expenditure Program.

BACKGROUND:

On March 4, 2010 the VTA Board of Directors adopted a Block Grant Program structure for programming future Federal flexible funds through the Congestion Management Agency. This was pursuant to the Metropolitan Transportation Commission (MTC) Block Grant strategy that delegated program management and project selection to the county Congestion Management Agencies (CMA) for three programs: (1) local streets and roads rehabilitation (LSR), (2) Transportation for Livable Communities (TLC) and (3) Regional Bicycle Program. MTC specified the amounts to be available to each CMA for each program, allowing each CMA the flexibility to shift up to 20% between programs.

VTA is the CMA for Santa Clara County and is responsible for developing and administering the program. The VTA version of the TLC program is called Community Design and Transportation (CDT) and VTA manages the bicycle program through the Bicycle Expenditure Program (BEP). References to the block grant funding will use VTA terminology for these programs.
**DISCUSSION:**

Following the Board adoption of the Block Grant program structure, VTA staff issued the 2010 CMA Block Grant Program Call-for-Projects on March 15, 2010. Each program had specific requirements and available funds. In order to recognize practical project delivery considerations and unique county priorities, the CMAs were given the ability to flex each program’s funds from one Block Grant program to fund another. VTA’s proposals for each program element are as follows:

**Local Streets and Roads Rehabilitation and Reconstruction (LSR) Funding**

The goal of this program is to assure that Federal Aid Eligible arterials and collectors in Santa Clara County are in good repair. MTC set aside Surface Transportation Program (STP) funds for local streets and roads pavement rehabilitation and preventive maintenance projects. Each agency had an amount available per MTC’s Local Streets and Roads (LSR) distribution formula based on four performance factors: population, arterial and collector lane mileage, arterial and collector shortfall, and preventive maintenance performance.

Thirteen of the eligible sixteen agencies requested funds. The three remaining agencies will "bank" their shares until the next funding cycle, which will occur in the next 18 months. The City of Sunnyvale is requesting an advance from their future second cycle LSR share, which is included in the programming recommendation.

For this cycle, the VTA Board made approximately $17.84 million available. VTA recommends that $18.07 million be programmed at this time. This recommendation oversubscribes the program by $0.23 million that will be borrowed from the un-programmed CDT funds. The projects submitted by each participating agency can be found on Attachment A.

**Community Design and Transportation Capital Program Funding**

The CDT Capital Grants program is intended to help Member Agencies design and build bicycle pedestrian-friendly projects and to include transit and pedestrian-friendly elements in capital projects related to transit facilities, streets, and core areas such as downtowns and neighborhood commercial areas.

All Santa Clara County Member Agencies were eligible to apply for the CDT Capital Grant Program, having formally endorsed the CDT Grant Program in 2003. The CDT Capital Grant Program is identified in the 25-year long-range county-wide transportation plan, Valley Transportation Plan (VTP) 2035, adopted by the VTA Board of Directors in January 2009.

This was a competitive program; therefore a Scoring Committee reviewed and evaluated the proposals on May 10, 2010. Field reviews were conducted on May 25, 2010. The Scoring Committee was composed of the Chair of the VTA Capital Improvement Program Working Group from the County of Santa Clara, and staff from the cities of Palo Alto, Milpitas, San Jose,
Santa Clara, Saratoga, Sunnyvale and VTA.

VTA received eight applications requesting approximately $12.3 million in total funding. For this cycle, the VTA Board made approximately $5.54 million Congestion Mitigation and Air Quality (CMAQ) funds available. The CDT scoring criteria limits funding to projects that score 70 points or more on a 100-point scale. Based on that requirement, VTA recommends two projects for programming as shown in Attachment B. The remaining fund balance will be used for the next CDT Call-for-Projects, after covering oversubscription in the LSR and BEP programs.

The City of San Jose's San Fernando Street Enhanced project may be awarded full funding through MTC's Transportation for Livable Communities program. In that instance, the CDT program will have $4.06 million CMAQ funds available for the next CDT Call-for-Projects. Additionally, FY 2011/12 Transportation Enhancement (TE) funds may be available for the Call-for-Projects.

**Bicycle Expenditure Program Funding**

MTC’s Regional Bikeway Network (RBN) was developed in 2001 to define bicycling corridors of regional significance. The network includes high priority projects in county or local bicycle plans that fulfilled the criteria to provide connectivity to transit as well as major activity centers.

Qualified projects in the 2009 VTA Bicycle Expenditure Program (BEP) and the Regional Bicycle Plan corridors were invited to submit applications. For this cycle approximately $4.45 million Congestion Mitigation and Air Quality (CMAQ) funds are available. VTA received seven applications requesting $7.02 million.

All projects requesting funds are recommended for allocation. The City of Campbell requested $2.4 million; however VTA recommends an allocation of $0.424 million to complete the Preliminary Engineering phase because the BEP program is oversubscribed and the City needs to complete the on-going planning study to demonstrate that the project is feasible. The City of Campbell may request funds for construction during the next BEP funding cycle.

The County requested $0.5 million for the Almaden Expressway Bicycle Signal Detection project. However, the project is programmed under Local Streets & Roads due to the project's description of work.

VTA recommends allocating $4.55 million of BEP funds as shown on Attachment C. This recommendation oversubscribes the program by $0.94 million that will be borrowed from the unprogrammed CDT funds.

**ALTERNATIVES:**

The VTA Board may adopt other program alternatives that follow the MTC CMA Block Grant
program guidelines.

**FISCAL IMPACT:**

All projects recommended by the CMA Block Grant Program will receive their allocated funding through the Federal Highway Administration process administered by Caltrans. No projects funds are processed through VTA budget or accounting systems. The Block Grant Program will provide an additional $1.163 million to the VTA Congestion Management Program budget covering Fiscal Years 2010, 2011 and 2012 to cover staff time for countywide planning and programming activities.

**ADVISORY COMMITTEE DISCUSSION/RECOMMENDATION:**

The Technical Advisory Committee (TAC) considered this item at the July 8, 2010 meeting and without comment unanimously recommended it to the full Board for approval.

The Bicycle & Pedestrian Advisory Committee (BPAC) considered this item at the July 7, 2010 meeting and without comment unanimously recommended it to the full Board for approval.

Prepared by: Celeste Fiore  
Memo No. 2597
<table>
<thead>
<tr>
<th>Agency</th>
<th>Project Name</th>
<th>LSR Share</th>
<th>Funds Requested</th>
<th>Recommended Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>County</td>
<td>County Roadways</td>
<td>1,687</td>
<td>1,687</td>
<td>1,687</td>
</tr>
<tr>
<td>County</td>
<td>Almaden Expressway Bicycle Detection 35-B93&lt;sup&gt;1&lt;/sup&gt;</td>
<td></td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Campbell</td>
<td>Citywide Arterial &amp; Collector Rehabilitation</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Cupertino</td>
<td>Pavement rehab along Bubb, McClellan, Wolfe</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Gilroy</td>
<td>Wren Avenue and Church Street Resurfacing</td>
<td>614</td>
<td>614</td>
<td>614</td>
</tr>
<tr>
<td>Los Altos</td>
<td>San Antonio Road Microseal</td>
<td>500</td>
<td>259</td>
<td>259</td>
</tr>
<tr>
<td>Los Altos Hills</td>
<td>(available for future cycle)</td>
<td>250</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Los Gatos</td>
<td>University Ave between Shelburne Way &amp; Vasona Dam</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Milpitas</td>
<td>(available for future cycle)</td>
<td>665</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Monte Sereno</td>
<td>(available for future cycle)</td>
<td>250</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Morgan Hill</td>
<td>Butterfield Blvd South Extension (Tennant to Watsonville)</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Mountain View</td>
<td>Church Street Improvements, Calderon Avenue to Castro Street</td>
<td>530</td>
<td>530</td>
<td>530</td>
</tr>
<tr>
<td>Palo Alto</td>
<td>Various Streets Rehabilitation</td>
<td>549</td>
<td>549</td>
<td>549</td>
</tr>
<tr>
<td>San Jose</td>
<td>Various Streets Resurfacing/Rehabilitation</td>
<td>7,987</td>
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<tr>
<td>Santa Clara</td>
<td>Benton St, Cronin Dr, Pruneridge Ave Rehabilitation</td>
<td>1,163</td>
<td>1,163</td>
<td>1,163</td>
</tr>
<tr>
<td>Saratoga</td>
<td>Various Streets Rehabilitation</td>
<td>500</td>
<td>500</td>
<td>500</td>
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<tr>
<td>Sunnyvale</td>
<td>Sunnyvale Ave/Old San Fernando Rd Recon/Enhancement</td>
<td>638</td>
<td>638</td>
<td>638</td>
</tr>
<tr>
<td>Sunnyvale</td>
<td>Hendy Ave Complete St Improvements (borrowed from future cycle)</td>
<td>506</td>
<td>1,640</td>
<td>1,640</td>
</tr>
</tbody>
</table>

Total Funds Recommended: 18,067
Program Funds Available: 17,839
Oversubscribed; borrowed from CDT Program: -228

<sup>1</sup> Project was originally submitted as a BEP project.
ATTACHMENT B
2010 CMA BLOCK GRANT - STP/CMAQ
CDT Recommended Project List
($1,000)

Cycle 1 (2010)

<table>
<thead>
<tr>
<th>Agency</th>
<th>Project Name</th>
<th>Score</th>
<th>Funds Requested</th>
<th>Recommended Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>San Jose</td>
<td>San Fernando St Enhanced Ped/Bike Access¹</td>
<td>79</td>
<td>1,125</td>
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<tr>
<td>Saratoga</td>
<td>Saratoga Village Ped Enhancement Phase 2</td>
<td>70</td>
<td>1,161</td>
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<tr>
<td>San Jose</td>
<td>The Alameda-A Plan for the Beautiful Way¹</td>
<td>69</td>
<td>1,500</td>
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<tr>
<td>Palo Alto</td>
<td>California Ave Streetscape Improvements</td>
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<td>1,724</td>
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<tr>
<td>San Jose</td>
<td>San Carlos Multimodal Streetscape Phase 2¹</td>
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<tr>
<td>Sunnyvale</td>
<td>Hendy Ave Complete St Improvements</td>
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<td>1,763</td>
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<tr>
<td>Milpitas</td>
<td>S. Main St Streetscape Phase 2</td>
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<tr>
<td>Campbell</td>
<td>Campbell Ave Portals Project</td>
<td>32</td>
<td>2,572</td>
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</tbody>
</table>

Total Funds Recommended 2,286
Program Funds Available 5,541
Undersubscribed 3,255

Loaned to LSR Program -228
Loaned to BEP Program -94
Available for next Call for Projects 2,933

¹ Project recommended for funding from the MTC Transportation for Livable Communities program
## BEP Recommended Project List ($1,000)

### Cycle 1 (2010)

<table>
<thead>
<tr>
<th>Agency</th>
<th>Project Name</th>
<th>Funds Requested</th>
<th>Recommended Allocation</th>
</tr>
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<tbody>
<tr>
<td>Gilroy</td>
<td>Lions Creek &amp; W Ronan Channel Service Roads; 35-B40, B42, B43</td>
<td>672</td>
<td>672</td>
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<tr>
<td>Santa Clara</td>
<td>San Tomas Aquino Creek Trail; 35-B23</td>
<td>1,258</td>
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<td>Santa Clara</td>
<td>San Tomas Aquino Creek Spur Trail; 35-B74</td>
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<td>Campbell</td>
<td>Campbell Ave Portals Project; 35-B39(^1)</td>
<td>2,400</td>
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<td>Hendy Ave Complete Streets Improvements; 35-B81</td>
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<td>San Jose</td>
<td>Los Gatos Creek Trail Reach 5b/c W/SanCarlos to Auzerais; 35-B16(^2)</td>
<td>1,250</td>
<td>1,250</td>
</tr>
</tbody>
</table>

**Total Project Funds Recommended**: 4,546  
**Program Funds Available**: 4,452  
**Oversubscribed; borrowed from CDT Program**: -94

\(^1\) PE Phase only; may request funds for construction during the next BEP funding cycle  
\(^2\) Pending project meets Open 24/7 requirement
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 Milpitas

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 Milpitas 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 Milpitas and VTA with respect to the project, and provides for the subsequent creation of sub-agreements to address specific project issues.

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. Features, either as part of the project or located in the project corridor, that are noted in the master agreement because they are of particular concern to the City include:

- Dixon Landing Road - BART Crossing
- S. Milpitas Boulevard Extension
- Milpitas BART Station - selection of West Transit Center Alternative
- City Utility Crossings of the BART Corridor
- Montague Expressway Widening to provide a frontage road for access to BART station
- Piper Drive Improvements
- At-Grade Pedestrian Crossing Connecting Piper Drive to Great Mall
- BART Corridor Improvements including sound walls, landscaping, storm pump stations and other necessary street and utility infrastructure.

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.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Transit Planning and Operations Committee considered this item at their May 20, 2010 committee meeting. Board Member Larsen wanted clarification of this item as it relates to the design-build approach. Ms. Gonot, Chief SVRT Program Officer, noted that the Master Agreement with the City of Milpitas would be needed whether the Silicon Valley Berryessa Extension was implemented using a design-bid-build approach or a design-build approach. In addition, the reimbursement of city staff time for design review of City infrastructure and facilities to be constructed or modified by the BART project would be also included with either delivery approach due to the magnitude and schedule of the project. The Transit Planning and Operations Committee unanimously approved the item.

**FISCAL IMPACT:**

The Master Agreement provides for VTA to establish a deposit account with the City of Milpitas to fund the city's work in reviewing project plans. The initial deposit amount would be $700,000, which is expected to be sufficient to cover the city's review cost through February 2011. This cost will be covered by the project budget as part of the 2000 Measure A Transit Improvement Program Fund Capital Budget.

Prepared by: Kevin Kurimoto
Memo No. 1281
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief SVRT Program Officer, Carolyn M. Gonot

SUBJECT: SVBX Draft Relocation Plan

FOR INFORMATION ONLY

BACKGROUND:

On June 24, 2010, the Silicon Valley Berryessa Extension (SVBX) Project was awarded a Record of Decision for its federal environmental document. With this action, VTA may now commence the acquisition of the requisite right of way for the SVBX Project.

Prior to acquiring properties which may cause displacement of occupants, however, federal and state law requires a public agency to plan appropriately for persons and businesses that are impacted by the public agency’s acquisition of such property. In California, such planning is required to be documented in a Relocation Plan and formally adopted by the respective agency’s legislative body.

The SVBX Project teams have worked diligently to plan the SVBX Project in a manner that minimizes the number of potential acquisitions and displacements. Certain displacements, though, may be unavoidable to bring this major transit asset to the heavily developed Silicon Valley region. Based on preliminary engineering designs, VTA staff anticipates that several properties causing the displacement of certain businesses, households, and tenants of storage facilities may need to be acquired. VTA will attempt to schedule these acquisitions to provide as much time as possible, well in excess of the statutory minimum of 90 days, to identify replacement sites and relocate.

In this agenda item, VTA staff will be presenting a draft of the Relocation Plan (Draft Plan) for the SVBX Project at the August 5th Board meeting. The presentation is for informational purposes only. No Board action is required at this time. Following this presentation, the Draft Plan will be circulated to the general public until September 10, 2010, for public review and comment in accordance with California law, which requires a minimum 30-day public circulation period. The Draft Plan will become the Final Relocation Plan when it is updated to respond to public comments. The Final Relocation Plan will be submitted to the Board for
review and consideration on November 4, 2010.

The adoption of the Final Relocation Plan is a critical milestone in the SVBX Project schedule, which requires the first phase of acquisitions to commence in December 2010.

**DISCUSSION:**

**Overview**

The VTA is planning the SVBX Project in a manner that minimizes the number of properties to be potentially acquired and limits the number of businesses and residences to be potentially displaced. Based on VTA’s current preliminary engineering design, it is presently anticipated that the SVBX Project will impact 54 businesses, 1 residential household, and 890 tenants, who store personal property on land that may be acquired for the Project. A summary of anticipated impact based on the current preliminary engineering design is shown below.

<table>
<thead>
<tr>
<th>Summary of Potential Relocation Impact</th>
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</thead>
<tbody>
<tr>
<td>Businesses</td>
</tr>
<tr>
<td>54</td>
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</tbody>
</table>

Under federal and State law, the VTA Board is required to adopt a formal Relocation Plan which documents how VTA is planning for persons and businesses that are impacted by VTA’s acquisition of property prior to commencing the acquisition process of these properties. It is anticipated that the acquisition process will commence in December, 2010. To ensure that the Project proceeds in a timely manner and meets critical timelines, it is important that the Board timely consider and adopt a Final Relocation Plan.

After the acquisition process commences and shortly after an initial offer to purchase property is made, displaced occupant(s) eligible for relocation assistance will receive a Notice of Eligibility. Occupants will not be required to vacate the property until at least 90 days after a Notice to Vacate is issued. The VTA will attempt to schedule its acquisition efforts in a manner that will allow occupants more than 90 days to relocate after the Notice is issued if feasible given Project timelines. Advance planning by means of a Relocation Plan will play an important role in ensuring that occupants are able to successfully relocate in a timely manner.

VTA contracted with Associated Right of Way Services, Inc. (ARWS) to assist in planning how to assist occupants affected by the SVBX Project and to prepare the Draft Plan. ARWS and VTA staff (the “VTA team”) met with each owner of property where the owner and/or tenants potentially will be displaced by the SVBX Project. The VTA team also interviewed tenants if the owners permitted the VTA team to contact them and the tenants were willing to meet. Owners of storage properties did not provide mailing lists for their occupants and therefore the VTA team was unable to meet with any of the estimated 890 storage tenants that may be impacted by the Project.
In addition to interviewing property owners and occupants, the VTA team conducted market research to ascertain the availability of relocation sites and explored zoning requirements with respect to those sites. The VTA team also researched and refined current relocation policies and procedures.

Based on the foregoing activities, the VTA team prepared a Draft Plan, which includes the following key elements:

- A summary of the SVBX Project scope and schedule;
- A commitment that the VTA will have funds available to provide full assistance in compliance with applicable laws and regulations prior to making offers to purchase properties;
- A summary of impact to property owners, businesses, and the one residential occupant that may be affected by the Project;
- An analysis of properties that may serve as replacement sites for the businesses and residential occupant if they are displaced; and
- An explanation of the VTA’s Relocation Assistance Program, how that Program will provide advisory and monetary assistance to affected occupants, and a commitment to comply with State and Federal relocation laws and regulations, including 42 U.S.C et.seq., 49 CFR 24, California Government Code 7260 et.seq., and California Code of Regulations, Title 25, Chapter 6.

The Draft Plan recognizes that persons potentially impacted by the Project may have several questions concerning the Relocation Assistance Program and may need assistance in both planning their relocation and understanding the benefits to which they are entitled. The VTA team developed Business Relocation Assistance and Residential Relocation Assistance brochures (included in the Draft Plan) for this purpose. The brochures describe the relocation assistance available to all eligible businesses, residential households and storage tenants displaced as a result of the SVBX Project. The Draft Plan also requires that a Relocation Advisor be available throughout the relocation process to explain and answer questions and to assist eligible displaced persons in achieving successful relocations. Displaced persons are encouraged to make full use of this benefit.

Additionally, the Draft Plan describes the benefits that impacted businesses, residential households, and storage tenants will receive. A summary of these benefits is discussed below.

**Impacted Businesses**

As noted above, based on the current preliminary engineering design, 54 businesses will be impacted if the VTA proceeds with the acquisition of certain properties. Eligible displaced businesses will receive the following benefits under the Draft Plan:

- Advisory Services to assist in identifying appropriate relocation sites, understanding the benefits that are available under the Relocation Assistance Program and filing claims for payment.
- Moving Payment Assistance to reimburse businesses for the cost to move personal
property from the site they currently occupy to the replacement site. In general, this benefit covers the cost to disconnect, move, and reconnect all personal property that is moved. There is no monetary limit to this benefit. Displaced businesses are reimbursed for actual, reasonable expenses that are compensable under state and federal laws and regulations.

- **Searching Cost Payment** to help compensate business owners for the cost to search for a replacement site. This compensation is limited by state and federal laws and regulations to $2,500.
- **Reestablishment Payment** to help business owners reestablish their businesses at its replacement sites. Compensation under this benefit is limited by state and federal laws and regulations to $10,000.
- **Loss of Business Goodwill compensation.** Loss of business goodwill is not a compensable benefit that is included as part of the relocation process under state and federal law. Business owners, however, may seek such compensation through the acquisition process.

**Impacted Residential Households**

The only residential household that may be impacted by the SVBX Project is a resident manager of a mini storage facility. The manager will be required to relocate only if the storage facility is acquired. The Relocation Assistance Program will provide this occupant with the following benefits:

- **Advisory Services** to assist the resident manager in identifying available rental properties in the community, understanding available benefits under the Relocation Assistance Program, and filing claims for payment.
- **Moving Payment Assistance** to reimburse the household for the cost to move personal property to a replacement site.
- **Replacement Housing Payments** to help the household with increased housing costs for comparable housing for 42 months. If the occupants are low income, they may be eligible for a greater level of assistance so that they are not required to pay more than 30% of household income toward rent for 42 months. The household may choose to use the funds from the Replacement Housing Payment to either rent or purchase replacement housing.

**Impacted Storage Tenants**

As noted above, the owners of storage properties did not provide the VTA team with the identities and contact information of their occupants. However, is the VTA team estimates that there may be as many as 940 tenants renting storage units that may need to relocate if the properties they occupy are acquired by the VTA. The majority of those tenants rent space from a large storage facility. A smaller number of persons rent space to store boats and vehicles. Approximately 40 tenants are believed to be vendors at a flea market where they store inventory and business fixtures in storage containers. Each storage unit occupant will be provided with the following assistance under the Relocation Program:
• Advisory Services to help either identify available storage units in the community or relocate on the portion of property that will not be acquired, to assist with understanding available benefits under the Relocation Assistance Program and with filing claims for payment.
• Moving Payment Assistance to reimburse each tenant for the cost to move personal property to a replacement storage site.

Next Steps

VTA staff will make the Draft Plan available to the public for more than the statutorily-required 30-day review and comment period, from August 7, 2010, through September 10, 2010. Potentially displaced businesses, residents, and storage tenants will be notified of the availability of the Draft Plan for their review and comment. Copies of the Draft Plan will be available to the public at VTA offices, the VTA website, the Milpitas Public Library, and the San Jose Public Library. An electronic copy of the Draft Plan also may be obtained upon request by interested parties.

The VTA team will collect comments from the public as they are submitted and will incorporate the comments and responses into a final Relocation Plan (Final Plan) that will be submitted to the Board for review and consideration on November 4, 2010. Acquisitions of the first phase of properties for the SVBX Project are anticipated to commence in December 2010.

Prepared By: Bijal Patel
Memo No. 2131
Silicon Valley Berryessa Extension Project

Draft Relocation Plan

WILL BE AVAILABLE AT THE AUGUST 5, 2010 BOARD OF DIRECTORS MEETING
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:

The state’s fiscal situation resumed its place at center stage. On May 14th, Gov. Arnold Schwarzenegger released his “May Revision to the FY 2011 State Budget.” In this document, the deficit is pegged at $19.1 billion, which includes a current-year shortfall of $7.7 billion, a budget-year gap of $10.2 billion and a modest reserve of $1.2 billion. To close the deficit, the Governor proposed $12.4 billion in spending cuts, assumed $3.4 billion in federal assistance, and called for $3.4 billion in various fund shifts and borrowing. Some of the more notable recommendations contained in the May Revision are: (a) eliminating the California Work Opportunity and Responsibility to Kids (CalWORKs) Program; (b) eliminating child care programs, with the exception of pre-school and after-school care; (c) reducing funding for local mental health services by approximately 60 percent; (d) cutting the In-Home Supportive Services Program by $637 million; and (e) once again borrowing transportation funds.

Specifically with regard to transportation, Gov. Schwarzenegger proposed borrowing $650 million from the Highway Users Tax Account for the General Fund to be repaid by June 30, 2013. These funds are available on a one-time basis as a result of earlier legislation that replaces the sales tax on gasoline with a 17.3-cent-per-gallon increase in the gasoline excise tax. That legislation, which was enacted in March, called for using the $2.52 billion in FY 2011 revenues that would result from this “swapping” of transportation revenue sources as follows: (a) $603 million for highway bond debt service payments; (b) $1.26 billion to backfill the State
Transportation Improvement Program (STIP) and local streets/roads for revenues lost as a result of the elimination of the sales tax on gasoline; and (c) $650 million to be appropriated by the Legislature at a later date. It is the latter $650 million that the Governor wants to borrow for the General Fund. When this money is repaid, the May Revision recommends that it be used to fund rehabilitation projects on the state highway system under the State Highway Operation and Protection Program (SHOPP).

Additional transportation-related proposals in the Governor’s May Revision include:

- Transferring $72.2 million in non-Article XIX revenues to the General Fund. This money, which comes primarily from the leasing and sale of Caltrans property, originally was targeted to go to the state’s intercity rail system.

- Extending the repayment date for $230 million in past loans that were made from the State Highway Account and other transportation accounts to the General Fund from June 2011 to June 2012. According to the May Revision, the projects planned for FY 2011 do not require this cash.

- Providing an increase of $100.2 million in high-speed rail funding to meet federal matching requirements necessary to use the American Recovery and Reinvestment Act (ARRA) money that was awarded to California.

- Redirecting $42.3 million from Caltrans’ Capital Outlay Support Program to state highway maintenance activities. These capital outlay expense savings would come from engineering staff reductions, an increase in the use of contracted services and project delivery efficiencies.

Senate Democrats immediately countered by proposing $4.9 billion in new tax revenues in order to scale back some of the cuts recommended in the Governor’s May Revision. Their plan includes the following elements:

- Delaying the implementation of previously approved corporate tax breaks that are scheduled to take effect on January 1 = $2.05 billion.

- Extending a 0.25 percent income tax surcharge that is scheduled to end on December 31 for another two years = $1 billion in FY 2011.

- Extending a $217-per-dependent reduction in the state’s dependent income tax credit, also scheduled to end on December 31, for another two years = $430 million in FY 2011.

- Raising the vehicle license fee from 1.15 percent to 1.5 percent of a vehicle’s estimated value for two years = $1.2 billion in FY 2011.

- Increasing the state’s alcohol excise tax by an inflation-adjusted amount = $210 million in FY 2011.
Shortly thereafter, Assembly Democrats released yet a third budget plan, which calls for borrowing as much as $9 billion from Wall Street this year and essentially paying that money back over 20 years. Under this plan, the loan, combined with $900 million from a new oil severance tax, the Senate’s proposed $2.05 billion in suspended corporate tax breaks and a $500 million loan from the Disability Insurance Fund, would allow lawmakers to avoid most of Gov. Schwarzenegger’s recommended spending cuts. The Wall Street loan maneuver, which is the centerpiece of the Assembly Democratic plan, is somewhat complex. The state would ostensibly pay off investors with roughly $600 million annually from California’s Beverage Recycling Fund, which takes in money on every redemption deposit paid by consumers on beverage containers. The Beverage Recycling Fund would then be backfilled with half of the revenues from the new oil severance tax.

Amid all of this staking out of negotiating positions on the budget, lawmakers continued to work on legislation. Some of the key transportation-related measures that are still alive in the process are as follows:

**AB 289 (Galgiani):** One of several bills that have been introduced to provide more legislative oversight with regard to high-speed rail, AB 289 establishes parameters for how the California High-Speed Rail Authority could expend the $2.25 billion in ARRA money that the state is set to receive for high-speed rail. Status: Senate Transportation and Housing Committee. VTA Position: None.

**AB 987 (Ma) and AB 2509 (Hayashi):** Both of these measures amend the Transit Village Development Planning Act, which was enacted in 1994 to encourage mixed-use development at relatively higher densities around public transit stations. AB 987 allows a city or county to include a larger area in a transit village development district, while AB 2509 adds educational facilities and other land uses that link people traveling to and from K-12 schools, community colleges and universities to the list of specified characteristics that a transit village plan may address. Both AB 987 and AB 2509 are pending on the Senate floor. VTA Position: Support for both bills.

**AB 1670 (Beall):** Sponsored by the city of San Jose, AB 1670 allows the California Transportation Commission (CTC) to relinquish the following state highway facilities to the city: (a) the portion of State Route 82 from U.S. 101 to I-880, which is commonly known as The Alameda/Monterey Highway; and (b) the portion of State Route 130 within the city limits, which is Alum Rock Avenue. Status: Senate Appropriations Committee. VTA Position: Support.

**AB 1784 (Fong):** This bill allows 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 county to do so. Status: Governor’s Office. VTA Position: Sponsor.

**AB 2324 (J. Perez):** This legislation is intended to strengthen the safety and security of public transit systems in California by prohibiting the possession of dangerous weapons in certain areas of a public transit facility, and by prohibiting individuals from intentionally engaging in certain activities that could jeopardize the safety of passengers, operators and the public. Specifically,
AB 2324 prohibits the following: (a) a person from knowingly possessing specified weapons within a restricted area of a public transit facility; (b) an unauthorized person from knowingly entering a restricted area of a public transit facility; and (c) a person from intentionally avoiding submission to screening and inspection when entering or re-entering a restricted area of a public transit facility. In addition, this measure increases the penalties for repeat fare evasion offenders and for certain acts of public transit passenger misconduct. Status: Senate Appropriations Committee. VTA Position: Support.

AB 2620 (Eng): Sponsored by the Professional Engineers in California Government (PECG), a labor organization that represents Caltrans engineers, AB 2620 essentially precludes Caltrans from charging indirect overhead costs for reimbursable work performed by the department on behalf of local agencies for locally funded state highway projects. Status: Senate Appropriations Committee. VTA Position: None.

SB 409 (Ducheny): This legislation calls for placing the High-Speed Rail Authority within the Business, Transportation and Housing Agency, rather than having it continue to operate as an independent entity. SB 409 also requires the Business, Transportation and Housing Agency to prepare a five-year Strategic Rail Connectivity Plan, the focus of which would be to identify opportunities for improving the linkage of the state’s various passenger rail systems. Status: Assembly Appropriations 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 Employment Development Department to put together a strategy to facilitate the availability of a skilled, in-state workforce to participate in the construction of the state’s high-speed rail system. Status: Assembly Appropriations Committee. VTA Position: Support.

SB 965 (DeSaulnier): Also part of the Senate’s jobs package, SB 965 allows the High-Speed Rail Authority to expend the federal ARRA funds awarded to California, subject to appropriation by the Legislature. It also requires the High-Speed Rail Authority to take those actions necessary to ensure that ARRA high-speed rail funds are obligated and expended in a manner that: (a) meets all applicable federal deadlines; (b) maximizes job creation in California at the earliest feasible time; (c) expedites the completion of vital high-speed rail infrastructure projects that improve rail-highway safety, mobility and performance; and (d) makes the most efficient use of available Proposition 1A bond funds. Status: Assembly Appropriations Committee. VTA Position: None.

SB 1245 (Simitian): A product of last year’s somewhat contentious Senate Transportation and Housing Committee hearing on regional express lane legislation being sponsored by the Metropolitan Transportation Commission (MTC), SB 1245 prohibits charging a toll to a vehicle that meets the applicable occupancy level for use of a high-occupancy vehicle (HOV) lane. In addition, the bill provides that an increase in the vehicle occupancy level for an HOV lane may be implemented only if Caltrans determines that the change will maximize person throughput with respect to the affected highway. Status: Assembly Transportation 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: Assembly Judiciary Committee. VTA Position: None.

SB 1320 (Hancock): This bill allows VTA, as well as the Alameda-Contra Costa Transit District (AC Transit) and Foothill Transit, to impose and enforce civil administrative penalties for fare evasion and passenger misconduct violations in lieu of criminal penalties. Status: Senate Floor. VTA Position: Co-Sponsor.

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 call boxes and freeway service patrols. Status: Assembly Transportation Committee. VTA Position: None.

SB 1445 (DeSaulnier): This legislation calls for imposing a statewide vehicle registration surcharge of $1 until January 1, 2016, with the revenues going to metropolitan planning organizations (MPOs), councils of governments (COGs) and transportation planning agencies to develop and implement sustainable communities strategies or regional blueprint plans. Status: Assembly Appropriations Committee. VTA Position: None.

Prepared By: Kurt Evans
Memo No. 2341
<table>
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<tr>
<th>State Assembly Bills</th>
<th>Subject</th>
<th>Last Amended</th>
<th>Status</th>
<th>VTA Position</th>
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<td><strong>AB 153 (Ma)</strong></td>
<td>Regional Blueprint Plans and Sustainable Communities Strategies</td>
<td>Authorizes a metropolitan planning organization (MPO), council of governments (COG), or a county transportation commission and a sub regional COG jointly preparing a subregional sustainable communities strategy to impose a vehicle registration surcharge of up to $4, subject to a majority vote within its jurisdiction. Requires the revenues generated from such a surcharge to be used to identify land-use strategies, reduce the use of motor vehicles, and carry out applicable transportation-related activities necessary to implement a regional blueprint plan, a sustainable communities strategy or an alternative planning strategy. In the Bay Area, requires the surcharge to be jointly imposed by the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG), and the revenues from the surcharge to be divided in accordance with an agreement between those two entities. If the surcharge exceeds $2, requires all amounts above $2 to be used to provide grants to counties, cities and congestion management agencies (CMAs) for planning and projects related to the implementation of a regional blueprint plan or a sustainable communities strategy. Allows an MPO, COG, or county transportation commission and subregional COG jointly preparing a subregional sustainable communities strategy to divide the revenues from the surcharge with the local air quality management district. Requires any revenues received by a local air quality management district to be used to assist local and regional governments in reducing greenhouse gas emissions.</td>
<td>6/21/10</td>
<td>Senate Rules Committee</td>
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<td><strong>AB 231 (Huber)</strong></td>
<td>CEQA: Overriding Consideration</td>
<td>For purposes of complying with the California Environmental Quality Act (CEQA), authorizes a lead agency to rely on a finding of overriding consideration made in a prior environmental impact report (EIR) for a later project if the lead agency determines that the later project’s significant impacts on the environment are no greater than those identified in the prior EIR from which the project is tiered.</td>
<td>6/23/10</td>
<td>Senate Environmental Quality Committee</td>
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<td><strong>AB 266 (Carter)</strong></td>
<td>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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<td><strong>AB 289</strong>&lt;br&gt;(Galgiani)&lt;br&gt;High-Speed Rail: ARRA Funds</td>
<td>States the intent of the Legislature to appropriate in the FY 2011 Budget Act $230.5 million in Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century (Proposition 1A) revenues to be used to provide a dollar-for-dollar match for federal economic stimulus funds received by the state under the American Recovery and Reinvestment Act (ARRA) for high-speed rail. Upon appropriation by the Legislature, makes available $2.25 billion in ARRA high-speed rail funding to the California High-Speed Rail Authority to be used for: (a) planning and engineering for the high-speed train system; and (b) capital costs, consistent with federal guidelines, rules and regulations, and consistent with Proposition 1A. Requires the High-Speed Rail Authority to take those actions necessary to ensure that federal ARRA funds awarded to California for high-speed rail purposes are expended and used in a manner that meets all applicable federal guidelines, rules and regulations. Requires these ARRA funds to be made available for preliminary engineering, project-level environmental work, mitigation, final design, and construction for the following corridors: (1) San Francisco to San Jose; (2) Merced to Fresno; (3) Fresno to Bakersfield; and (4) Los Angeles to Anaheim. Requires these funds to be appropriated and made available for obligation and expenditure by the dates specified in ARRA. Requires any funds received by California in FY 2011 from the federal Passenger Rail Investment and Improvement Act of 2008 be used for planning and engineering work for any of the following corridors: (1) Merced to Sacramento; (2) Los Angeles to San Diego; and (3) the Altamont Corridor. Exempts the executive director of the High-Speed Rail Authority from civil service. For purposes of managing and administering the ongoing work of the High-Speed Rail Authority in implementing the high-speed train project, allows the Governor, upon the recommendation of the authority’s executive director, to appoint up to six additional employees, who would: (a) be exempt from civil service; and (b) serve at the pleasure of the authority’s executive director.</td>
<td>6/22/10</td>
<td>Senate Transportation and Housing Committee</td>
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<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><strong>AB 569</strong>&lt;br&gt;(Emmerson)&lt;br&gt;Meal Periods: Construction and Transportation Industries</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; an employee in the security services industry; an employee of an electrical or gas corporation; or an employee of a local publicly owned electric utility 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>6/16/10</td>
<td>Senate Appropriations Committee</td>
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<td><strong>AB 619</strong></td>
<td>Requires any entity applying for a contract with the High-Speed Rail Authority related to the high-speed train network to affirmatively certify in advance of submitting a formal bid whether it had any direct involvement in the deportation of any individuals to extermination camps, work camps, concentration camps, prisoner of war camps, or any similar camps during the period from January 1, 1942, through December 31, 1944. Upon a determination that an entity’s disclosures raise significant concerns about its corporate character and responsibility, allows the High-Speed Rail Authority to disqualify the entity from bidding on a contract. Allows civil penalties to be imposed on an entity that submits a false certification.</td>
<td>6/17/10</td>
<td>Senate Transportation and Housing Committee</td>
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<td>(Blumenfield)</td>
<td><strong>High-Speed Rail: Contracts</strong></td>
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<td><strong>AB 726</strong></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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<td>(Nielsen)</td>
<td><strong>Local Roadway Rehabilitation Projects</strong></td>
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<td><strong>AB 732</strong></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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<td>(Jeffries)</td>
<td><strong>Design-Sequencing Contracts</strong></td>
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2009-2010 Legislative History
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<tr>
<td><strong>AB 744</strong>&lt;br&gt;(Torrico)&lt;br&gt;Bay Area Express Lane Network</td>
<td>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.</td>
<td>7/15/09</td>
<td>Senate Appropriations Committee</td>
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<td>AB 987</td>
<td>Recasts the area included in a transit village development district to include all land within not more than a half mile of the main entrance of a public transit station.</td>
<td>5/20/10</td>
<td>Senate Floor</td>
<td>Support</td>
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<td>AB 1030</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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<td>AB 1375</td>
<td>Exempts the executive director of the California High-Speed Rail Authority from civil service. For purposes of managing and administering the ongoing work of the High-Speed Rail Authority in implementing the high-speed train project, allows the Governor, upon the recommendation of the authority’s executive director, to appoint up to six additional employees, who would: (a) be exempt from civil service; and (b) serve at the pleasure of the authority’s executive director.</td>
<td>6/22/10</td>
<td>Senate Transportation and Housing Committee</td>
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<td>AB 1405</td>
<td>Requires the California Air Resources Board (CARB) to deposit a minimum of 30 percent of the fee revenues generated under the California Global Warming Solutions Act of 2006, other than revenues collected for administrative purposes, in the Community Benefits Fund. Requires the revenues in the fund to be used solely in the most impacted and disadvantaged communities in the state to accelerate greenhouse gas emission reductions or mitigate direct health impacts of climate change in those communities. Requires the revenues in the fund to be used to provide competitive grants for projects that do any of the following: (a) reduce greenhouse gas emissions while achieving co-benefits, such as reductions in air pollution; (b) increase water and energy efficiency and conservation through retrofitting, replacing or weatherizing activities; (c) install clean distributed generation systems that utilize locally available renewable energy sources, such as solar, wind and geothermal energy; (d) initiate or enhance public mass transit, including fare subsidies to commuters; (e) incentive low-income, public mass transit-oriented housing development; (f) minimize the direct health impacts of climate change and prepare for emergencies from extreme weather events by taking actions such as the operation of air-conditioned cooling centers that are open to the public; or (g) provide community based greening, forestry or water-related projects, such as stormwater capture, tree planting, and water conservation and efficiency measures that have been recognized to reduce greenhouse gas emissions and produce co-benefits. Requires CARB to adopt a methodology to identify the most impacted and disadvantaged communities by June 30, 2010.</td>
<td>9/1/09</td>
<td>Senate Floor</td>
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<td>AB 1500</td>
<td>Unless pre-empted by federal law, extends the authorization for low-emission vehicles to use high-occupancy vehicle (HOV) lanes regardless of the number of vehicle occupants from January 1, 2011, to January 1, 2015.</td>
<td>5/26/10</td>
<td>Signed into Law: Chapter #37</td>
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<td>AB 1670 (Beall) Relinquishment of State Routes 82 and 130</td>
<td>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 city limits.</td>
<td>4/5/10</td>
<td>Senate Appropriations Committee</td>
<td>Support</td>
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<td>AB 1747 (Galgiani) High-Speed Rail: Contracts</td>
<td>Allows the California High-Speed Rail Authority to consider, to the extent permitted by federal and state law, the creation of jobs in the state when awarding major contracts, including for the purchase of high-speed trains and related equipment and supplies.</td>
<td>4/14/10</td>
<td>Senate Rules Committee</td>
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<td>AB 1760 (Blumenfield) Design-Sequencing Contracts</td>
<td>Authorizes Caltrans to award design-sequencing contracts for the design and construction of transportation projects until January 1, 2016. Defines “design-sequencing” as a method of contracting that enables the sequencing of design activities to permit each construction phase to commence when design for that phase is complete, instead of requiring design for the entire project to be completed before commencing construction. Provides that under a design-sequencing contract, Caltrans would serve as the responsible agency for the performance of design work. In selecting projects for design-sequencing, requires Caltrans to attempt to: (a) balance geographical areas among projects; (b) pursue diversity in the types of projects undertaken; and (c) consider selecting projects that improve interregional and intercounty routes. Allows Caltrans to use employees or consultants for design-sequencing contracts, consistent with the provisions in the state Constitution.</td>
<td>4/19/10</td>
<td>Senate Transportation and Housing Committee</td>
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<td>AB 1784 (Fong) VTA: Local Roadway Projects</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>4/12/10</td>
<td>Signed into Law: Chapter #57</td>
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<td>AB 1805 (Calderon) CEQA Litigation Protection Pilot Program of 2010</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; (2) the amount of capital investment made by the project; and (3) 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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<td>AB 1830 (Jones) High-Speed Rail: Rolling Stock and Equipment Purchases</td>
<td>Requires the California High-Speed Rail Authority to make every effort to purchase high-speed train rolling stock and related equipment manufactured in the state, provided it is consistent with federal law.</td>
<td>6/1/10</td>
<td>Senate Appropriations Committee</td>
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<td><strong>AB 1871</strong> (Jones) Personal Vehicle Sharing</td>
<td>Authorizes private passenger vehicle owners to make their cars available for use by a vehicle sharing program without impacting their private passenger automobile insurance policy.</td>
<td>6/10/10</td>
<td>Senate Banking, Finance and Insurance Committee</td>
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<td><strong>AB 1955</strong> (De La Torre) Incompatible Public Offices</td>
<td>Provides that the following are examples of situations when two public offices are incompatible: (1) an office has the power of eminent domain over property that is under the geographic jurisdiction of the other office; and (2) an office has the power to set a fee or a rate, or to impose a tax or a levy that may directly or indirectly affect the other office.</td>
<td>6/23/10</td>
<td>Senate Local Government Committee</td>
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<td><strong>AB 1958</strong> (Caballero) State Departments: Budget Cuts</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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<td><strong>AB 2097</strong> (Miller) Vehicles: Confidential Home Addresses</td>
<td>Requires a person who requests the confidentiality of his or her home address to provide the Department of Motor Vehicles (DMV) with a current employment address for purposes of processing the service and collection of a traffic, parking or toll road violation.</td>
<td>5/28/10</td>
<td>Senate Appropriations Committee</td>
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<td><strong>AB 2113</strong> (Evans) Local Taxation</td>
<td>Requires a person who requests the confidentiality of his or her home address to provide the Department of Motor Vehicles (DMV) with a current employment address for purposes of processing the service and collection of a traffic, parking or toll road violation.</td>
<td>As Introduced</td>
<td>Assembly Local Government Committee</td>
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<td><strong>AB 2121</strong> (Harkey) High-Speed Rail: Six-Year Program and Annual Report</td>
<td>Requires the California High-Speed Rail Authority to annually adopt a six-year high-speed train program for submission to the Legislature. Requires the program to include a listing of all capital improvement projects that are expected to need an appropriation in the annual Budget Act during the next six fiscal years. Requires the High-Speed Rail Authority to prepare and submit to the Legislature an annual report. Requires the report to include all of the following: (1) a description of the progress made for each project within each high-speed train segment; (2) the baseline budget for support and capital outlay construction costs for each segment; (3) the current or projected program budget for support or capital outlay construction costs for each segment; (4) expenditures to date for support and capital outlay construction costs for each segment; (5) a comparison of the current or projected schedule and the baseline schedule; (6) a summary of the milestones achieved for each segment during the annual period, and any issues identified and actions taken to address those issues; and (7) a detailed financial plan, including any necessary taxes, fees, bonds, or other indebtedness to pay for the construction of the high-speed train network.</td>
<td>5/28/10</td>
<td>Senate Rules Committee</td>
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<td><strong>AB 2124</strong> (Villines) Caltrans: Damage to Local Roadways</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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<td>AB 2127 (Nestande)</td>
<td>Requires the Department of Health Care Services to establish a two-year pilot program in at least three counties to evaluate a non-emergency medical transportation model in which the state would contract with a broker to manage the provision of non-emergency medical transportation services to Medi-Cal beneficiaries. Requires the department to monitor the pilot program, evaluate the outcomes and savings, and provide the fiscal committees of the Legislature with a report on its findings and recommendations. If it determines that the pilot program is cost effective, authorizes the department to implement the program statewide at any time and to continue the operation of the program indefinitely.</td>
<td>As Introduced</td>
<td>Assembly Health Committee</td>
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<td>AB 2147 (V. Perez)</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: (a) the benefit of a particular project to a disadvantaged community; (b) consultation and support from school-based associations, local traffic engineers, local elected officials, law enforcement agencies, school officials, and other relevant community stakeholders; and (c) the use of a public participation process.</td>
<td>5/3/10</td>
<td>Senate Transportation and Housing Committee</td>
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<td>AB 2311 (Mendoza)</td>
<td>Requires the executive officer of the California Air Resources Board (CARB) to conduct three reviews on the implementation of the low-carbon fuel standard regulations adopted by CARB to regulate greenhouse gas emissions from transportation fuels. Requires the CARB executive officer to establish a Low-Carbon Fuel Standard Advisory Panel for purposes of participating in the reviews.</td>
<td>4/19/10</td>
<td>Assembly Appropriations Committee</td>
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<td>AB 2313 (Buchanan)</td>
<td>Prior to the adoption of a regional transportation plan (RTP) for a region in which a residential or mixed-use residential project is located, provides that a lead agency, for purposes of complying with the California Environmental Quality Act (CEQA), may use a threshold of significance for greenhouse gas emissions adopted for the project by the air quality management district within which the project is located to determine whether the project may have a significant effect on the environment due to the emission of greenhouse gases.</td>
<td>6/21/10</td>
<td>Senate Environmental Quality Committee</td>
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<td>AB 2324 (J. Perez)</td>
<td>Prohibits the following: (a) a person from knowingly possessing specified weapons within a sterile area of a public transit facility; (b) an unauthorized person from knowingly entering a restricted area of a public transit facility if the area has been posted with notices restricting access to authorized personnel only; and (c) a person from intentionally avoiding submission to screening and inspection when entering or re-entering a sterile area of a public transit facility. Defines “sterile area” to mean any portion of a public transit facility that is generally controlled in a manner consistent with a public transit agency’s security plan. Increases the penalties for repeat fare evasion offenders and for certain acts of public transit passenger misconduct.</td>
<td>6/10/10</td>
<td>Senate Appropriations Committee</td>
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| **AB 2329**  
(Ruskin)  
Climate Action Team | Creates the Climate Action Team consisting of the following representation: (a) secretary of the California Environmental Protection Agency (CalEPA); (b) secretary of the Natural Resources Agency; (c) chairperson of the California Air Resources Board (CARB); (d) chairperson of the Energy Resources Conservation and Development Commission; (e) president of the California Public Utilities Commission (CPUC); (f) secretary of the Business, Transportation and Housing Agency; (g) secretary of the Department of Food and Agriculture; (h) secretary of the Department of Consumer Affairs; (i) secretary of the Health and Human Services Agency; (j) director of the Office of Planning and Research; and (k) secretary of the Labor and Workforce Development Agency. Consistent with the Global Warming Solutions Act of 2006, requires the Climate Action Team to coordinate the state’s overall climate change policy. To meet the goals of the Global Warming Solutions Act, requires the Climate Action Team to do all of the following: (1) identify and review activities, funding programs and other revenues of state agencies that may need to be coordinated; (2) recommend policies, investment strategies and priorities; and (3) provide information to local governments that will assist them with their own climate change efforts. Requires the Natural Resources Agency, by June 1, 2012, to prepare and submit to the Governor the California Climate Vulnerability and Adaptation Plan, which would provide for the protection of the state’s natural resources, public health, infrastructure, and economic vitality from the ongoing and expected impacts of climate change. Requires the Natural Resources Agency to update the plan every three years in order to incorporate new information regarding the impacts of climate change, as well as new strategies to address adaptation. | 6/21/10 | Senate Environmental Quality Committee |
| **AB 2509**  
(Hayashi)  
Transit Village Plans:  
Educational Facilities | Adds educational facilities and other land uses that provide direct linkages for people traveling to and from primary and secondary schools, community colleges and universities to the list of specified characteristics that a transit village plan may address. | 4/8/10 | Senate Floor  
Support |
| **AB 2516**  
(Hill)  
Accessible Housing Task Force | Requires the Department of Housing and Community Development to establish the Accessible Housing Task Force to develop strategies to increase the amount of housing that is both accessible to the elderly and disabled, and located near public transit. Requires the task force to submit a report to the Governor and Legislature no later than June 30, 2012, that does all of the following: (1) recommends strategies to improve the identification and marketing of multifamily dwelling units that comply with the state’s disabled accessibility building standards for multifamily dwelling units; (2) recommends policies that cities, counties and the state could adopt that would encourage the voluntary construction of new units or the retrofit of existing units within a half mile of public transit stations and bus hubs in a manner that provides for live-in occupancy of one or more individuals with severe mobility impairments; and (3) recommends voluntary design options, possible revisions to building code regulations, local incentive options, and any suggested statutory changes that are needed to improve the accessibility of new and existing dwelling units that are located within a half mile of public transit stations or bus hubs. | 4/27/10 | Assembly Appropriations Committee |
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<tr>
<td><strong>AB 2518</strong>&lt;br&gt;(V. Perez)&lt;br&gt;California Infrastructure and Economic Development Bank: Local Assistance Program</td>
<td>Requires the California Infrastructure and Economic Development Bank to establish a local assistance program to provide technical support to the state’s small and rural communities in obtaining financing for local infrastructure projects.</td>
<td>As Introduced</td>
<td>Assembly Appropriations Committee</td>
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<tr>
<td><strong>AB 2520</strong>&lt;br&gt;(Solorio)&lt;br&gt;Proposition 116 Projects</td>
<td>Authorizes the lead agency for a project funded through Proposition 116, the Clean Air and Transportation Improvement Act of 1990, 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.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<td><strong>AB 2534</strong>&lt;br&gt;(Fuentes)&lt;br&gt;Global Warming Solutions Act: Impacted Communities</td>
<td>Allows the California Air Resources Board (CARB) to use a portion of the revenues generated from a market-based compliance mechanism established pursuant to the Global Warming Solutions Act of 2006 for expenditure on communities experiencing increased exposure to air pollutants to the extent that CARB determines that this increased exposure is caused by the implementation of the market-based compliance mechanism regulation.</td>
<td>As Introduced</td>
<td>Assembly Natural Resources Committee</td>
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<td><strong>AB 2579</strong>&lt;br&gt;(Evans)&lt;br&gt;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 financing, 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; (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; and (6) incorporate the findings of ongoing state infrastructure planning and reporting requirements. 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>4/19/10</td>
<td>Assembly Appropriations Committee</td>
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<td><strong>AB 2620</strong>&lt;br&gt;(Eng)&lt;br&gt;Caltrans: Indirect Overhead Costs</td>
<td>Precludes Caltrans from charging indirect overhead costs for reimbursable work performed by the department on behalf of local agencies for locally funded state highway projects.</td>
<td>6/22/10</td>
<td>Senate Appropriations Committee</td>
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| **AB 2640**  
(Arambula)  
Income Taxes: Free and Subsidized Parking | Until January 1, 2016, subjects free or subsidized parking to income taxes by removing its exclusion from the calculation of gross income. | 5/18/10 | Assembly Appropriations Committee | |
| **AB 2663**  
(Lowenthal)  
Highway Users Tax Account | Provides that if the Legislature transfers, borrows or suspends allocated revenues from the Highway Users Tax Account (HUTA), the respective transaction would be suspended during the months of July, August and September to alleviate the impact on cities that follow the federal fiscal year. | 6/22/10 | Senate Appropriations Committee | |
| **AB 2691**  
(Hall)  
Global Warming Solutions Act: Fees | Prohibits a state or local agency from imposing a greenhouse gas emissions fee on a source of greenhouse gas emissions that is subject to either of the following: (a) a market-based compliance mechanism; or (b) a fee regulation adopted by the California Air Resources Board (CARB). | 4/6/10 | Assembly Natural Resources Committee | |
| **AB 2703**  
(J. Perez)  
Federal Transportation Economic Stimulus Funds: Second Round | Allows Caltrans to make loans using money received by California from a second round of federal transportation economic stimulus funding for the purpose of advancing projects that otherwise would be funded from Proposition 1B transportation infrastructure bond revenues. | 5/17/10 | Senate Appropriations Committee | |
| **AB 2704**  
(Gaines)  
Local Snow Removal Funding | Requires Highway Users Tax Account funding to cities and counties for local snow removal to be maintained, as in effect on January 1, 2010. | 4/8/10 | Governor’s Office | |
| **AB 2754**  
(J. Perez)  
Planning and State Clearinghouse Unit | Establishes the Planning and State Clearinghouse Unit within the Office of Planning and Research to annually evaluate the functional plans of each state department and agency to assure that they are consistent with the state’s planning goals. | 6/23/10 | Senate Appropriations Committee | |
| **ACA 3**  
(Blakeslee)  
State General Obligation Bonds | 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. | 6/16/09 | Assembly Floor | |
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<td><strong>ACA 4</strong>&lt;br&gt;(Feuer)&lt;br&gt;State and Local Government Reform</td>
<td>Calls for placing before the voters an amendment to the California Constitution that makes a series of changes to various state budget and legislative processes. Specifically, does all of the following: (1) implements a “pay-as-you-go” system for the Governor’s budget, and the majority of legislation and initiatives; (2) limits how one-time state revenues could be expended; (3) requires the Legislature to review state programs once every 10 years; (4) allows the Budget Act to be approved by a simple majority vote of the Legislature; (5) requires a two-thirds majority vote to approve fees when they are being used to fund a program, service or activity that was previously funded by revenues from a tax; (6) forfeits legislator pay, after June 25th, if the Assembly and Senate have not passed the Budget Act; and (7) provides the Governor with mid-year authority to cut the budget if the Legislature does not act prior to the 45th day of a fiscal emergency.</td>
<td>5/10/10</td>
<td>Assembly Budget Committee</td>
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<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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<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>&lt;br&gt;(Hernandez)&lt;br&gt;Initiatives</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 immediately transmit an initiative measure to the Legislature. Allows the Legislature to amend an initiative measure that proposes to change the Constitution and adopt it as a legislative constitutional amendment by concurrent resolution. If the proponents of the initiative measure accept the legislative constitutional amendment in lieu of the initiative measure, the n the legislative constitutional amendment would be submitted to the voters instead of the initiative measure. 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 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>6/1/10</td>
<td>Assembly Floor</td>
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<td><strong>ACA 15</strong>&lt;br&gt;(Arambula)&lt;br&gt;Local Governments: Transportation 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 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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<tr>
<td><strong>ACA 16</strong>&lt;br&gt;(Nestande)&lt;br&gt;State General Obligation Bonds</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><strong>SB 8</strong> (Huff) Performance-Based Budgeting</td>
<td>Requires the Department of Finance to develop performance budgeting pilot projects under which the budgets of at least four state departments would be analyzed by specific criteria.</td>
<td>3/23/09</td>
<td>Senate Budget and Fiscal Review Committee</td>
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<td><strong>SB 10</strong> (Leno) Local Vehicle Assessment</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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<tr>
<td><strong>SB 409</strong> (Ducheny) California High-Speed Rail Authority: Reorganization</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 Appropriations Committee</td>
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| **SB 455**  
(Lowenthal)  
California High-Speed Rail Authority | 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. | 4/16/09 | Assembly Floor |
| **SB 474**  
(Ducheny)  
Innovative Contracting and Financing Pilot Programs | 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. | 8/24/09 | Assembly Appropriations Committee |
| **SB 476**  
(Correia)  
CEQA: Non-Compliance Allegations | 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. | 4/30/09 | Assembly Natural Resources Committee |
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<tr>
<td>SB 535 (Yee)</td>
<td>HOV Lanes: Low-Emission and Fuel-Efficient Vehicles</td>
<td>6/24/10</td>
<td>Senate Rules Committee</td>
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<td>Unless pre-empted by federal law, extends the authorization for vehicles that meet California’s super ultra-low exhaust emission standard and the federal inherently low-emission evaporative emission standard to use high-occupancy vehicle (HOV) lanes regardless of the number of vehicle occupants to January 1, 2015. Between January 1, 2012, and January 1, 2015, allows vehicles that meet California’s enhanced advanced technology partial zero-emission vehicle standard to travel in HOV lanes without the required number of passengers, but limits the number of decals that the Department of Motor Vehicles (DMV) can issue for this privilege to 40,000. Ends the authorization for regular hybrid vehicles to use HOV lanes without the required number of passengers on July 1, 2011.</td>
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<td>SB 632 (Lowenthal)</td>
<td>Ports: Infrastructure Needs</td>
<td>4/30/09</td>
<td>Assembly Floor</td>
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<td>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>
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<td>SB 845 (Budget Committee) Countywide Strategic Action Plan</td>
<td>Authorizes local government entities to develop and implement a Countywide Strategic Action Plan to jointly use existing and additional resources to ensure progress toward common community goals. In counties where a Countywide Strategic Action Plan has been adopted, allows the board of supervisors to place before the voters a local sales tax increase of up to 1 percent. If approved by a simple majority vote, requires the revenues from the sales tax increase to be distributed pursuant to the adopted Countywide Strategic Action Plan.</td>
<td>3/18/10</td>
<td>Senate Budget and Fiscal Review Committee</td>
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<td>SB 879 (Cox)</td>
<td>Design-Build Contracting: Counties</td>
<td>5/27/10</td>
<td>Assembly Appropriations Committee</td>
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<td>Allows counties to use design-build contracting for construction projects in excess of $1 million.</td>
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<td>SB 901 (Ashburn)</td>
<td>Proposition 1B Grade Separation Projects</td>
<td>As Introduced</td>
<td>Senate Transportation and Housing Committee</td>
<td>Support</td>
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<td>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.</td>
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<td>SB 927 (Huff)</td>
<td>HOV Lanes</td>
<td>As Introduced</td>
<td>Senate Rules Committee</td>
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<td>Makes several technical, non-substantive changes to state statutes pertaining to high-occupancy vehicle (HOV) lanes.</td>
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| **SB 964**  
(Alquist)  
High-Speed Rail:  
Workforce Development Program | Requires the California High-Speed Rail Authority to contract with the California Employment Development Department to develop a labor market assessment of the workforce, and identify the education and skills needed to: (a) construct a high-speed train system in the state; and (b) operate and maintain a high-speed train system, as necessary to aid the High-Speed Rail Authority in planning the construction of the system. Requires the assessment to include a recommended strategy to ensure that training programs are in place to facilitate the availability of a skilled, in-state workforce to participate, to the maximum extent feasible, in the construction of California’s high-speed train system. Appropriates $500,000 from the amount of Proposition 1A high-speed rail bond funds set aside for environmental studies, planning and preliminary engineering to implement this bill. | 6/30/10 | Assembly Appropriations Committee | Support |
| **SB 965**  
(DeSaulnier)  
High-Speed Rail:  
ARRA Funding | Subject to appropriation by the Legislature, requires the California High-Speed Rail Authority to expend federal funds made available to it under the American Recovery and Reinvestment Act (ARRA) for conducting environmental studies, planning analyses and preliminary engineering activities, as well as for implementing capital projects related to the state’s high-speed train system. Requires the High-Speed Rail Authority to use Proposition 1A bond money to match any ARRA funding, if a match is required. Requires the High-Speed Rail Authority to take those actions necessary to ensure that any federal funds appropriated to it are obligated and expended in a manner that: (1) meets all applicable federal deadlines; (2) maximizes job creation in California at the earliest feasible time; (3) expedites the completion of vital high-speed rail infrastructure projects that improve rail-highway safety, mobility and performance; (4) makes the most efficient use of available state bond funds; and (5) is consistent with current state law. Requires the High-Speed Rail Authority to submit to the Legislative Analyst’s Office and to the Legislature an adopted plan for the expenditure of ARRA funds. Requires the plan to include: (1) a description of the projects proposed for funding, including a discussion of each project’s independent utility; (2) the location of each project; (3) the baseline budget for each project, including support costs and estimated capital costs; (4) the amount of federal and state funds, including Proposition 1A bond proceeds and private money, proposed to be committed to each project; (5) the proposed baseline schedule, with project milestones, and the completion date for each project; and (6) the number of jobs that each project is estimated to create or maintain in California. | 6/21/10 | Assembly Appropriations Committee |
| **SB 976**  
(Hollingsworth)  
CEQA Exemption: Overpass and Ramp Expansion Projects | Exempts from the California Environmental Quality Act (CEQA) projects that would expand an existing overpass, on-ramp or off-ramp that is built on an easement or right-of-way under the control of Caltrans, a local transportation agency, a city, or a county. | 3/22/10 | Senate Environmental Quality Committee |
| **SB 1006**  
(Pavley)  
Climate Change Adaptation Strategies | Requires the Strategic Growth Council to provide, fund and distribute data and information to local governments and regional agencies that will assist in developing and planning sustainable communities. | 6/21/10 | Assembly Appropriations Committee |
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| **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; (2) the amount of capital investment made by the project; and (3) 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 |  |
| **SB 1020**  
(Wolk)  
Performance-Based Budgeting | Beginning in FY 2015, requires the budget submitted by the Governor to the Legislature to be developed pursuant to performance-based budgeting for each state agency and department. When preparing their individual budgets, requires state agencies and departments to use performance-based budgeting methods that make it clear to policymakers and the public the value and results of existing operations and proposed changes. Requires agency and departmental budgets to identify and update all of the following: (1) the mission and goals of the agency or department; (2) the activities and programs focused on achieving those goals; (3) performance metrics that reflect desired outcomes for existing and proposed activities, and a targeted performance level for the following year; (4) prior-year performance data and an explanation of deviation from previous-year targets; and (5) proposed changes in statute, including the creation of incentives or the elimination of disincentives that could improve outcomes or hold down costs. Requires the Legislature to establish a process for reviewing the performance of all state programs at least once every 10 years. | As Introduced | Assembly Budget Committee |  |
| **SB 1061**  
(Hancock)  
Bay Bridge: Bicycle-Pedestrian Pathway | 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), provided that the project is included in the adopted Regional Transportation Plan (RTP). Prior to approving the project and authorizing construction, requires BATA to make a finding that the pathway does not fundamentally alter the profile of the bridge. Prohibits BATA from increasing tolls to fund the project. | 5/25/10 | Assembly Appropriations Committee |  |
| **SB 1120**  
(Dutton)  
California Global Warming Solutions Act: Cap and Trade | 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. | As Introduced | Senate Environmental Quality Committee |  |
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<th>State Senate Bills</th>
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<th>Status</th>
<th>VTA Position</th>
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| **SB 1205** (Corbett)  
Bay Area Disaster Recovery Planning Council | Establishes the Bay Area Disaster Recovery Planning Council to create a long-term regional disaster recovery plan for the San Francisco Bay Area. In developing the plan, requires the council to cooperate with various stakeholders in the region, including cities, counties, special districts, school districts, emergency managers, hospitals, members of the public, private businesses, and non-governmental organizations. Provides that the scope and purpose of the recovery plan is to enhance the region’s resiliency following a disaster by: (a) increasing the speed of rebuilding lifeline infrastructure; (b) planning for temporary transportation and public transit programs during the repair of the region’s transportation system; (c) enhancing government management capacity for large-scale capital projects and programs; (d) planning for the reconstruction of housing damaged by a disaster; (e) creating mechanisms to assist businesses with temporary relocation and financing; and (f) other issues associated with sustainable redevelopment following a major disaster. Specifies that the recovery plan is not a post-disaster operations plan. Declares the intent of the Legislature that the council complement existing efforts by cities; counties; special districts; and other local, regional and state entities. | 6/10/10 | Assembly Appropriations Committee | |
| **SB 1215** (Price)  
Caltrans: Architectural and Engineering Services | Until January 1, 2014, 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. | 4/28/10 | Assembly Transportation Committee | |
| **SB 1245** (Simitian)  
Express Lanes: Free Passage | Prohibits charging a toll to a vehicle that meets the applicable occupancy level for use of a high-occupancy vehicle (HOV) lane. Specifies that this provision does not apply to toll bridges. Provides that an increase in the vehicle occupancy level for an HOV lane may only be implemented if Caltrans determines that the change will maximize person throughput with respect to the affected highway. Requires Caltrans to obtain the approval of the applicable transportation planning agency and to report to the Legislature before making the change. | 4/22/10 | Assembly Transportation Committee | |
| **SB 1259** (DeSaulnier)  
Economic Development and Job Creation Agency | Establishes the Economic Development and Job Creation Agency within state government. Requires the agency to do all of the following: (1) develop a statewide strategy that identifies California’s goals and objectives for job creation, and that specifies performance measures to assess the state’s progress toward attaining those goals and objectives; (2) create a clearinghouse of accurate data on the state’s economic development activities and their effectiveness; (3) simplify, strengthen and improve the operation and management of economic development programs that provide services to California’s workers and employers; (4) eliminate duplicative duties, achieve cost efficiencies and promote accountability for the attainment of economic development goals and objectives; (5) allow the state to marshal all of its resources to systematically target new industries to site within California; (6) build on California’s educational, workforce and geographic assets to seed innovation; (7) attract new and sustainable industries that will create high-wage, middle-class jobs; and (8) provide a better understanding of federal and state laws that protect workers. | 5/24/10 | Senate Appropriations Committee | |
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<td><strong>SB 1263</strong> (Wyland)</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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<td><strong>SB 1264</strong> (Leno)</td>
<td>Whenever passengers have boarded an aircraft whose departure from the airport is delayed by more than two hours, or whenever more than two hours have passed following the landing of an aircraft and passengers have not been able to disembark, requires the air carrier to provide passengers with all of the following: (1) electrical service that is sufficient to provide passengers with fresh air and light; (2) waste removal service for the holding tanks for onboard restrooms; and (3) adequate food and drinking water, and other refreshments. Requires an air carrier to provide clear and conspicuous notice regarding passenger or consumer complaint contact information by making available forms and placing signs at all airport service desks and other appropriate areas in the airport as necessary.</td>
<td>6/1/10</td>
<td>Senate Floor</td>
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<td><strong>SB 1268</strong> (Simitian)</td>
<td>Prohibits a transportation agency from selling or providing personally identifiable information of a person obtained pursuant to the person’s participation in an electronic toll collection system or use of a toll facility, subject to specified exceptions. Requires a transportation agency that employs an electronic toll collection system to establish a privacy policy regarding the collection and use of personally identifiable information. Requires the policy to include a description of the following: (a) the types of personally identifiable information that is collected by the agency; (b) the categories of third-party persons or entities with whom the agency may share personally identifiable information; (c) the process by which a transportation agency notifies subscribers of material changes to its privacy policy; (d) the effective date of the privacy policy; and (e) the process by which a subscriber may review and request changes to any of his or her personally identifiable information. Within practicable business and cost constraints, allows a transportation agency to store only personally identifiable information of a person, 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 ever effort to purge the personal account information of an account within 60 days after the date the account is closed or terminated. Authorizes a person 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. Allows a transportation agency that employs an electronic toll collection system to impose an administrative fee on persons who use that system in an amount that is sufficient to cover the costs of implementing the provisions of this bill.</td>
<td>5/28/10</td>
<td>Assembly Appropriations Committee</td>
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<td>SB 1299 (Lowenthal) 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 Appropriations Committee</td>
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<td>SB 1305 (Pavley) Global Warming Solutions Act: Compliance Revenues</td>
<td>Requires revenues generated from: (a) fees to fund expenditures beyond administrative costs related to the implementation of the California Global Warming Solutions Act of 2006; (b) the implementation of market-based compliance mechanisms; or (c) other compliance mechanisms to be appropriated by the Legislature for purposes determined by the Legislature.</td>
<td>As Introduced</td>
<td>Senate Environmental Quality Committee</td>
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<td>SB 1320 (Hancock) Fare Evasion and Passenger Misconduct: Civil Administrative Penalties</td>
<td>Allows VTA, the Alameda-Contra Costa Transit District (AC Transit) and Foothill Transit to impose and enforce civil administrative penalties for fare evasion and passenger misconduct in lieu of criminal penalties.</td>
<td>6/21/10</td>
<td>Assembly Floor</td>
<td>Co-Sponsor</td>
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<td>SB 1348 (Steinberg) CTC Guidelines</td>
<td>Exempts the adoption of guidelines by the California Transportation Commission (CTC) from the rulemaking provisions of the Administrative Procedure Act. Except in the case of the State Transportation Improvement Program (STIP), specifies a process that the CTC must use when adopting guidelines. Requires the CTC to maintain a guideline adoption file containing: (a) a summary of each objection or recommendation made with regard to a proposed guideline; and (b) an explanation of how the proposed guideline was changed to accommodate each objection or recommendation, or the reasons for making no change. Requires the CTC to include in its annual report to the Legislature a summary of its activities related to the adoption of program or policy guidelines during the previous calendar year.</td>
<td>6/17/10</td>
<td>Assembly Floor</td>
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<td>SB 1351 (Wright) Global Warming Solutions Act: CARB Regulations</td>
<td>Requires the California Air Resources Board (CARB) to make available to the public, at the time that it adopts a regulation pursuant to the California Global Warming Solutions Act of 2006, any implementation schedule that is needed to comply with that regulation.</td>
<td>6/15/10</td>
<td>Assembly Appropriations Committee</td>
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<td>SB 1362 (Simitian) Automated Traffic Enforcement Systems</td>
<td>Requires the installation of signs at all locations where an automated, camera-based traffic enforcement system is operating. Prior to installing such a system, requires the governmental agency to make and adopt a finding of fact establishing that the system is needed at a specific location for reasons related to safety. Prohibits a governmental agency from considering revenue generation, beyond cost recovery, when determining whether to install an automated traffic enforcement system.</td>
<td>6/30/10</td>
<td>Assembly Appropriations Committee</td>
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<td>SB 1371 (Lowenthal) Federal Transportation Economic Stimulus Funds: Second Round</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>6/16/10</td>
<td>Assembly Floor</td>
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<td>SB 1418 (Wiggins) SAFE Program</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. Requires SAFE surcharge revenues to be used to implement, maintain and operate a motorist aid system of call boxes. Allows any money received that exceeds the amount needed for full implementation and ongoing costs to maintain and operate motorist aid call boxes to be used for freeway service patrols, 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>6/21/10</td>
<td>Assembly Transportation Committee</td>
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<td>SB 1426 (DeSaulnier) State Budget Process</td>
<td>Requires the budget submitted by the Governor to contain itemized statements; provisional language; performance measurement standards for state agencies and programs; recommended state expenditures; and a projection of anticipated state revenues, including revenues anticipated to be available on a one-time basis. Requires the budget to contain an estimate of the total resources available for state expenditures recommended for the budget year and the succeeding fiscal year. If expenditures exceed revenues, requires the Governor to recommend reductions in expenditures or the sources from which additional revenues should be provided, and to include an estimate of the long-term impact that these recommendations would have on the state’s economy. Requires the Governor to submit a five-year capital infrastructure and strategic growth plan together with the budget. If the Governor’s budget proposes: (a) to create a new state program or agency, or to expand the scope of an existing state program or agency, resulting in a net increase in state costs; or (b) to reduce a state tax resulting in a net decrease in state revenues, requires the proposal to be accompanied by a statement identifying state program reductions or sources of additional state revenues in an amount that is equal to or greater than the net increase in state costs or net decrease in state revenues. Declares the intent of the Legislature to establish an oversight process for evaluating and improving the performance of all state programs, whether managed by the state or local agencies.</td>
<td>5/26/10</td>
<td>Assembly Budget Committee</td>
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<td>SB 1437 (Kehoe)</td>
<td>Electricity: Plug-In Hybrids and Electric Vehicles</td>
<td>6/7/10</td>
<td>Assembly Floor</td>
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<td>Requires the California Public Utilities Commission (CPUC), by July 1, 2012, to determine for each class of ratepayers the direct costs and benefits associated with the expected additional load from plug-in hybrid and electric vehicles.</td>
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<td>SB 1445 (DeSaulnier)</td>
<td>Regional Blueprint Plans</td>
<td>5/13/10</td>
<td>Assembly Appropriations Committee</td>
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<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. Until January 1, 2016, imposes a vehicle registration surcharge of $1. Requires the Department of Motor Vehicles (DMV), after deducting its administrative costs, to deposit 1 percent of the net revenues from the surcharge into the Planning Advisory and Assistance Council Fund, and to make those revenues available to the Planning Advisory and Assistance Council upon appropriation by the Legislature. 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, regional blueprint plan or rural transportation plan element that is consistent with guidelines developed by Caltrans for regional blueprints; 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>
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<td>SB 1475 (Simitian)</td>
<td>Electronic Wireless Communications Devices</td>
<td>6/23/10</td>
<td>Assembly Appropriations Committee</td>
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<td>Requires the driver’s license examination administered by the Department of Motor Vehicles (DMV) to include a test of an applicant’s understanding of the distractions and dangers of handheld cell phone use and text-messaging while operating a motor vehicle. Prohibits a person from riding a bicycle while using a wireless telephone unless that telephone is specifically designed and configured to allow hands-free listening and talking, and is used in that manner. Also prohibits a person from riding a bicycle while using an electronic wireless communications device to write, send or read a text-based message. Increases the penalties for violating the current prohibitions in state law against using wireless telephones and text-messaging while operating a motor vehicle. Requires a portion of the fines collected for these violations to be allocated to the Office of Traffic Safety for an education program on the dangers of cell phone use and text-messaging while driving.</td>
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<td>SCA 2 (Wyland)</td>
<td>Legislative Biennial Sessions</td>
<td>3/16/10</td>
<td>Senate Rules Committee</td>
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<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>
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<td><strong>SCA 3</strong></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>
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<tr>
<td>(Wyland)</td>
<td>Proposition 42 Suspensions</td>
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<td><strong>SCA 5</strong></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>
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<td>(Hancock)</td>
<td>State Budget: Voting Requirement</td>
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<td><strong>SCA 9</strong></td>
<td>Calls for placing before the voters an amendment to the California Constitution to allow for the Budget Act and budget trailer bills to be enacted by the Legislature with a 55 percent majority vote. Repeals the two-thirds majority vote requirement for raising state revenues.</td>
<td>As Introduced</td>
<td>Senate Budget and Fiscal Review Committee</td>
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<td>(Ducheny)</td>
<td>State Budget: Voting Requirement</td>
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<td><strong>SCA 10</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 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>
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<td>(Ducheny)</td>
<td>Constitutional Amendments</td>
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<td><strong>SCA 14</strong></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>
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<td>(Ducheny)</td>
<td>Ballot Initiative Costs</td>
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<td><strong>SCA 15</strong></td>
<td>Calls for placing before the voters an amendment to the California Constitution to waive the two-thirds majority vote requirement for enacting the Budget Act for the upcoming fiscal year if the Legislative Analyst’s Office, on or after May 15, determines that General Fund revenues are five percent below the estimate for the current-year budget.</td>
<td>4/13/09</td>
<td>Senate Budget and Fiscal Review Committee</td>
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<td>(Calderon)</td>
<td>State Budget: Voting Requirement</td>
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<td><strong>SCA 16</strong></td>
<td>Calls for placing before the voters an amendment to the California Constitution regarding statewide initiative measures. Allows the electors to propose, and to adopt or reject, statutes and amendments to the Constitution pursuant to a process of initial review by the Legislature.</td>
<td>As Introduced</td>
<td>Senate Floor</td>
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<td>(DeSaulnier)</td>
<td>Indirect Initiatives</td>
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<td>SCA 19 (DeSaulnier)</td>
<td>Calls for placing before the voters an amendment to the California Constitution that makes a series of changes to various state budget and legislative processes. Specifically, does all of the following: (1) implements a “pay-as-you-go” system for the Governor’s budget, and the majority of legislation and initiatives; (2) limits how one-time state revenues could be expended; (3) requires the Legislature to review state programs once every 10 years; (4) allows the Budget Act to be approved by a simple majority vote of the Legislature; (5) requires a two-thirds majority vote to approve fees when they are being used to fund a program, service or activity that was previously funded by revenues from a tax; (6) forfeits legislator pay, after June 25th, if the Assembly and Senate have not passed the Budget Act; (7) provides the Governor with mid-year authority to cut the budget if the Legislature does not act prior to the 45th day of a fiscal emergency; (8) eliminates the ability of the state to redirect local property tax revenues to schools; and (9) prohibits the state from reallocating any locally imposed non-ad valorem tax or an assessment levied by a county, city, special district, or any other local or regional government entity. Authorizes local government entities to develop and implement a Countywide Strategic Action Plan to jointly use existing and additional resources to ensure progress toward common community goals. In counties where a Countywide Strategic Action Plan has been adopted, allows the board of supervisors to place before the voters a local sales tax increase of up to 1 percent. If approved by a simple majority vote, requires the revenues from the sales tax increase to be distributed pursuant to the adopted Countywide Strategic Action Plan.</td>
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<td>Last Amended: 4/8/10</td>
<td>Status: Senate Budget and Fiscal Review Committee</td>
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<td>JANUARY</td>
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<td>Statutes signed into law in 2009 take effect.</td>
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<td>Legislature reconvenes.</td>
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<td>Budget must be submitted by the Governor to the Legislature on or before this date.</td>
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<td>Last day for policy committees to hear and report fiscal bills introduced in their house of origin in 2009.</td>
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<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>
<td></td>
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</tr>
<tr>
<td>31</td>
<td>Last day for bills introduced in 2009 to be passed out of their house of origin.</td>
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<table>
<thead>
<tr>
<th>DAY</th>
<th>FEBRUARY</th>
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<tbody>
<tr>
<td>19</td>
<td>Last day for new bills to be introduced.</td>
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<thead>
<tr>
<th>DAY</th>
<th>MARCH</th>
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<tbody>
<tr>
<td>25</td>
<td>Spring Recess begins upon adjournment.</td>
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<thead>
<tr>
<th>DAY</th>
<th>APRIL</th>
</tr>
</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>

<table>
<thead>
<tr>
<th>DAY</th>
<th>MAY</th>
</tr>
</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>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>DAY</th>
<th>JUNE</th>
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</thead>
<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>

<table>
<thead>
<tr>
<th>DAY</th>
<th>JULY</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>

<table>
<thead>
<tr>
<th>DAY</th>
<th>AUGUST</th>
</tr>
</thead>
<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>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>DAY</th>
<th>SEPTEMBER</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>

<table>
<thead>
<tr>
<th>DAY</th>
<th>OCTOBER</th>
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<tbody>
<tr>
<td>2</td>
<td>General Election.</td>
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</table>

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<thead>
<tr>
<th>DAY</th>
<th>DECEMBER</th>
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</thead>
<tbody>
<tr>
<td>6</td>
<td>The 2011-2012 regular legislative session convenes.</td>
</tr>
</tbody>
</table>
Audit Committee  
Thursday, June 3, 2010  

MINUTES

CALL TO ORDER

The Regular Meeting of the Audit Committee was called to order at 4:04 p.m. by Chairperson Gage in Room 157, County Government Center, 70 West Hedding Street, San Jose, California.

1. ROLL CALL

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Don Gage</td>
<td>Chairperson</td>
<td>Present</td>
</tr>
<tr>
<td>Rose Herrera</td>
<td>Vice Chairperson</td>
<td>Present</td>
</tr>
<tr>
<td>Chuck Page</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Nancy Pyle</td>
<td>Member</td>
<td>Present</td>
</tr>
</tbody>
</table>

A quorum was present.

2. PUBLIC PRESENTATIONS

There were no Public Presentations.

3. ORDERS OF THE DAY

There were no Orders of the Day.

CONSENT AGENDA

4. Minutes of March 4, 2010

M/S/C (Herrera/Pyle) to approve the Minutes of March 4, 2010.

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

5. **Review and Approve FY 2011 Internal Audit Plan**

Greg Thomas, Auditor General, provided a presentation highlighting the following: FY 10 risk assessment and its results; proposed internal audit plan for FY 11, timeline and reporting activities; and FY 11 audit plan and fee estimates. The internal audit projects include: SAP Audit; Information Technology Audit; Silicon Valley Rapid Transit (SVRT) contract compliance; and Investment Control Design Assessment.

Upon inquiry of Member Herrera, Mr. Thomas defined risks as activities that may lead to fraud, abuse, and waste. Farah Faruqui, Partner, Deloitte, added risks are also defined as anything that can jeopardize the achievement of goals.

Chairperson Gage noted the auditors should provide a quarterly report identifying areas where there is fraud, abuse, and waste. Staff and the auditors can provide recommendations to the Audit Committee regarding areas that should be further investigated for possible cost savings. Member Herrera added the report should highlight recommendations or strategies to save money. The report should also include an evaluation of the implementation of the recommendations and its financial impacts.

Member Herrera stated she will bring to the Ad-Hoc Financial Recovery Committee samples of how other Committees she serves on increased their efficiencies through the audit functions.

Member Herrera inquired if it is possible for the Ad-Hoc Financial Recovery Committee to ask auditors to look into a certain area of the organization. Michael T. Burns, General Manager, stated the auditors work though task orders. The work scope must be evaluated to determine if it is included in the task order and determine whether Deloitte is the appropriate auditing firm to conduct the work.

M/S/C (Pyle/Herrera) to approve submitting a recommendation to the Board of Directors to authorize the General Manager to execute one or more task orders with Deloitte & Touche LLP, to conduct the Fiscal Year 2011 internal audit work plan, in an amount not to exceed $160,000, for a new total contract value of $420,000.

6. **Investment Controls Internal Audit**

Ms. Faruqui reviewed the results of the internal controls for investment of restricted and unrestricted funds. Ms. Faruqui noted the key controls tested were operating effectively as designed but there were two minor issues related to documentation identified.

Vice Chairperson Page noted VTA’s internal staff should apply the methodologies used by the auditors and the lessons learned and apply it to the other parts of the organization. Joseph Smith, Chief Financial Officer, responded VTA’s staff applied the same type of analysis to 20 other processes.
M/S/C (Herrera/Page) to approve submitting a recommendation to the Board of Directors to receive a Report on the Investment Controls Internal Audit.

OTHER ITEMS

7. Items of Concern and Referral to Administration

Mr. Burns referred to the on-going investigation on Chicago Transit Authority’s vacation cash-out scandal and reported he has requested the auditors provide a report on the investigation results. The auditors may recommend a similar audit for VTA if deemed appropriate.

Member Herrera requested the auditors to recommend best practices for internal controls with built-in flags and random checks to prevent these types of abuses.

Mr. Thomas responded it can be added in the work plan without additional funding as the current audit of “segregation of duties within SAP” will reveal if VTA has the same vulnerabilities.

8. Committee Work Plan

Mr. Burns noted the possibility of moving the time of the next Audit Committee meeting closer to the Board Meeting time.

On order of Chairperson Gage and there being no objection, the Committee reviewed and accepted the Committee Work Plan.

9. Committee Staff Report

There was no Committee Staff report.

10. Chairperson’s Report

Chairperson Gage reviewed the work that has been done by the Audit Committee in the past year and the work to be done for the next fiscal year. He noted the need for everyone to be aware of the importance of finding ways to reduce costs and increase efficiencies within the organization.

11. Determine Consent Agenda for the August 5, 2010 Board Meeting


REGULAR: Agenda Item #5. Authorize the General Manager to execute one or more task orders with Deloitte & Touche LLP, to conduct the Fiscal Year 2011 internal audit work plan, in an amount not to exceed $160,000, for a new total contract value of $420,000.
12. **Announcements**

Members of the Committee expressed the importance of asking stakeholders and employees regarding their suggestions to reduce costs and increase efficiencies within VTA.

13. **Adjournment**

*On order of Chairperson Gage* and there being no objection, the meeting was adjourned at 4:53 p.m.

Respectfully submitted,

Elaine F. Baltao, Board Assistant
VTA Office of the Board Secretary
Committee for Transit Accessibility

Wednesday, July 7, 2010

MINUTES

CALL TO ORDER

The Regular Meeting of the Committee for Transit Accessibility (CTA) was called to order at 1:00 p.m. by Chairperson Morrow in Conference Room B-104, Valley Transportation Authority (VTA), 3331 North First Street, San Jose, California.

1. ROLL CALL

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
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</thead>
<tbody>
<tr>
<td>Emma Eljas</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Lauryn Livengood</td>
<td>Staff Aide to Ex-Officio Board Liaison Reed</td>
<td>Absent</td>
</tr>
<tr>
<td>Sandra Gouveia</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>David Grant</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Margaret Hardy</td>
<td>Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Katie Heatley</td>
<td>Ex-Officio Member</td>
<td>Present</td>
</tr>
<tr>
<td>Troy Hernandez</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Donald Hunter</td>
<td>Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Marjorie Jensen</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Dennis Kempel</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Connie Langford</td>
<td>Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Martin Lasich</td>
<td>Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Laura Michels</td>
<td>Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Aaron Morrow</td>
<td>Chairperson</td>
<td>Present</td>
</tr>
<tr>
<td>Lechi Nguyen</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Jeffrey Ovetz</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>David Robinson</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Larry Saltman</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Walter Schinke</td>
<td>Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Dilip Shah</td>
<td>Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Thomas Slack</td>
<td>Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Vicci Smith</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Barbara Stahl</td>
<td>Member</td>
<td>Present</td>
</tr>
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2. INTRODUCTION OF AUDIENCE MEMBERS

Dan Smith, Chief Operations Officer; Jim Lawson, Executive Policy Advisor; Scott Haywood, Policy and Community Relations Manager; Lalitha Konanur, Operations Systems Supervisor; Kermit Cuff, Transit Service Supervisor; Sandra Weymouth, Board Secretary; Joonie Tolosa, Manager Operations Analysis and Reporting; David Ledwitz, Management Analyst; and Patrick Griffin, Manager Public Affairs and Customer Information.
3. **PUBLIC PRESENTATIONS**
   
   There were no Public Presentations.

4. **Minutes of April 7, 2010**
   
   M/S/C (Gouveia/Grant) to approve the Minutes of April 7, 2010.

5. **Chief Operating Officer’s Report**
   
   Dan Smith, Chief Operating Officer, provided a brief overview of the report as contained in the Agenda packet, highlighting: 1) Golden Guardian Exercise, 2) Bike to Work week, 3) New hybrid buses, 4) Light rail express train service testing, 5) Fare inspection stings, 6) Music in the Park light rail service, and 7) Orientation for new Committee for Transit Accessibility members.
   
   Member Ovetz questioned when the new buses will be available.
   
   Mr. Smith indicated the Committee will view the pilot bus in August and delivery is expected to begin in October.
   
   Member Grant questioned the number of non low floor buses that will remain in service.
   
   Mr. Smith indicated there are approximately 117 non low floor buses and 70 of those will be replaced by the new buses.
   
   Chairperson Morrow questioned if the members would like to continue to receive the Chief Operating Officer’s report verbally. He recommended a motion to continue having the Chief Operating Officer’s report in the packet but not requiring Mr. Smith to provide a verbal report.
   
   M/S/C (Morrow/Stahl) to forgo the Chief Operating Officer’s verbal report and continue to provide it as an information item in the packet only.

6. **Board of Directors Report**
   
   There was no Board of Directors report.

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

7. **Quarterly Legislative Report**
   
   Scott Haywood, Policy and Community Relations Manager, provided a report on legislative items highlighting: 1) The passing of AB 1784 by the California State Assembly authorizing VTA to enter into agreements with the county and cities within the county to complete construction improvement projects at their request, 2) VTA’s endorsement of Proposition 22, Public Safety and Transportation Act which protects funding for local public safety, emergency response, and transportation, and 3) The Board’s approval to place SB 83 on the November ballot which will give VTA the ability to impose an annual fee of up to $10 on motor vehicle registration to be used for specific transportation projects within the county.
On order of Chairperson Morrow and there being no objection, the Committee received the Quarterly Legislative Report.

8. **Ad-Hoc Financial Recovery Committee**

Jim Lawson, Executive Policy Advisor and Staff Liaison of the Ad-Hoc Financial Recovery Committee (AHFRC), provided background information on Board members and stakeholders who serve on the Committee and noted their charge is to adopt principles to address VTA’s ongoing structural deficit. A list of key principles was developed to establish policy framework during the creation of the biennial budget and includes: 1) Creation of a Revenue Enhancement Committee, 2) Maintain operating reserve at 15%, 3) Control cost growth, 4) Negotiate sustainable bargaining unit agreements, 5) Use of contracted services, and 6) Limit use of capital funding. The Committee is scheduled to deliver recommendations to Standing Committees in September and the full Board in October.

Chairperson Morrow indicated the Committee’s recommendation to leave the paratransit program as is, was forwarded to the Board in May, along with his personally drafted letter.

Chairperson Morrow questioned what the charge of task force will be during the upcoming weeks.

Mr. Lawson indicated staff is putting together the framework which will include the pros and cons and financial impact of decisions to assist the Committee with solutions.

Chairperson Morrow indicated he will provide an update to the Committee on any significant occurrences from next AHFRC meeting.

On order of Chairperson Morrow and there being no objection, the Committee received the Ad-Hoc Financial Recovery Committee report.

9. **July 12, 2010 Service Changes**

Kermit Kuff, Transit Development Supervisor, provided information on route changes highlighting; 1) Line 10 to the airport, 2) Line 11 loop to Coleman, 3) Line 34 in Mountain View, and 4) Later south bound trips on Line 63. He also reported Bus route 76 to the Santa Cruz Mountains and the River Oaks shuttle are both being discontinued.

On order of Chairperson Morrow, and there being no objection, the Committee received a report on the July 12, 2010 Services Changes.

10. **Transit Operations Performance Report**

Joonie Tolosa, presented the results of the 2010 Third Quarter Transit Operations Performance Report highlighting ridership which decreased 8.6 percent for buses, 11 percent for light rail, and 9.1 percent overall. Neighboring agencies are also experiencing similar decreases. He noted, however, improvements in the areas of service and liability, bus on-time performance, and the number miles between mechanical failures for bus and light rail. Paratransit saw a 12 percent decrease in ridership however; the net cost for the paratransit program is under budget for the fiscal year and ridership per revenue hour exceeded the goal.

Member Grant questioned how the fare increase has affected ridership.
Mr. Tolosa indicated an initial decrease in ridership was expected due to the fare increase, but the trend was continued by increased unemployment rates as well.

**Order of Chairperson Morrow** and there being no objection the Committee received the 2010 Third Quarter Transit Operations Performance Report.

11. **Workplan Update**

Chairperson Morrow provided a brief update on the Committee Workplan noting the Committee will view the new Hybrid bus and receive a possible update from Ad-Hoc Financial Recovery Committee at the August workshop.

**On order of Chairperson Morrow** and there being no objection, the Committee received the Workplan Update.

**REPORTS**

12. **City of San Jose Disability Advisory Commission (DAC) Report**

Chairperson Morrow provided a brief overview of the City of San Jose Disability Advisory Commission (DAC) report and indicated the San Jose City Council approved changing the monthly DAC meeting to quarterly due to budget constraints.

**On order of Chairperson Morrow** and there being no objection, The City of San Jose Disability Advisory Commission Report was received.

13. **Committee Staff Report**

Jim Unites, CTA Staff Liaison, presented Chairperson Morrow with a plaque from the Board of Directors recognizing his years of service and dedication to the CTA Committee. He also thanked the Committee for all of their hard work.

Mr. Unites reminded Committee Members of the ethics training requirement and indicated the County is offering another session in September and noted the course is also available online.

Mr. Unites announced July 26, 2010 is the 20th anniversary of the enactment of the American with Disabilities Act. VTA communications staff will be submitting articles and information to the press and reaching out to CTA members for information about the involvement of the Committee in helping make VTA a fully accessible system.

**On order of Chairperson Morrow** and there being no objection, the Committee Staff Report was received.

14. **Citizens Advisory Committee/Citizens Watchdog Committee Report**

Aaron Morrow, CTA Chairperson and Citizens Advisory Committee(CAC) Member provided a report from the CAC meetings highlighting; 1) The summarized final report of the Measure A Transit Improvement Program which CAC published in news publications throughout the county on Google and Yahoo search engines, and VTA website, 2)The Committee’s endorsement of legislative bills SB 83 and SB 2516, 3) Presentation of a blueprint of transit services at local community colleges, 4) Creation of a stakeholders group to ensure the Advisory Committee Enhancement Task Force ideas are
implemented properly, 5) Reassigning seats on the CAC to allow Member Aaron Morrow, to represent the disabled population, and Member Marty Schulter to represent higher education, 6) Researching ways to include other segments of the population without adding additional Committee members, and 7) Presentation on the Clipper program.

Ex-Officio Member Heatley questioned the reporting process of the CAC member representing the senior population.

Chairperson Morrow indicated he will discuss it with the CAC Chairperson and find a solution.

Member Eljas commented on the new process and feels having representation on CAC and receiving a report will help keep the CTA informed.

**On order of Chairperson Morrow** and there being no objection, the Citizens Advisory Committee/Citizens Watchdog Committee Report was received.

15. **Chairperson’s Report**

There was no Chairperson’s Report.

**OTHER**

16. **Announcements**

There were no Announcements.

17. **ADJOURNMENT**

**On order of Chairperson Morrow** and there being no objection, the meeting was adjourned at 2:33p.m.

Respectfully submitted,

Menominee L. McCarter, Board Assistant
VTA Office of the Board Secretary
CITIZENS ADVISORY COMMITTEE

and

2000 MEASURE A CITIZENS WATCHDOG COMMITTEE

Wednesday, June 9, 2010

MINUTES

CALL TO ORDER

The Regular Meeting of the Citizens Advisory Committee (CAC) was called to order at 4:32 p.m. by Chairperson Powers, in Conference Room B-104, VTA River Oaks Campus, 3331 North First Street, San José, California.

1. ROLL CALL

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
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<tbody>
<tr>
<td>Stephen Blaylock</td>
<td>CAC Member</td>
<td>Present</td>
</tr>
<tr>
<td>Clinton Brownley</td>
<td>CAC Member</td>
<td>Present</td>
</tr>
<tr>
<td>Bena Chang</td>
<td>CAC Member</td>
<td>Present</td>
</tr>
<tr>
<td>Chris Elias</td>
<td>CAC Member</td>
<td>Present</td>
</tr>
<tr>
<td>Ray Hashimoto</td>
<td>CAC Member</td>
<td>Present</td>
</tr>
<tr>
<td>Roberta Hughan</td>
<td>CAC Member</td>
<td>Present</td>
</tr>
<tr>
<td>Robert Jacobvitz</td>
<td>CAC Vice Chairperson</td>
<td>Present</td>
</tr>
<tr>
<td>Bruce Liedstrand</td>
<td>CAC Member</td>
<td>Present</td>
</tr>
<tr>
<td>Gaye Morando</td>
<td>CAC Member</td>
<td>Present</td>
</tr>
<tr>
<td>Aaron Morrow</td>
<td>CAC Member</td>
<td>Present</td>
</tr>
<tr>
<td>Charlotte Powers</td>
<td>CAC Chairperson</td>
<td>Present</td>
</tr>
<tr>
<td>Sally Probst</td>
<td>CAC Member</td>
<td>Present</td>
</tr>
<tr>
<td>Connie Rogers</td>
<td>CAC Member</td>
<td>Present</td>
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<tr>
<td>Martin Schulte</td>
<td>CAC Member</td>
<td>Present</td>
</tr>
<tr>
<td>Noel Tebo</td>
<td>CAC Member</td>
<td>Present</td>
</tr>
<tr>
<td>Herman Wadler</td>
<td>CAC Member</td>
<td>Present</td>
</tr>
</tbody>
</table>

A quorum was present.

2. ORDERS OF THE DAY

Chairperson Powers moved the following Agenda Items to the beginning of the Agenda: Agenda Item #11. Bus Service to Colleges in Santa Clara County and the Update on Airport Flyer/Route 10.

On order of Chairperson Powers and there being no objection, the Committee accepted the Orders of the Day.
3. PUBLIC PRESENTATIONS

There were no Public Presentations.

4. Committee Staff Report

Greta Helm, Chief External Affairs Officer and Staff Liaison, reported: 1) The Board approved a proposal to place a ballot measure before the voters of Santa Clara County in November 2010 to authorize a $10 increase in the fees of motor vehicle registration for transportation-related projects and programs; 2) June 17th is “Dump the Pump Day,” a national campaign to raise community awareness regarding money that can be saved utilizing public transit. In its effort to raise awareness, VTA is advertising via Facebook, through its EcoPass Partners, and through its CAC members. The Building Owners and Managers Association (BOMA) is posting information on their website. Chairperson Powers and Vice Chairperson Jacobvitz have agreed to participate in Facebook videos discussing the benefits of public transit; and 3) VTA will be implementing service changes on July 12, 2010.

Update on Airport Flyer/Route 10

Jim Unites, Deputy Director of Service and Operations Planning, provided the staff report in response to a request by the Committee. He stated VTA and the City of San José, through its Airport Department, have a long standing cooperative agreement to provide the Airport Flyer, VTA Bus Route 10, which runs between the Metro Airport Light Rail Station, the Airport, and the Caltrain Station.

Member Tebo arrived at the meeting and took his seat at 4:38 p.m.

Mr. Unites stated the Airport Flyer is currently in good standing, a change in service is not imminent, and the City of San José recently approved a two-year funding agreement through 2012.

Member Wadler arrived at the meeting and took his seat at 4:42 p.m.

The Agenda was taken out of order.

CITIZENS ADVISORY COMMITTEE REGULAR AGENDA

11. Bus Service to Colleges in Santa Clara County

Jim Unites provided the staff report in response to a request from the Committee. He noted the focus of the report would be on community colleges, because Stanford University, University of Santa Clara, and San José State University (SJSU) all have extensive transit options. He reported: 1) Through a 2008 survey, 9,500 people at SJSU indicated they utilized VTA to travel to campus; 2) the main late-night routes into the community college campuses will continue in order to accommodate classes ending at 10:00 p.m., with the buses transporting riders out to the main transportation network.

Members of the Committee questioned the satisfaction with ridership levels. Mr. Unites stated there is general satisfaction. VTA’s marketing department is working to attract a
younger demographic. He noted an interest in the ECO Pass Program among the junior colleges, with several exploring the option of joining.

Member Blaylock provided Mr. Unites with Geographic Information System (GIS) maps prepared by Altrans to show shuttle routes to the community colleges, which do not duplicate VTA routes. He noted, although the maps are seven-years old, they give a good representation of where the students are residing. Member Blaylock stated enrollment patterns are fairly stable.

Members of the Committee applauded VTA’s efforts and commitment to provide students with a safe ride home.

5. **Receive Chairperson’s Report**

Chairperson Powers stated in her report to the Board she had defined the extensive advertising for the Citizens Watchdog Committee’s Public Meeting, which resulted in only one member of the public choosing to speak at the hearing.

Chairperson Powers reported she will continue to attend the San José Diridon Station Joint Powers Advisory Board meetings. The next meeting is scheduled for June 18, 2010. She stated the efforts of the task force will have an important impact on the region.

Chairperson Powers noted the Ad Hoc Financial Recovery Committee Member Report has been moved to Item 13.X on the Agenda.

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

**COMBINED CAC AND 2000 MEASURE A CITIZENS WATCHDOG COMMITTEE CONSENT AGENDAS**

6. **Minutes of May 12, 2010**

**M/S/C (Probst/Hashimoto)** to approve the Regular Meeting Minutes of May 12, 2010.

7. **Bill Position: AB 2516**

**M/S/C (Probst/Hashimoto)** to recommend that the VTA Board of Directors adopt a support position for AB 2516 (Hill), which requires the Department of Housing and Community Development to establish the Accessible Housing Task Force to come up with strategies to increase the amount of housing that is both accessible to the elderly and disabled, and is located near public transit.

8. **Monthly Legislative History Matrix**

**On order of Chairperson Powers** and there being no objection, the Committee reviewed the Monthly Legislative History Matrix.

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

On order of Chairperson Powers and there being no objection, the Committee received the Fiscal Year to Date 2010 Third Quarter Transit Operations Performance Report.

2000 MEASURE A CITIZENS WATCHDOG COMMITTEE REGULAR AGENDA

10. CWC Annual Report and Publication Strategy

Stephen Flynn, Senior Management Analyst, discussed the options before the Committee:

1. The content and format of the full report for placement on VTA’s website.
2. The content and format of the abbreviated report for publication in local newspapers.
3. A publication strategy for publishing the abbreviated CWC Annual Report in local newspapers to fulfill the Committee’s ballot-specified responsibility of informing Santa Clara County residents on how Measure A funds are being spent.
4. Other methods of informing Santa Clara County residents on how Measure A funds are being spent and making the CWC Annual Report available to the public.
5. Authorize the General Manager to expend up to $15,000 in 2000 Measure A Transit Improvement Program funds to implement the publication strategy.

Vice Chairperson Jacobvitz noted a link to the CWC annual report on the VTA website would be posted on the BOMA website.

Ms. Helm stated the annual reports would be printed on an as need basis. Members of the Committee stated the cost for distributing the report, via all vehicles, should not exceed $10,000.

Members of the Committee requested that on the list of newspapers in Attachment C the Spanish Weekly Newspaper El Observador replace the staff recommended Spanish Weekly Newspaper La Oferta.

Members of the Committee expressed concern over the fluctuation in publication costs within the staff report. Staff stated printing costs are cheaper after the Fourth of July. Members of the Committee requested staff publish the report after the Fourth of July.

Chairperson Powers directed the Committee to contact Mr. Flynn with their requests for printed copies of the annual report.

Members of the Committee agreed with Ms. Helm’s recommendation to have members of the CWC participate in VTA’s community outreach meetings.

M/S/C (Morrow/Tebo) to approve Attachment A as the annual report for the Citizen’s Watchdog Committee, with the addition that the following statement be added to the report: “CWC members and VTA staff are available to meet with community and civic groups to provide information on Measure A, the CWC’s responsibilities, findings and
Annual Report, and to receive input on Measure A. Contact VTA’s Speakers Bureau at (408) 321-5965.”

M/S/C (Liedstrand/Morrow) to approve Attachment B, for the content and format of the abbreviated report for publication in local newspapers.

M/S/C (Brownley/Probst) to approve 1) recommendation #1 of Attachment C, a publication strategy for publishing the abbreviated report for publication in local newspapers, amended to replace the staff recommended Spanish-language newspaper La Oferta with the Spanish-language newspaper El Observador; 2) recommendation #3 of Attachment C, with a $2,000 limit for an advertising link on Google; and 3) 500 copies of the full report printed with printing costs not to exceed $10,000.

CITIZENS ADVISORY COMMITTEE REGULAR AGENDA (continued)

12. **Clipper Fare Collection System MOU - Update**

Ali Hudda, Deputy Director of Accounting, provided the staff report.

Mr. Hudda acknowledged Member Chang’s request that he make a future presentation to members of the Silicon Valley Leadership Group.

Members of the Committee discussed the benefits of VTA’s participation in the Clipper Fare Collection System and the value of inter-regional transit cards.

On order of Chairperson Powers and there being no objection, the Committee received an update on the Clipper Fare Collection System MOU.

13. **Discussion on Citizens Advisory Committee Stakeholder Representation Subcommittee Report**

Member Tebo reported, with the recent inclusion of the Disabled Community position on the CAC filled by a member of the Committee for Transit Accessibility, the subcommittee’s recommendation is to change CAC’s current Disabled Persons position to a position for Higher Education. He noted Member Schulter, currently holding the Disabled Persons position, is employed by San José State University and would ably fill this position. Vice Chairperson Jacobvitz noted Member Schulter could liaise with other colleges regarding transportation issues.

Chairperson Powers recommended an action item be placed on the August CAC Agenda to replace the Disabled Persons position with that of Higher Education.

Members of the Committee recognized that increasing the size of the Committee would change the Committee’s dynamics and agreed that the size of the Committee should remain at the current 17 members.

Members of the Committee noted the importance of receiving input from low-income housing sources and recommended discussions be held with Non-Profit Developers (i.e. Tri-County Apartments, CORE, and Community Housing Developers) as well as other...
joint venture groups. Vice Chairperson Jacobvitz and Member Chang will coordinate this effort.

Ms. Helm noted the most effective way to provide information to outside groups is through focus groups and/or speaking engagements. Member Tebo recommended staff contact Committee members to attend meetings in which their interests are being addressed.

On order of Chairperson Powers and there being no objection, the Committee reviewed and discussed the Citizens Advisory Committee Stakeholder Representation Subcommittee Report.

13.X. Joint Labor/Management Task Force of the Ad Hoc Financial Recovery Committee (Ad Hoc FRC)

Members of the Committee expressed concern that the proposed Joint Labor/Management Task Force, to be formed out of the Ad Hoc FRC to determine the final list of VTA service reductions and cuts, does not fully represent all of the Ad Hoc FRC’s stakeholders.

Members of the Committee noted stakeholders representing the advisory committees should be present as part of the dialog, because they provide an alternate perspective and represent the interests of the citizens.

Ms. Helm suggested as part of the motion the Committee should determine how this recommendation will be communicated to the Board.

M/S/C (Wadler/Blaylock) Recommend, via a unanimous decision of the Citizens Advisory Committee, that a letter from the Citizens Advisory Committee be issued to VTA Board Chairperson Liccardo, Ad Hoc Financial Recovery Committee Chairperson Gage, VTA General Michael T. Burns, and VTA Board Secretary Sandra Weymouth, stating the Committee’s recommendation that the VTA Board of Directors include representation from the Citizens Advisory Committee (CAC) on the proposed Joint Labor/Management Task Force, which is being considered by the Ad Hoc Financial Recovery Committee to advise the Board on strategies for increasing operating revenues, reducing expenditures, and developing budget recommendations for FY11/FY12.

COMBINED CAC AND CITIZENS WATCHDOG COMMITTEE ITEMS OTHER

14. Committee Work Plan

Chairperson Powers recommended that all advisory committees should hold a joint meeting one time per year, in lieu of individual meetings, for a series of staff presentations and/or updates. Chairperson Powers suggested September would be a good month for an annual joint advisory committee meeting.

Members of the Committee suggested potential topics for joint-committee discussions as: 1) Budget guidance – Fiscal Year 12/13 budget; and 2) A Joint Advisory Committee Public Statement touting VTA committee accomplishments.
Greta Helm, Chief External Affairs Officer and Staff Liaison, recommended a discussion on the idea of a joint advisory committee meeting be held with Board Chairperson Liccardo when he meets with the advisory committee chairs and vice chairs.

15. ANNOUNCEMENTS

There were no Announcements.

16. ADJOURNMENT

On order of Chairperson Powers, there being no objection, the meeting was adjourned at 6:36 p.m.

Respectfully submitted,

Susan E. Garcia, Board Assistant
VTA Office of the Board Secretary
CITIZENS ADVISORY COMMITTEE
CITIZENS WATCHDOG COMMITTEE

Wednesday, July 7, 2010

NOTICE OF CANCELLATION

NOTICE IS HEREBY GIVEN that the Santa Clara Valley Transportation Authority Citizens Advisory Committee / Citizens Watchdog Committee meeting scheduled for Wednesday, July 7, 2010, at 4:30 p.m. has been cancelled.

The next regular meeting of the Santa Clara Valley Transportation Authority Citizens Advisory Committee / Citizens Watchdog Committee is scheduled for Wednesday, August 11, 2010, at 4:30 p.m. in Room B-104, Santa Clara Valley Transportation Authority (VTA), 3331 North First Street, San Jose, California.

Susan E. Garcia, Board Assistant
VTA Office of the Board Secretary
BICYCLE & PEDESTRIAN ADVISORY COMMITTEE

Wednesday, June 9, 2010

MINUTES

CALL TO ORDER

The Regular Meeting of the Valley Transportation Authority (VTA) Bicycle and Pedestrian Advisory Committee (BPAC) was called to order at 6:04 p.m. by Chairperson Simons in the Conference Room B104, VTA, 3331 North First Street, San Jose, California.

1. ROLL CALL

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jim Bell</td>
<td>City of San Jose</td>
<td>Present</td>
</tr>
<tr>
<td>Ray Cosyn</td>
<td>City of Saratoga</td>
<td>Present</td>
</tr>
<tr>
<td>Aaron Faupell</td>
<td>City of Milpitas</td>
<td>Present</td>
</tr>
<tr>
<td>Chris Fernandez</td>
<td>County of Santa Clara</td>
<td>Present</td>
</tr>
<tr>
<td>Nancy Ginzton</td>
<td>Town of Los Altos Hills</td>
<td>Present</td>
</tr>
<tr>
<td>Carl Hagenmaier</td>
<td>City of Los Altos</td>
<td>Absent</td>
</tr>
<tr>
<td>Breene Kerr</td>
<td>Town of Los Altos Hills</td>
<td>Present</td>
</tr>
<tr>
<td>Jerri-Ann Meyer</td>
<td>City of Mountain View</td>
<td>Present</td>
</tr>
<tr>
<td>Thomas Muniz</td>
<td>City of Gilroy</td>
<td>Present</td>
</tr>
<tr>
<td>Richard Ruh</td>
<td>City of Monte Sereno</td>
<td>Present</td>
</tr>
<tr>
<td>Marian Sacco</td>
<td>City of Morgan Hill</td>
<td>Absent</td>
</tr>
<tr>
<td>David Simons</td>
<td>City of Sunnyvale</td>
<td>Present</td>
</tr>
<tr>
<td>John Sullivan</td>
<td>City of Santa Clara</td>
<td>Present</td>
</tr>
<tr>
<td>Richard Swent</td>
<td>City of Palo Alto</td>
<td>Absent</td>
</tr>
<tr>
<td>Herman Wadler</td>
<td>City of Campbell</td>
<td>Present</td>
</tr>
<tr>
<td>James Wiant</td>
<td>City of Cupertino</td>
<td>Absent</td>
</tr>
<tr>
<td>Erik Wilhelmse</td>
<td>Town of Los Gatos</td>
<td>Absent</td>
</tr>
<tr>
<td>Corinne Winter</td>
<td>SVBC</td>
<td>Absent</td>
</tr>
<tr>
<td>Paul Goldstein</td>
<td>Alt Ex-Officio, SVBC</td>
<td>Present</td>
</tr>
</tbody>
</table>

A quorum was present.

2. ORDERS OF THE DAY

Chairperson Simons noted County staff request to consider Agenda Item #10., Special Events on County Roads Ordinance at the beginning of the Regular Agenda.

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

3. PUBLIC PRESENTATIONS:

There were no Public Presentations.
4. Committee Staff Report
There was no Committee Staff Report.

- Capital Program Update
  There was no Capital Program Update.

- County Report
  Ananth Prasad, County Senior Civil Engineer, reported that the County has applied for a grant to fund a portion of the construction of 16 additional bicycle lockers to increase bicycle parking for public and employee use at County Facilities.
  
  Mr. Prasad reported the County will conduct a needs assessment and assess the feasibility of the bicycle fleet program.

  On order of Chairperson Simons and there being no objection, the Committee received the Committee Staff Reports.

5. Chairperson’s Report
Chairperson Simons reminded the Committee Members of their responsibility and the requirement as a Member of VTA’s Bicycle and Pedestrian Advisory Committee (BPAC) to complete the Ethics Training Session.

Chairperson Simons stressed the importance for Committee Members to communicate and advocate for their beliefs while conducting Committee business, noting the importance to explain their vote so it is included in the public record.

Chairperson Simons noted the importance of Members’ attendance and participation in Subcommittees, noting if Members are unable to fulfill the requirements then they should allow other Members the opportunity to serve in the Subcommittees to address issues and conduct Subcommittee business.

Member Kerr arrived at the meeting at 6:14 p.m.,
Member Ginzton relinquished her seat as the member representing the Town of Los Altos Hills.

Member Fernandez announced that this was his last meeting as a BPAC Member representing the County of Santa Clara.

Chairperson Simons expressed his appreciation and thanked Member Fernandez for his dedicated work and service on the Committee.

Chairperson Simons welcomed and introduced Breene Kerr, new BPAC Member representing the Town of Los Altos Hills, to the Committee.

Introduction of Committee Members
Paul Goldstein (Alternate Ex-Officio Member) representing the Silicon Valley Bicycle Coalition; Chris Fernandez representing the County of Santa Clara; Aaron Faupell representing the City of Milpitas; Ray Cosyn representing the City of Saratoga; Richard Ruh representing the City of Monte Sereno; Jim Bell representing the City of San Jose; John Sullivan representing the City of Santa Clara; Thomas Muniz representing the City of Gilroy; Nancy Ginzton representing the Town of Los Altos Hills; Mayor Breen Kerr representing the Town of Los Altos Hills; Vice Chairperson Jerri-Ann Meyer representing the City of Mountain View; Ananth Prasad, County Senior Civil Engineer, representing Dan Collen, County of Santa Clara Roads and Airports Department
Infrastructure Development Deputy Director; Ying Smith, Transportation Planner and Staff Liaison, representing VTA; Michelle DeRobertis, Senior Transportation Planner, representing VTA; and Chairperson David Simons representing the City of Sunnyvale.

Chairperson Simons noted the importance to clarify the process when Committee Members and/or public requests information distributed to the Committee through email.

Chairperson Simons recommended the Subcommittees appoint a member as lead contact to communicate with Ying Smith, BPAC Staff Liaison, noting the Chairperson and Vice Chairperson work collaboratively with Ms. Smith on items pertaining to the Committee Agenda.

Ex-Officio Member Goldstein noted that several individuals sent their comments to the Subcommittee with the request to forward to the Committee.

Ms. Smith stated the established protocol is for Committee Members to send information to the Committee Staff Liaison to forward to VTA’s Board Secretary for distribution to the Committee.

Ms. Smith noted the importance to adhere to VTA’s established procedure and protocol regarding information distribution to VTA’s Advisory Committees.

Ms. Smith noted the public should send their comments to the Board Secretary; however, Committee and Subcommittee Members should send information to the Committee Staff Liaison to forward to VTA’s Board Secretary.

Michelle Garza, Board Assistant, clarified that the intent of VTA’s established procedure and protocol relating to information distribution to VTA’s Advisory Committees is to prevent the appearance of a “Serial Meeting”, which is a violation of the Ralph M. Brown Act.

Ms. Garza stated the public did not receive the comments distributed to the Committee and noted the importance to adhere to conduct committee business openly.

6. **BPAC Subcommittee Reports**

Chairperson Simons referenced the Bylaws Subcommittee, noting Members Bell, Wadler, and Chairperson Simons are working to schedule a meeting date.

Chairperson Simons announced the next Advisory Committee Enhancement (ACE) Subcommittee meeting is scheduled towards the end of the year.

Member Wadler arrived at the meeting and took his seat at 6:34 p.m.

**On order of Chairperson Simons** and there being no objection, the Committee received the BPAC Subcommittee Reports.

**CONSENT AGENDA**

7. **Regular Meeting Minutes of May 12, 2010**

Ex-Officio Member Goldstein referenced Page 3 of 7, Paragraph 1, Sentences 3 and 5, and queried about the Special Events Ordinance comments made by Sylvia Gallegos, Deputy County Executive/Acting Director, Santa Clara Valley Health and Hospital System (SCVHHHS).

Chairperson Simons request staff review the Special Events Ordinance Section of the May 12, 2010 BPAC meeting recording for clarification.
Member Bell noted a correction under Adjournment, noting Chairperson Simons was absent and Vice Chairperson Meyer adjourned the May 12, 2010 BPAC Meeting.

**M/S/C (Bell/Muniz)** on a vote of 9 Ayes to 2 Abstentions to approve the Regular Meeting Minutes of May 12, 2010, as amended. Chairperson Simons and Member Fernandez abstained.

The Agenda was taken out of order.

**REGULAR AGENDA**

10. **Special Events on County Roads Ordinance**

Sylvia Gallegos, Deputy County Executive / Acting Director, Santa Clara Valley Health and Hospital System (SCVHHS) introduced Elizabeth Pianca, Santa Clara County Counsel. Ms. Gallegos expressed appreciation and thanked the former and current BPAC Subcommittee Members for their diligent work and contributions to assist with the crafting of the Special Events Ordinance.

Ms. Gallegos referenced the June 1, 2010 Special Events Ordinance Subcommittee meeting, where the Subcommittee had a productive dialogue and was able to negotiate a workable document. The latest version of the Special Events Ordinance deals with events on County roads and includes all types of events and sizes as well as a section on events that qualify as minor, major, block parties, and expressive activities.

Ms. Gallegos stated a one year sunset provision was included in the ordinance to attain experience and get a better sense to determine what works.

Chairperson Simons suggested the Committee make a motion then work together to modify the motion as needed.

Ex-Officio Member Goldstein reported on the June 1, 2010 Subcommittee meeting, noting the following changes from the previous Special Events Ordinance draft:

- Included examples of events in Section B3-145 Purpose and Intent;
- Clarified the size of a Minor Special Event in Section B3-146 Definitions;
- Eliminated several standards in Section B3-150 San Antonio Valley “Good Neighbor” Standards;
- Included a Sunset Clause in Section B3-163 Sunset, which expires July 1, 2011; and
- Clarified the Notice of the event will be posted at The Junction Bar & Grill prior to the event by the County in Section B3-150 San Antonio Valley “Good Neighbor” Standards.

Ex-Officio Member Goldstein referenced the June 1, 2010 Subcommittee meeting where Michael Murdter, Director of Santa Clara County Roads and Airports Department, commented on the proposed fees, noting the Subcommittees concern regarding the amount of the proposed fees.

Ms. Gallegos stated she will meet with Mr. Murdter regarding the proposed fees with the intent to reduce the fees relating to Minor Special Events. Ms. Gallegos stated staff is unable to commit to a specific fee level since the fees are tied to recover the labor costs to support the events.

**NOTE:** **M/S/C MEANS MOTION SECONDED AND CARRIED AND, UNLESS OTHERWISE INDICATED, THE MOTION PASSED UNANIMOUSLY.**
Ms. Pianca noted the County Board of Supervisors have not adopted the proposed fees at this time.

Upon query from Chairperson Simons, Ms. Gallegos responded there are insurance policies to purchase per event for coverage, noting there may be opportunities for smaller events to obtain insurance coverage through the County. Ms. Gallegos stated staff will provide additional information on the events that would qualify for insurance coverage through the County.

Chairperson Simons asked the Committee if they would like to consider accepting and endorsing the ordinance as is; accept and endorse the ordinance with modifications, or oppose the ordinance with a list of modifications.

Member Wadler read Ex-Officio Member Goldstein’s statement into the record: “We don’t support the current draft ordinance and find it confusing and potentially in conflict with the California Vehicle Code (CVC). We recommend that the County draft a similar ordinance to meet its stated needs; furthermore, any such ordinance, such as bicycling events, which should not require road closures and where participants are expected to conform to the CVC, should be exclusively exempt from all permitting requirements.

Vice Chairperson Meyer stated the Subcommittee worked hard to address serious issues in the original ordinance, noting the ordinance needs additional modifications to clarify some areas related to events.

Vice Chairperson Meyer recommended opposing the ordinance and focusing on additional modifications to improve the ordinance.

Chairperson Simons stressed the importance for the Committee to go through the ordinance section by section to address the areas of concern.

Member Wadler stated the ordinance will eventually be forwarded to the County Board of Supervisors for consideration with or without the BPAC.

The Committee expressed concern regarding the following:

- Page 1, Section B3-145 Purpose and Intent – requests clarification and removal of the last portion of the sentence of the modification, “which may require provision of public services in response thereto;”
- Page 2, Section B3-146 Definitions – requests clarification regarding the definition of an event;
- Page 3, Section B3-147 Permits Required – requests removing the entire Subsection (a) (2) related to the requirement to obtain a special event permit;
- Page 4, Section B3-147 Permits Required, Subsection (e) – requests clarification on traverses a portion of any other jurisdiction;
- Page 5, 6, and 7, Section B3-150 San Antonio Valley “Good Neighbor” Standards – requests removing the entire Section;
- Page 10, Section B3-153 Permit Conditions – requests clarification on the last sentence, “, but need not be limited, to the following;”; and
- Page 14, Section B3-161 Fees for Permits – requests the BPAC submit a proposal related to the proposed fees to the County.
Ex-Officio Member Goldstein stated the Subcommittee worked hard to address the areas of concern in the ordinance; however, noted concern that the ordinance is still very confusing. Ex-Officio Member Goldstein stated the ordinance does not address the noticing of events or provides a clear definition of an event.

Ex-Officio Member Goldstein expressed concern that the ordinance is very confusing and difficult to determine if a permit is required.

Chairperson Simons suggested a matrix with the size of group, type of event, if permit is required, and pertinent information be added to the beginning of the ordinance for clarification.

Ex-Officio Member Goldstein suggested the following statement be added as a footnote to the matrix with the understanding that: “The California Vehicle Code (CVC) explicitly reserves the right to localities only to regulate precessions and assemblies on the road.”

Ms. Pianca stated the event categories could be defined in a matrix.

Member Ginzton expressed appreciation for the opportunity to serve and participate as a Member of the BPAC Committee. Member Ginzton congratulated and extended well wishes to newly appointed Member Kerr representing the Town of Los Altos Hills.

Member Ginzton left the meeting at 7:44 p.m. Chairperson Simons stated it appears that the consensus is to move towards opposing the ordinance and attaching a list with modifications.

Member Muniz stated the CVC would supersede the County Special Events Ordinance, noting the importance to keep in mind that it is a general ordinance that would encompass many types of events on the County roadways not only bicycle and pedestrian events.

Ex-Officio Member Goldstein noted his concern is the ordinance is confusing and the way it was written appears to create a conflict with the CVC.

Ms. Pianca stated the intent of the ordinance is to regulate events on County roads, noting the intent is not to be in conflict or inconsistent with the provisions of the CVC.

Chairperson Simons commented on the email received from Bob Mack, Publisher of Cycle California! Magazine, dated June 3, 2010 pertaining to Agenda Item #10. County Special Events Ordinance.

Member Kerr queried if a provision for public agencies having their own event could be considered exempt to avoid paying excess expenses. Ms. Gallegos responded that the request could be evaluated.

Member Kerr requested that the specific exempt provision be included in the ordinance before it is forwarded for consideration to the County Board of Supervisors.

Chairperson Simons and Member Wadler noted the importance for the BPAC to make a recommendation related to the permit fees, noting the suggested fees are excessive and need to be reviewed.

Member Muniz suggested a review of what other counties are charging and base County fees on similar permit fees. Ms. Gallegos responded the County would conduct a survey to ensure the County permit fees are in-line with other jurisdictions.

Member Wadler suggested that Section B3-150 San Antonio Valley “Good Neighbor” Standards is unnecessary and covered by the CVC and the Committee recommends that the section be removed from the ordinance.
Committee Members stated that Section B3-150 San Antonio Valley “Good Neighbor” Standards is unnecessary and has nothing to do with the ordinance. The Section adds additional complexity to an already confusing ordinance and the activities mention in the Section are already regulated under current law.

Member Wadler recommended the Committee adopt the ordinance with the following changes:

- Section B3-145 Purpose and Intent - remove the last portion of the modified sentence, “which may require provision of public services in response thereto;”
- Include a matrix that relates the size of group, type of event, event category, if permit required, and the permit requirements;
- Section B3-147 Permits Required – remove “partially traverses” in Subsection (e);
- Section B3-150 San Antonio Valley “Good Neighbor” Standards – remove the entire Section since it is unnecessary and is regulated under current law; and
- Section B3-161 Fees for Permits – recommend a survey be conducted to ensure the permit fees are in-line with other jurisdictions for events with similar impact.

Ex-Officio Member Goldstein expressed his concern, noting his opposition to support an ordinance that is confusing and does not clarify what events are regulated or require permits.

Vice Chairperson Meyer stated the Subcommittee and BPAC Members worked very hard to modify the ordinance to make improvements. Vice Chairperson Meyer concurred with Ex-Officio Member Goldstein’s comments, noting her opposition to support the ordinance at this time.

Vice Chairperson Meyer stressed the importance to make additional recommendations for continued improvements to the ordinance and requested the ordinance be brought back to the Committee for review and approval.

Member Wadler agreed with the comments made by his colleagues, noting the ordinance requires additional time to address the issues and concerns. Member Wadler stated if the motion failed then the Committee should continue to work on the ordinance to address the issues and concerns.

Member Muniz referenced Section B3-163 Sunset Clause, noting the opportunity in the future for the Committee to further review and modify the ordinance.

M/S/F (Wadler/Muniz) on a vote of 7 Ayes to 3 Noes to adopt the ordinance with the following changes:

- Section B3-145 Purpose and Intent - remove the last portion of the modified sentence, “which may require provision of public services in response thereto;”
- Include a matrix that relates the size of group, type of event, event category, if permit required, and the permit requirements;
- Section B3-147 Permits Required – remove “partially traverses” in Subsection (e);
- Section B3-150 San Antonio Valley “Good Neighbor” Standards – remove the entire Section since it is unnecessary and is regulated under current law; and
- Section B3-161 Fees for Permits – recommend a survey be conducted to ensure the permit fees are in-line with other jurisdictions for events with similar impact.

NOTE: M/S/F MEANS MOTION SECONDED AND FAILED.
M/S/C (Wadler/Muniz) to recommend the County work with the Subcommittee to bring back a full working draft of the Special Events Ordinance item with the changes to a BPAC meeting at the Counties earliest convenience.

Chairperson Simons expressed appreciation and thanked Ms. Gallegos and Ms. Pianca for their attendance and participation.

8. **Pedestrian Adaptive Signal Timing (County Item)**

Ananth Prasad, County Senior Civil Engineer, commented on the Pedestrian Adaptive Signal Timing demonstration project, which was conducted last year and sponsored by the State of California Office of Traffic Safety (OTS).


Mr. Prasad stated the intent of the Pedestrian Adaptive Signal Timing Project is to provide pedestrians with the necessary time extension in order for them to safely cross the intersections. The Signal Timing Sensors can be adjusted to extend the pedestrian crossing time only when necessary.

Mr. Prasad stated the next steps are to seek funding to implement the project at other county expressways and intersections, noting the signal timing sensors are an improvement and add to the operating and maintenance costs. Therefore, not all traffic controllers support the Pedestrian Adaptive Signal Timing feature.

On order of Chairperson Simons and there being no objection, the Committee received the Pedestrian Adaptive Signal Timing (County Item).

9. **Bike Share Pilot Program Update and BPAC Participation**

Michelle DeRobertis, Senior Transportation Planner, distributed copies to the Committee regarding the Bike Share Pilot Program.

Ms. DeRobertis reported the following: 1) At the May 12th BPAC meeting the Committee voted 8 to 2 (motion failed) to accept the final report of the Bike Sharing Pilot Study; 2) The Bike Sharing Pilot Study was presented and accepted at the May 13th Technical Advisory Committee (TAC) and May 21st Congestion Management Program and Planning (CMPP) meetings. The Board approved the item at its June 3, 2010 Board of Directors Regular Meeting; and 3) At the May BPAC meeting there was extensive discussion on the meaning to “accept the report”; therefore, VTA Legal Counsel advises that the action to “accept the report” simply means to “receive the report.”

Ms. DeRobertis stated staff recognizes that the BPAC may benefit from being directly involved in the development of the pilot program; therefore, staff would like to offer several options to the BPAC for additional involvement:

- Invite BPAC to appoint a Committee Member to the Bike Share Project Working Group to provide direct input to VTA staff and serve as the liaison between the two groups;
- Place Bike Share Project as a recurring item under Committee Staff Report so the Committee has the opportunity to provide input on a regular basis on the project development efforts; and
- Meet with Committee Members individually to answer specific questions.
Ying Smith, Transportation Planning Manager and Staff Liaison, suggested the Committee consider the additional involvement options or provide other suggestions to work with the development of the pilot program.

Ms. Smith stated the working group is comprised of staff members from the cities of San Jose, Mountain View, Palo Alto, as well as staff from San Jose State University and Stanford University, and Silicon Valley Bicycle Coalition (SVBC) and Caltrans.

Member Bell tentatively volunteered to serve on the working group. Ms. DeRobertis noted the working group generally meets the first Tuesday of the month from 3:30 p.m. to 5:00 p.m. The next scheduled meeting is Tuesday, June 22, 2010 at 3:30 p.m.

**On order of Chairperson Simons** and there being no objection, the Committee received the Bike Share Pilot Program Update and BPAC Participation Report.

**OTHER**

11. **Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) Report**

   Member Wadler reported on the ACE Subcommittee’s recommendation to schedule a joint meeting with VTA’s Advisory Committees.

   **On order of Chairperson Simons** and there being no objection, the Committee received the CAC and CWC Reports.

12. **Local Jurisdiction Project Review Section**

   **On order of Chairperson Simons** and there being no objection, the Committee deferred the Local Jurisdiction Project Review Section to the July 7, 2010 BPAC meeting.

13. **BPAC Work Plan**

   **On order of Chairperson Simons** and there being no objection, the Committee reviewed the BPAC Work plan.

14. **ANNOUNCEMENTS**

   Ms. DeRobertis announced the Stanford University Medical Center Environmental Impact Report (EIR) is out for public review and comment.

   Chairperson Simons stressed the importance for BPAC Members to set a goal to have bicycle and pedestrian issues reviewed by their city council and to bring the information back to the BPAC Members.

   Member Ruh advised the Members to be careful if cycling in the City of Saratoga near Big Basin Way and the Villages during the month of June.

   Member Muniz noted an application submitted in the City of Gilroy for construction of a large industrial commercial retail project.

   Member Kerr commented on a project identified at Page Mill Road, noting funding has been approved for pedestrian and bicycle improvements; however, noted concern related to a choke point near Page Mill Road west of Interstate 280, which is a safety issue for bicyclist in the area.

   Upon query from Vice Chairperson Meyer, Member Kerr responded the Town of Los Altos Hills has set up bicycle related traffic signs on public roads to address safety issues and concerns, noting the traffic signs are part of a new safety program.
Member Wadler commented on construction work in the downtown area in Campbell.
Chairperson Simons expressed appreciation for the aesthetic design work on the pavers constructed in downtown Sunnyvale.

15. ADJOURNMENT
On order of Chairperson Simons and there being no objection, the Committee meeting was adjourned at 9:23 p.m.

Respectfully submitted,

Michelle M. Garza, Board Assistant
VTA Office of the Board Secretary
BICYCLE & PEDESTRIAN ADVISORY COMMITTEE

Wednesday, July 7, 2010

MINUTES

CALL TO ORDER

The Regular Meeting of the Valley Transportation Authority (VTA) Bicycle and Pedestrian Advisory Committee (BPAC) was called to order at 6:03 p.m. by Chairperson Simons in the Conference Room B104, VTA, 3331 North First Street, San Jose, California.

1. ROLL CALL

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jim Bell</td>
<td>City of San Jose</td>
<td>Present</td>
</tr>
<tr>
<td>Ray Cosyn</td>
<td>City of Saratoga</td>
<td>Absent</td>
</tr>
<tr>
<td>Aaron Faupell</td>
<td>City of Milpitas</td>
<td>Absent</td>
</tr>
<tr>
<td>Carl Hagenmaier</td>
<td>City of Los Altos</td>
<td>Present</td>
</tr>
<tr>
<td>Breene Kerr</td>
<td>Town of Los Altos Hills</td>
<td>Present</td>
</tr>
<tr>
<td>Jerri-Ann Meyer</td>
<td>City of Mountain View</td>
<td>Present</td>
</tr>
<tr>
<td>Thomas Muniz</td>
<td>City of Gilroy</td>
<td>Present</td>
</tr>
<tr>
<td>Richard Ruh</td>
<td>City of Monte Sereno</td>
<td>Present</td>
</tr>
<tr>
<td>David Simons</td>
<td>City of Sunnyvale</td>
<td>Present</td>
</tr>
<tr>
<td>John Sullivan</td>
<td>City of Santa Clara</td>
<td>Absent</td>
</tr>
<tr>
<td>Richard Swent</td>
<td>City of Palo Alto</td>
<td>Present</td>
</tr>
<tr>
<td>Herman Wadler</td>
<td>City of Campbell</td>
<td>Present</td>
</tr>
<tr>
<td>James Wiant</td>
<td>City of Cupertino</td>
<td>Present</td>
</tr>
<tr>
<td>Erik Wilhelmsen</td>
<td>Town of Los Gatos</td>
<td>Absent</td>
</tr>
<tr>
<td>Corinne Winter</td>
<td>SVBC</td>
<td>N/A</td>
</tr>
<tr>
<td>Paul Goldstein</td>
<td>Alt Ex-Officio, SVBC</td>
<td>Present</td>
</tr>
</tbody>
</table>

A quorum was present.

2. ORDERS OF THE DAY

There were no Orders of the Day.

Member Wiant took his seat at 6:06 p.m. and a quorum was declared.

3. PUBLIC PRESENTATIONS:

John Carpenter, Interested Citizen, referred to the High Speed Rail (HSR) Alternative Analysis and expressed concern that the alternatives will negatively impact the ease of use of the Mountain View and Palo Alto Caltrain stations for bicyclists. He added the public should be made aware of all Caltrain open and public meetings.
Jim Stallman, Interested Citizen, expressed concern regarding San Jose Airport bicycle and pedestrian issues including: “No Bikes Allowed” road signs, missing sidewalks, and wrong lane lines. He expressed interest in reviewing the Transportation Impact Analysis for the Airport.

4. Committee Staff Report

- **School-based Vehicle Emissions Reduction Program**

  Celeste Fiore, Transportation Planner II, provided an overview of the draft Santa Clara County School-based Vehicle Emissions Reduction program including fund source and availability, program description and purposes, eligibility requirements, evaluation criteria and procedures, and schedule. Ms. Fiore urged Members to forward their comments and suggestions to staff.

  The Committee expressed concern regarding the following: minimum request for grant should be lowered from $500,000 to $250,000; and infrastructure improvements scoring on project readiness should be further evaluated. The Committee also expressed it will be better if there is coordination of funding.

- **Capital Program Update**

  Michelle DeRobertis, Senior Transportation Planner, reported VTA, Air District, and the Counties of San Mateo and San Francisco will submit a consolidated Bike Share Proposal to the Metropolitan Transportation Commission’s Climate Initiative Grant Program. If the proposal is accepted, VTA will be able to procure more bikes for its Bike Share Pilot Program. Ms. DeRobertis noted the next Bike Share working group meeting will be next week.

- **County Report**

  Dan Collen, Santa Clara County Roads and Airports Department, introduced Steven Levin, the upcoming Santa Clara County representative to the BPAC.

**On order of Chairperson Simons** and there being no objection, the Committee received the Committee Staff Reports.

5. **Chairperson’s Report**

The Members introduced themselves and welcomed Mr. Levin. Mr. Levin noted he served on Santa Clara County’s Roads Commission for approximately seven years.

Some Members expressed concern regarding the impacts of reduced meeting frequency at their respective city’s Bicycle Advisory Committees. Members noted the methods they have used to mitigate these impacts.

Chairperson Simons expressed interest in creating a subcommittee to participate in HSR and BART public meetings. He requested interested Members to volunteer and contact him.
6. **BPAC Subcommittee Reports**

Member Hagenmaier took his seat at 6:37 p.m.

- **Santa Clara County Special Event Ordinance Subcommittee**

  Chairperson Simons noted BPAC’s action last year that empowered the BPAC County Special Event Ordinance Subcommittee to develop a recommendation to the County.

  Alternate Ex-Officio Member Goldstein reported the Santa Clara County Board of Supervisors met on June 22, 2010 and directed staff to revisit the ordinance and bring it back for action in August 2010. Alternate Ex-Officio Member Goldstein noted the main issues are: the Special Event Ordinance’s language is confusing; it in effect regulates traffic as well as events; and there is no definition of “special event”. Since then, at the request of the County, the subcommittee edited the document the County provided including a definition of “special event” that is consistent with the vehicle code. A copy of the subcommittee report and corrected draft ordinance were e-mailed to the Members and are available at the table. Alternate Ex-Officio Member Goldstein urged Members to forward their comments to the subcommittee upon their review of the subcommittee report and draft ordinance. He added there is great concern that if the originally written ordinance is passed, it will be a precedent for other cities or counties.

- **BPAC Bylaws Subcommittee**

  Member Bell noted new BPAC Members should be given orientation to help them better understand the roles and responsibilities of BPAC. He solicited input from Members and requested them to send him e-mail regarding their suggested corrections to the BPAC Bylaws. Other Members expressed the following concerns regarding the BPAC bylaws: Article V, Section 5.4 Quorum, Vote, and Committee of the Whole; and changing the time or date of the meeting.

  **On order of Chairperson Simons** and there being no objection, the Committee received the BPAC Subcommittee Reports.

**CONSENT AGENDA**

7. **Regular Meeting Minutes of June 9, 2010**

  M/S/C (Wadler/Bell) approve the Regular Meeting Minutes of June 9, 2010.

  Upon inquiry of Vice Chairperson Meyer, Elaine Baltao, Board Assistant, responded that staff reviewed the recording of the May 12, 2010 meeting and determined that the minutes accurately reflected what was said. The recording was also sent to the County for their review and staff has not received any feedback from the County to date.

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

8. **2010 CMA Block Grant Awards**

Ms. Fiore provided an overview of the staff report. Ms. DeRobertis noted any project which receives Congestion Mitigation and Air Quality (CMAQ) monies must keep the trails open 24 hours.

Ms. DeRobertis noted some Counties (e.g. Sonoma) assume responsibility for the operation of all bike paths in the County and they are open 24/7. Members asked if that could be done in Santa Clara County as well. Members noted trail operation hours is an important issue in Santa Clara County as each city has different set of rules, hence different operating hours. It was suggested there should be discussion with city staff who is applying for this grant funding. This will determine the existing rules and develop ways on how to initiate a policy review which could lead to opening trails 24/7.

M/S/C (Swent/Wadler) to recommend the 2010 CMA Block Grant program of projects that includes the Local Streets and Roads Program, Community Design and Transportation Program, and Bicycle Expenditure Program and forward to the VTA Board of Directors for approval.

OTHER

9. **Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) Report**

There was no CAC/CWC Report.

10. **Local Jurisdiction Project Review Section**

Member Bell referred to the San Fernando Bike Project and noted the draft design will be reviewed in August 2010.

Alternate Ex-Officio Goldstein reported Stanford University Hospital is asking for a major expansion which will include mitigation for congestion management, transit programs, parking programs, and bicycle undercrossing at Caltrain.

Vice Chairperson Meyer referred to Mountain View’s BPAC discussion about the operating hours of the Stevens Creek and Permanente Creek Trail extensions. She noted their Committee was informed by the Mountain View City staff that these trails (including the bridge on both trails) are to be operated during park operating hours only as specified in the Mountain View Municipal Code. She solicited help from other Members as to how to approach this issue.

Member Muniz announced the Gilroy Bicycle Pedestrian Commission conditioned a large commercial project across Gilroy Foods plant to support bicycle and pedestrian accommodations. He stated the Police Department can also condition a project for safety reasons.
Member Kerr solicited ideas or suggestions on how to improve the condition of the 280/Page Mill Road/ Arastradero Road for bicyclists.

11. **BPAC Work Plan**

Ms. DeRobertis briefly discussed the following future agenda items: Bike Share Implementation Plan; and Update of Bike Technical Guidelines. Ms. DeRobertis also noted the Committee of Transit Accessibility’s (CTA) request to hold a joint presentation/meeting.

**On order of Chairperson Simons** and there being no objection, the Committee reviewed the BPAC Work plan.

12. **ANNOUNCEMENTS**

Vice Chairperson Meyer noted Mountain View residents are pleased to have the Bus Line #34 stop at the senior center beginning July 12, 2010.

Member Muniz invited everyone to the Gilroy Garlic Festival.

Member Swent announced the second phase of the Charleston/Arastradero Corridor project will commence this summer.

Member Wiant reported the Cupertino City Council directed the city’s Public Works Department last May 2010 to apply for Bicycle Friendly Community. He added the City of Cupertino released the Bicycle Transportation Plan to the public.

Member Wadler reported about 90 percent of City of Campbell’s stoplights have countdown timers, except for those on railroad tracks.

Alternate Ex-Officio Goldstein reported Palo Alto had one response for their Bike and Pedestrian Plan Request for Proposal. Once approved, the work will begin in the next few months.

Chairperson Simons announced there were major changes in the Sunnyvale BPAC as many of its members were termed out.

13. **ADJOURNMENT**

**On order of Chairperson Simons** and there being no objection, the Committee meeting was adjourned at 7:56 p.m.

Respectfully submitted,

Elaine F. Baltao, Board Assistant
VTA Office of the Board Secretary
NOTICE OF CANCELLATION

NOTICE IS HEREBY GIVEN that the Santa Clara Valley Transportation Authority Technical Advisory Committee meeting scheduled for Thursday, June 10, 2010, at 1:30 p.m. has been cancelled.

The next regular meeting of the Santa Clara Valley Transportation Authority Technical Advisory Committee is scheduled for Thursday, July 8, 2010, at 1:30 p.m. in Room B-104, Valley Transportation Authority (VTA), 3331 North First Street, San Jose, California.

Tracene Y. Crenshaw, Board Assistant  
VTA Board of Directors
TECHNICAL ADVISORY COMMITTEE
Thursday, July 8, 2010

MINUTES

CALL TO ORDER

The Regular Meeting of the Technical Advisory Committee (TAC) was called to order at 1:33 p.m. by Chairperson Batra in Conference Room B-104, Valley Transportation Authority (VTA), 3331 North First Street, San Jose, California.

1. ROLL CALL

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Representing</th>
<th>Status</th>
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</thead>
<tbody>
<tr>
<td>Greg Armendariz</td>
<td>City of Milpitas</td>
<td>Present</td>
</tr>
<tr>
<td>Rajeev Batra, Chairperson</td>
<td>City of Santa Clara</td>
<td>Present</td>
</tr>
<tr>
<td>John Cherbone</td>
<td>City of Saratoga</td>
<td>Present</td>
</tr>
<tr>
<td>Richard Chiu</td>
<td>Town of Los Altos Hills</td>
<td>Absent</td>
</tr>
<tr>
<td>Dan Collen, Alternate</td>
<td>County of Santa Clara</td>
<td>Present</td>
</tr>
<tr>
<td>Don Dey</td>
<td>City of Gilroy</td>
<td>Present</td>
</tr>
<tr>
<td>Sylvia Fung, Alt. Ex-Officio</td>
<td>Dept. of Transportation (Caltrans)</td>
<td>Absent</td>
</tr>
<tr>
<td>Glenn Goepfert</td>
<td>City of Cupertino</td>
<td>Absent</td>
</tr>
<tr>
<td>Heba El-Guendy, Alternate</td>
<td>City of Sunnyvale</td>
<td>Present</td>
</tr>
<tr>
<td>Robert Kass</td>
<td>City of Campbell</td>
<td>Present</td>
</tr>
<tr>
<td>Helen Kim</td>
<td>City of Mountain View</td>
<td>Present</td>
</tr>
<tr>
<td>Larry Lind</td>
<td>City of Los Altos</td>
<td>Present</td>
</tr>
<tr>
<td>Kevin Rohani, Alternate</td>
<td>Town of Los Gatos</td>
<td>Present</td>
</tr>
<tr>
<td>Jim Rowe, Alternate</td>
<td>City of Morgan Hill</td>
<td>Present</td>
</tr>
<tr>
<td>Mo Sharma</td>
<td>City of Monte Sereno</td>
<td>Absent</td>
</tr>
<tr>
<td>Ben Tripousis</td>
<td>City of San Jose</td>
<td>Present</td>
</tr>
<tr>
<td>Shahla Yazdy, Alternate</td>
<td>City of Palo Alto</td>
<td>Present</td>
</tr>
</tbody>
</table>

A quorum was present.

2. PUBLIC PRESENTATIONS

Member Kass took his seat at 1:34 p.m.

There were no Public Presentations.

3. ORDERS OF THE DAY

There were no Orders of the Day.
4. **Committee Staff Report**

Marcella Rensi, Transportation Planning Manager and Acting Staff Liaison, reported that the VTA Board of Directors approved the Senate Bill (SB) 83 Expenditure Plan with minor modifications at the June 3, 2010 meeting. Ms. Rensi distributed a document entitled, “The Local Transportation Investment Fund Senate Bill 83 Expenditure Plan, revised June 3, 2010,” and provided a brief overview, highlighting the modifications made under the Local Road Improvement and Repair Program category.

**On order of Chairperson Batra** and there being no objection, the Committee Staff Report was received.

5. **Chairperson’s Report**

There was no Chairperson’s Report.

6. **Reports from TAC Working Groups**

- **Capital Improvement Program (CIP)**

  Celeste Fiore, Transportation Planner II, reported on the June 22, 2010, Capital Improvement Program (CIP) Working Group meeting, highlighting: 1) Discussed the new Metropolitan Transportation Commission (MTC) Safe Routes to School Program – School-Based Vehicle Emissions Reduction Program; and 2) Discussed scoring of project list for the 2010 Congestion Management Agencies (CMA) Block Grant Program.

  Members of the Committee requested information on the School-Based Vehicle Emissions Reduction Program, so that TAC could review and provide comment. Ms. Fiore noted the information would be sent to TAC via e-mail.

- **Systems Operations and Management (SOM)**

  Eugene Maeda, Senior Transportation Planner, reported on the June 23, 2010, Systems Operations and Management (SOM) Working Group meeting, highlighting: 1) Discussions focused on updating and finalizing the Deficiency Plan Guidelines; and 2) Next meeting to be held on July 28, 2010.

  Alternate Member Yazdy took her seat at 1:36 p.m.
  Alternate Member El-Guendy took her seat at 1:38 p.m.

- **Land Use/Transportation Integration (LUTI)**

  Robert Swierk, Senior Transportation Planner, reported on the June 9, 2010, Land Use/Transportation Integration (LUTI) Working Group meeting, highlighting: 1) Discussed Work Plan for coming year; 2) Discussed SB 375 and Sustainable
Community Strategies; 3) Discussed the role of LUTI; 4) Received a presentation on ABAG Projections 2009; and 5) Next meeting to be held on July 14, 2010.

**On order of Chairperson Batra** and there being no objection, the reports from the TAC Working Groups were received.

7. **High Speed Rail/Caltrain Project**

Steven Fisher, Senior Transportation Planner, provided a verbal report on the High Speed Rail/Caltrain Project, highlighting 1) Distributed document entitled, “California High-Speed Train, Review of Preliminary Alternatives Analysis Report, San Francisco to San Jose Section, Report dated April 2010.” Mr. Fisher noted the document was VTA’s official response to the Peninsula Alternatives Analysis and provided an overview of VTA’s comments pertaining to the segments in the Cities of Palo Alto, Mountain View, Sunnyvale, Santa Clara, and San Jose; 2) Reported that an additional Alternatives Analysis is currently out for a 60-day comment period for the San Jose/Gilroy/Pacheco Pass segment; and 3) Noted would continue report on southern portion in August 2010.

Members of the Committee representing the Cities of Palo Alto, Mountain View, Sunnyvale, Santa Clara, and San Jose commented on their cities’ perspective pertaining to the Alternatives Analysis Report.

Alternate Member Collen took his seat at 1:59 p.m.

Members of the Committee noted that the comments on the southern portion were due by the end of July 2010, and requested that VTA staff meet jointly with the Cities of Gilroy and Morgan Hill prior to the end of July to disclose what studies have been conducted on the southern portion.

**On order of Chairperson Batra** and there being no objection, the High Speed Rail/Caltrain Project Report was received.

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

**CONSENT AGENDA**

8. **Minutes of May 13, 2010**

M/S/C (Tripousis/Rowe) to approve the Regular Meeting Minutes of May 13, 2010.

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

9. **2010 CMA Block Grant Awards**

Celeste Fiore, Transportation Planner II, provided an overview of the staff report.

**M/S/C (Dey/Kass)** to recommend the 2010 CMA Block Grant program of projects that includes the Local Streets and Roads Program, Community Design and Transportation Program, and Bicycle Expenditure Program and forward to the VTA Board of Directors for approval.


Chairperson Batra deferred the VTP Highway Program Semi-Annual Report – April 2010, to the August 12, 2010 TAC meeting.

**On order of Chairperson Batra** and there being no objection, the VTP Highway Program Semi-Annual Report – April 2010 was deferred.

11. **Ramp Metering Program “After” Studies Southbound SR 85 & SR 87**

David Kobayashi, Senior Transportation Planner, provided an overview of the staff report.

**On order of Chairperson Batra** and there being no objection, a presentation on the results of implementing ramp metering on northbound and southbound SR 87 and southbound SR 85 was received.

OTHER

12. **Metropolitan Transportation Commission (MTC) Activities and Initiatives**

Marcella Rensi, Transportation Planning Manager and Acting Staff Liaison, referenced the SB 375 implementation and noted John Ristow, Chief CMA Officer, would provide a status report at a subsequent TAC meeting.

Members of the Committee referenced the Metropolitan Transportation Commission (MTC) Regional Advisory Working Group and noted the Working Group was reviewing the first steps of developing the next Regional Transportation Plan (RTP). Members of the Committee requested that the VTA staff person serving on the Working Group provide a status report on the discussions held at the Working Group meetings.

Members of the Committee reported on the steps taken by the City of San Jose and County of Santa Clara in June 2010, to have MTC look at the possibility of providing additional representation for the South Bay on the Commission. Members of the Committee noted MTC agreed to form an Ad-Hoc Committee to address this issue, noting the first meeting would be held either on July 14, 2010 or July 28, 2010.
Alternate Member Rohani left the meeting at 2:33 p.m.

Members of the Committee commented that similar steps should be taken to address the Caltrans issues, noting the difficulty that Caltrans-District 4 has in trying to serve such a large area. Members of the Committee commented that Caltrans-District 4 should be divided to better serve the County, noting the benefits of having a local district in the County.

Members of the Committee requested the Caltrans issue be placed on the TAC Subcommittee agenda for discussion.

**On order of Chairperson Batra and there being no objection, the Committee received an update on MTC Activities and Initiatives.**

13. **Technical Advisory Committee (TAC) Subcommittee Report**

Chairperson Batra reported the TAC Subcommittee discussed items agendized at today’s TAC meeting.

**On order of Chairperson Batra and there being no objection, the Committee received the TAC Subcommittee Report.**

14. **Committee Work Plan**

**On order of Chairperson Batra and there being no objection, the Committee reviewed the Work Plan.**

15. **Announcements**

Member Dey announced the City of Gilroy Garlic Festival to be held in July 2010.

16. **ADJOURNMENT**

**On order of Chairperson Batra and there being no objection, the meeting was adjourned at 2:37 p.m.**

Respectfully submitted,

Tracene Y. Crenshaw, Board Assistant
VTA Office of the Board Secretary
POLICY ADVISORY COMMITTEE

Thursday, June 10, 2010

NOTICE OF CANCELLATION

NOTICE IS HEREBY GIVEN that the Santa Clara Valley Transportation Authority Policy Advisory Committee meeting scheduled for Thursday, June 10, 2010 at 4:00 p.m. has been cancelled.

Menominee L. McCarter, Board Assistant
VTA, Office of the Board Secretary
POLICY ADVISORY COMMITTEE

Thursday, July 8, 2010

NOTICE OF CANCELLATION

NOTICE IS HEREBY GIVEN that the Santa Clara Valley Transportation Authority Policy Advisory Committee meeting scheduled for Thursday, July 8, 2010 at 4:00 p.m. has been cancelled.

The next scheduled meeting is Thursday, August 12, 2010 at 4:00 p.m. held at VTA River Oaks Campus, Conference Room B-104, 3331 North First Street, San Jose, California.

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