BOARD OF DIRECTORS MEETING

Thursday, January 7, 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

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 can be found on the Web at: www.vta.org

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

1. ADMINISTER OATHS OF OFFICE to newly appointed Board Members.
2. ROLL CALL
3. RECESS TO CLOSED SESSION
   A. Existing Litigation - Conference with Legal Counsel
      [Government Code Section 54956.9(a)]
      Name of Case: Tarik Isani v. Santa Clara Valley Transportation Authority
      [Santa Clara Superior Court Case No. 1-08-CV-115577]

RECONVENE TO OPEN SESSION

4. CLOSED SESSION REPORT
5. ORDERS OF THE DAY
6. REPORT FROM THE NOMINATING COMMITTEE.
8. AWARDS AND COMMENDATIONS
   A. Employees of the Month for December 2009 and January 2010
      Recognize Norma Kwan, Programmer Analyst III, River Oaks Administration; Jill Peterson, Coach Operator, Cerone Division; and Mike Crotts, Transit Mechanic, Cerone Maintenance Division, as Employees of the Month for December 2009.
      Recognize Everley Tejamo, Programmer Analyst II, River Oaks Administration; Tom Milanowski, Light Rail Dispatcher, Guadalupe Operations; Jay Operario, Service Mechanic, North Maintenance Division, as Employees of the Month for January 2010; and Dawn Wright, Office Support Supervisor, Cerone Division, as Supervisor of the Quarter for the First Quarter of 2010.
   B. Resolution for Retiring VTA Employee Doug Willis
   C. Resolution for Retiring VTA Employee Sally Massen
9. PUBLIC PRESENTATIONS
   This portion of the meeting is reserved for persons desiring to address the Board of Directors on any item within the Boards 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.
10. REPORT FROM THE GENERAL MANAGER (Verbal Report)

11. REPORT FROM THE CHAIRPERSON (Verbal Report)
   A. Approve Appointments to Board Standing Committees and Joint Powers Boards and Regional Commissions for 2010.
   B. Approve Appointments to Ad-Hoc Fiscal Recovery Committee.


CONSENT AGENDA


15. ACTION ITEM - Ratify the nomination of Bruce Liedstrand to the Citizens Advisory Committee, representing the North County Cities.

16. ACTION ITEM - Ratify the following new appointment and re-appointments to the Bicycle & Pedestrian Advisory Committee to a six-month term commencing January 2010 and ending June 30, 2010.

New Appointment
   • Ray Cosyn, City of Saratoga

Re-appointment
   • Thomas Muniz, City of Gilroy
   • John Sullivan, City of Santa Clara
   • Richard Swent, City of Palo Alto

17. ACTION ITEM – 1) Authorize the General Manager to execute master utility relocation agreements with utility owners in order to support the Silicon Valley Berryessa Extension Project (SVBX). These utilities include PG&E, San Jose Water Company, Santa Clara Valley Water District, Milpitas Public Works, Verizon, Air Products, Comcast, AT&T, and others. These agreements may include provisions for design and construction of utility relocation (e.g. determination of percentage cost share liability), but authorization for expenditure commitment is limited to design only; and further; 2) Authorize the General Manager’s expenditure commitment authority for SVBX utility relocation advanced design in an amount not to exceed $8.4 million for both preliminary and advanced design effort.

18. ACTION ITEM - Authorize the General Manager to execute a contract with Van Scoyoc Associates for federal advocacy consultant services for a period of three years in the amount of $456,000. The term of the contract would be from January 1, 2010, to December 31, 2012. The fixed monthly retainer for this contract would be $12,500 for the first two years and $13,000 for the third year. Further authorize the General Manager, at his discretion, to extend this contract after December 31, 2012, for two additional one-year periods at a fixed retainer rate to be negotiated.
19. **ACTION ITEM** - Recommend that the Board of Directors approve the 2010 Legislative Program for the Santa Clara Valley Transportation Authority (VTA).

20. **ACTION ITEM** - Approve the indicated modifications to the Advisory Committee Process.

**REGULAR AGENDA**

21. **ACTION ITEM** - Recommend that the VTA Board of Directors approve the following tasks relating to SB 83: 1) Authorize the expenditure of up to $30,000 to perform polling in order to determine the feasibility of placing a $10 vehicle registration fee on the ballot for residents of Santa Clara County; 2) Direct staff to develop an expenditure plan to detail the programs and projects that would be developed through the potential vehicle registration fee; and further; 3) Return to the Board in mid 2010 with the draft expenditure plan and the polling results to determine whether or not to place the vehicle registration fee on the November 2010 ballot.

22. **ACTION ITEM** - Recommend approval of the Santa Clara-Alum Rock Bus Rapid Transit Project Agreement between the City of San Jose and VTA establishing a project description and vision statement for the project.

23. **ACTION ITEM** - Adopt a resolution certifying that VTA is an eligible and responsible sponsor for the US 101/Capitol Expressway/Yerba Buena Interchange Modifications project, authorize the General Manager to submit an application for $5,000,000 of 2009 American Recovery and Reinvestment Act (ARRA) funding for this project and authorize the General Manager to execute an agreement with Caltrans as necessary to receive this grant.

24. **INFORMATION ITEM** - Receive a report on three regional land use-related initiatives: SB375, ABAG FOCUS Program, and Air District Indirect Source Rule.


**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
   B. Congestion Management Program and Planning Committee
   C. Transit Planning and Operations Committee
   D. Audit Committee
29. **REPORTS (UNAPPROVED MINUTES) FROM ADVISORY COMMITTEES**

   A. Committee for Transit Accessibility (CTA)
   B. Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC)
   C. Bicycle & Pedestrian Advisory Committee (BPAC)
   D. Technical Advisory Committee (TAC)
   E. Policy Advisory Committee (PAC)

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
   B. Silicon Valley Rapid Transit Corridor & BART Warm Springs Extension PAB
   C. Downtown East Valley PAB
   D. Highway PAB South

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 December 2009 and January 2010, and Supervisor of the Quarter

FOR INFORMATION ONLY

BACKGROUND:

December 2009 Employees of the Month:

Norma Kwan, Programmer Analyst III in the Information Technology department at River Oaks, is the Administration Award Winner for December. Norma has been with VTA since 1996. Coworkers view her as an excellent role model who is willing to share her expertise whenever needed. Norma has contributed greatly toward VTA’s SAP redeployment project and has devoted numerous hours of hard work in assisting other users. Norma’s success with this program, and her high level of professionalism uphold VTA’s values of Quality and Accountability, and set a great example for her fellow employees. Congratulations to Norma Kwan, Administration Employee of the Month for December!

Jill Peterson, Coach Operator at Cerone Division, is December’s Operations Award Winner. Jill consistently exceeds the high standards of her job. Recognized by her supervisors for her teamwork and positive attitude, Jill helps make VTA a better place to work. Her fellow Operators note that Jill willingly shares her knowledge of VTA routes and procedures, and is especially helpful to new Coach Operators as they learn their way around the valley. As a dedicated employee of VTA for over 8 years, Jill is always willing to go the extra mile to provide outstanding service to the public and is very deserving of this award. Congratulations to Jill Peterson, Operations Employee of the Month for December!

Mike Crotts, Transit Mechanic at Cerone Division, is our Maintenance Employee of the Month for December. Mike has been with VTA since 1999. In his current assignment as a Transit Mechanic at Cerone’s Overhaul & Repair facility, Mike performs skilled mechanical work to diagnose, maintain, repair and test VTA buses and support vehicles. Mike’s coworkers observe that he is a hardworking mechanic who does whatever is needed to ensure that the buses are
maintained in excellent condition. Noted by his supervisors as a dedicated employee with a positive attitude and strong work ethic, Mike sets a great example for his fellow mechanics. Congratulations to Mike Crotts, Maintenance Employee of the Month for December!

January 2010 Employees of the Month and Supervisor of the Quarter:

Everley Tejamo, Programmer Analyst II in the Information Technology Department at River Oaks, is January’s Administration Employee of the Month. An employee of VTA for over 10 years, Everley is a valuable contributor to her Division. She was instrumental in the successful completion of several vital projects including VTA’s Interactive Voice Response (IVR) System upgrade that assists over 70,000 VTA customers per month in receiving accurate and timely route information. Everley’s attention to detail and high level of professionalism are outstanding, and support VTA’s values of Quality and Integrity. Congratulations to Everley Tejamo, Administration Employee of the Month for January!

Tom Milanowski, Guadalupe Division Light Rail Dispatcher, is our January Operations Award Winner. Tom has been with VTA for over 28 years. In his current position, Tom assigns vehicles and dispatches light rail operators as scheduled. Tom is a very skilled Dispatcher who uses his knowledge and creativity to ensure that all Operator shifts are covered each day. His supervisors note that Tom consistently and effectively solves problems while ensuring that Light Rail Operators stay on schedule and provide reliable service to the public. With his outstanding job performance and positive attitude, Tom is an asset to his Division and is very deserving of this award. Congratulations to Tom Milanowski, Operations Employee of the Month for January!

Jay Operario, Service Mechanic at North Division, is our Maintenance Employee of the Month for January. Jay has been with VTA since 2001. In his current assignment as a Service Mechanic, Jay performs repairs, inspections and lubrication of VTA buses and assists with more difficult mechanical work. By helping to resolve mechanical problems as they arise, Jay demonstrates his genuine interest in helping VTA provide consistent, reliable service to the public. Recognized by his supervisors for being a quick learner and seeking out challenging assignments, Jay upholds VTA’s high standards for quality work, and sets a great example for his coworkers. Congratulations to Jay Operario, Maintenance Employee of the Month for January!

Dawn Wright, Office Support Supervisor, Cerone Division, is our Supervisor of the Quarter for the first quarter of 2010. Dawn has been with VTA for over 10 years. As an Office Support Supervisor, Dawn is responsible for supervising and coordinating the daily functions of the operations administration office for the Cerone Division. Dawn’s employees appreciate her approachable demeanor, her patience and helpfulness in answering questions, and her genuine concern and respect when working with them. Dawn is considered a key member of her Division, and is viewed by her management as an effective supervisor who operates with a high degree of professionalism. With her commitment to excellence, Dawn is a valued Supervisor and is clearly an asset to VTA. Congratulations to Dawn Wright, Supervisor of the Quarter!

Prepared By: Mitsuno Baurmeister
Memo No. 2435
RESOLUTION

ACTION ITEM

RECOMMENDATION:

Adopt a resolution recognizing Douglas Willis, Assistant Superintendent of Field Operations, for 38 years of service.

BACKGROUND:

Douglas Willis, Badge 772 has provided outstanding public service in several positions throughout his distinguished 38 year career with VTA.

DISCUSSION:

Doug's career began with the Santa Clara County in 1971 as a Gas Station Attendant for the Social Services and Sheriff’s Department. In 1972 he moved to Valley Medical Center as a Janitor. In 1974 promoted to be an Institutional Driver, picking up passengers and bringing them to and from appointments as well as making medical deliveries. It was the forerunner of our current ADA paratransit service.

In 1978 he took the position of Coach Operator and in 1986 was promoted to the position of Transportation Supervisor. As a Transportation Supervisor he was utilized to work out of class as a Superintendent. His excellent service and dedication continued with his rise on the promotional ladder to his most recent position as the Assistant Superintendent of Field Operations, a position he has held since 2006.
Doug's work ethic, dependability and profound background knowledge of VTA has made him an exemplary employee and role model for staff. He is highly respected by all who know and work with him; police, fire, and other emergency response personnel, during emergencies at VTA, in his role as VTA’s Incident Commander. Doug will be remembered for his expertise as well as his keen knowledge, which will be missed as he begins a new chapter in his life.

Congratulations to Doug Willis.

**ALTERNATIVES:**

N/A

**FISCAL IMPACT:**

N/A

Prepared by: Steve Johnstone
Memo No. 2432
RESOLUTION OF COMMENDATION
BY THE BOARD OF DIRECTORS
OF THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY
GIVING SPECIAL TRIBUTE, DUE HONOR, AND RECOGNITION TO ASSISTANT SUPERINTENDENT OF FIELD OPERATIONS DOUG WILLIS

WHEREAS, Doug Willis retired from Santa Clara Valley Transportation Authority (VTA) on December 30, 2009 after 38 years of distinguished public service; and,

WHEREAS, Doug Willis began his career with the County of Santa Clara as a gas station attendant for the Social Services and Sheriff’s Department, he moved to Valley Medical Center as a janitor and then promoted to an Institutional Driver. Doug moved to the Transit District where he took the position of Coach Operator and then promoted to Transportation Supervisor. His excellent service and dedication continued with his rise on the promotion ladder to his most recent position as the Assistant Superintendent of Field Operations, a position he has held since 2006; and,

WHEREAS, Doug Willis as an employee of VTA, had a strong work ethic, was dependable, and had a profound background knowledge of VTA that altogether made him an exemplary employee and role model for staff”; and

WHEREAS, Doug Willis is highly respected by all who know and have worked with him particularly police, fire and other emergency response personnel, during emergencies at VTA, in his role as VTA’s Incident Commander.

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

PASS AND ADOPTED by the Santa Clara Valley Transportation Board of Directors on this 7th day of January, 2010

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
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

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

SUBJECT: Resolution for retiring employee, Transportation Supervisor Sally Massen

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

Resolution

ACTION ITEM

RECOMMENDATION:

Adopt a resolution recognizing Sally Massen, Transportation Supervisor, for 33 years of service.

BACKGROUND:

Sally Massen, Badge #8306 has provided outstanding public service in several positions throughout her distinguished 33 year career with VTA.

DISCUSSION:

Sally's career began with the County Transit on August 16, 1976 as a Coach Operator. In June of 1979 she was promoted into the position of Transit Operations Supervisor. In September of 1986 she was picked to be on the original team of employees working on and bringing to Santa Clara County our current Light Rail System. After that she worked as a special projects employee with several Light Rail Projects including assignments as Track Allocation Coordinator, Light Rail Controller Trainer and Lead on the Tasman West start-up team.

She has become an expert on Light Rail Accident Investigation Training, as well as accident investigation techniques and safety. Sally trains VTA Transportation Supervisors and Supervisors from other transit systems across the country via the Transportation Safety Institute (TSI).

Sally's work ethic, dependability and profound background knowledge of VTA bus and light rail operations has made her an exemplary employee and role model for staff. She is highly respected by all who know and work with her. Sally will be remembered for her expertise as well as her
keen knowledge, which will be missed as she begins a new chapter in his life.

Congratulations to Sally Massen.

**ALTERNATIVES:**

N/A

**FISCAL IMPACT:**

N/A

Prepared by: Steve Johnstone
Memo No. 2433
RESOLUTION OF COMMENDATION
BY THE BOARD OF DIRECTORS
OF THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY
GIVING SPECIAL TRIBUTE, DUE HONOR, AND RECOGNITION TO
TRANSPORTATION SUPERVISOR
SALLY MASSEN

WHEREAS, Sally Massen retired from Santa Clara Valley Transportation Authority (VTA) on December 30, 2009 33 years of distinguished public service; and, after

WHEREAS, Sally Massen began her career with County Transit in 1976 as a Coach Operator promoting in 1979 to a Transit Operations Supervisor.

WHEREAS Sally Massen was picked in 1986 to be on the original team of employees working on and bringing to Santa Clara County our current Light Rail System, subsequently working as a Special Projects employee on several Light Rail projects, including assignments as, Track Allocation Coordinator, Light Rail Controller Trainer, and Lead on the Tasman West start-up team; and,

WHEREAS, Sally Massen as an employee of VTA, had a strong work ethic, was dependable, and had a profound background and knowledge of VTA that made her an exemplary employee and role model for staff”; and

WHEREAS, Sally Massen became an expert on Light Rail Accident Investigation Training, as well as Accident Investigation techniques and safety. She trained VTA Transportation Supervisors and Supervisors from other transit systems across the country via the Transportation Safety Institution; and

WHEREAS, Sally Massen’s work ethic, dependability, and profound background knowledge of VTA bus and light rail operations has made her an exemplary employee and role model for staff. She was highly respected by all who know and have worked with her; and

THEREFORE, BE IT RESOLVED that the Santa Clara Valley Transportation Authority does hereby give special tribute, due honor, and recognition to Sally Massen for 33 years of dedicated public service.

PASS AND ADOPTED by the Santa Clara Valley Transportation Board of Directors on this 7th day of January, 2010.

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
Approve Appointments to Board Standing Committees and Joint Powers Boards and Regional Commissions for 2010

(Liccardo)

WILL BE FORWARDED UNDER SEPARATE COVER
Approve Appointments to Ad Hoc Fiscal Recovery Committee

(Liccardo)

WILL BE FORWARDED UNDER SEPARATE COVER
BOARD OF DIRECTORS MEETING

Thursday, December 10, 2009

MINUTES

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 9:05 a.m. in the Board of Supervisors’ Chambers, County Government Center, 70 West Hedding Street, San Jose, California.

1. ROLL CALL

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<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
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<tbody>
<tr>
<td>Nora Campos</td>
<td>Alternate Board Member</td>
<td>Absent</td>
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<tr>
<td>David Casas</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Dominic Caserta</td>
<td>Board Member</td>
<td>Absent</td>
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<tr>
<td>Dean Chu</td>
<td>Ex-Officio Board Member</td>
<td>Present</td>
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<tr>
<td>Don Gage</td>
<td>Vice Chairperson</td>
<td>Present</td>
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<tr>
<td>Rose Herrera</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Ash Kalra</td>
<td>Board Member</td>
<td>Absent</td>
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<tr>
<td>Yoriko Kishimoto</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Liz Kniss</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Sam Liccardo</td>
<td>Chairperson</td>
<td>Present</td>
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<tr>
<td>Bob Livengood</td>
<td>Alternate Board Member</td>
<td>Absent</td>
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<tr>
<td>Chris Moylan</td>
<td>Alternate Board Member</td>
<td>Absent</td>
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<tr>
<td>Chuck Page</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Nancy Pyle</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Chuck Reed</td>
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<td>Absent</td>
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<tr>
<td>Greg Sellers</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>George Shirakawa</td>
<td>Alternate Board Member</td>
<td>Absent</td>
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<tr>
<td>Ken Yeager</td>
<td>Ex-Officio Board Member</td>
<td>Absent</td>
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* Alternates do not serve unless participating as a Member.

A quorum was present.

Board Member Kishimoto took her seat at 9:06 a.m.

Chairperson Liccardo welcomed new VTA Board Member Chuck Page (formally Alternate Board Member).
2. **Election of Vice Chairperson For A Term To Expire on January 7, 2010**

Chairperson Liccardo referenced the Memorandum sent to the VTA Board of Directors from VTA General Counsel, Kevin Allmand, regarding the VTA Board Chairperson and Vice Chairperson vacancies. Chairperson Liccardo reported Dolly Sandoval’s replacement on the Cupertino City Council was sworn in the week of November 30, 2009, and thus Ms. Sandoval is no longer an elected official and cannot hold a seat on the Board of Directors per VTA’s Administrative Code. He explained that in the event the office of Chairperson is vacant, the Vice Chairperson succeeds as Chairperson for the balance of the term of office.

The office of Vice Chairperson is, therefore, vacant and Chairperson Liccardo opened nominations from the floor for the position of Board of Directors Vice Chairperson for a term to expire on January 7, 2010.

Chairperson Liccardo nominated Board Member Don Gage to fill the unexpired term of Vice Chair for 2009. He noted Board Member Gage has graciously agreed to take on the responsibility of Vice Chairperson for the term to expire January 7, 2010.

M/S/C (Pyle/Herrera) to close nominations and elect Board Member Don Gage as the Vice Chairperson for a term to expire on January 7, 2010, when the Board of Directors will elect a new slate of officers.

3. **ORDERS OF THE DAY**

Chairperson Liccardo reported given the importance of Agenda Item #28, Budget and Structural Deficit Strategies, on today’s Agenda, all action items have been placed on the Consent Agenda. He noted any item that is removed from the Consent Agenda will be placed on the January 7, 2010, Board of Directors Meeting Agenda.

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

4. **AWARDS AND COMMENDATION**

**Item #4.a. Resolution of Appreciation for Outgoing VTA Board Chairperson Dolly Sandoval**

M/S/C (Herrera/Pyle) to adopt Resolution of Appreciation No. 2009.12.30 for outgoing VTA Board Chairperson Dolly Sandoval.

**Item #4.b. Resolution of Appreciation for Outgoing VTA Board Member David Casas**

M/S/C (Herrera/Pyle) to adopt Resolution of Appreciation No. 2009.12.31 for outgoing VTA Board Member David Casas.

**NOTE:** M/S/C MEANS MOTION SECONDED AND CARRIED AND, UNLESS OTHERWISE INDICATED, THE MOTION PASSED UNANIMOUSLY.
Item #4.c. **Resolution of Appreciation for Outgoing VTA Board Member Yoriko Kishimoto**

M/S/C (Herrera/Pyle) to adopt Resolution of Appreciation No. 2009.12.32 for outgoing VTA Board Member Yoriko Kishimoto.

Item #4.d. **Resolution of Appreciation for Outgoing VTA Board Member Greg Sellers**

M/S/C (Herrera/Pyle) to adopt Resolution of Appreciation No. 2009.12.33 for outgoing VTA Board Member Greg Sellers.

Item #4.e. **Resolution of Appreciation for Outgoing VTA Board Member Dominic Caserta**

M/S/C (Herrera/Pyle) to adopt Resolution of Appreciation No. 2009.12.34 for outgoing VTA Board Member Dominic Caserta.

Vice Chairperson Gage recognized outgoing Board Member Caserta, who was not in attendance, for his exemplary service as a VTA Board Member.

Chairperson Liccardo recognized and presented a Resolution of Appreciation to outgoing Board Member Casas for his exemplary service as a VTA Board Member.

Chairperson Liccardo recognized and presented a Resolution of Appreciation to outgoing Board Member Kishimoto for her exemplary service as a VTA Board Member.

Chairperson Liccardo recognized and presented a Resolution of Appreciation to outgoing Board Member Sellers for his exemplary service as a VTA Board Member.

Chairperson Liccardo recognized and presented a Resolution of Appreciation as well as other tokens of appreciation to outgoing VTA Board Chairperson Sandoval for her exemplary service as a VTA Board Member.

Ms. Sandoval expressed her appreciation for the acknowledgement and thanked fellow Board Members. She expressed great appreciation for Michael T. Burns, General Manager, and commented that he and his team were fabulous. She commented that everyone in the organization truly cares about the mission of VTA, which is to provide effective transportation alternatives to residents within Santa Clara County and to persons traveling into the County.

Chairperson Liccardo thanked Ms. Sandoval for her many years of service and commented she was a great role model.

5. **PUBLIC PRESENTATIONS**

Tim Ranz, Interested Citizen, expressed concern regarding a VTA Bus Operator on Route #32 going eastbound on November 24, 2009. Mr. Ranz indicated the Bus Operator
passed his designated bus stop by approximately 50 feet and when he started walking towards the bus, the Bus Operator shut the door and drove away. Mr. Ranz later confronted the Bus Operator and was informed that he took too much time to get to the bus. Chairperson Liccardo noted VTA staff would address the issue.

John Vandervort, Interested Citizen, expressed concern regarding a VTA Bus Operator on Route #522 going towards Eastridge Mall on December 1, 2009, who stopped and let a couple of customers aboard and shut the door quickly. He also expressed concern about no relays being sent out when buses breakdown, buses running ahead of schedule, and being asked to provide two pieces of identification to prove he has a guide dog. Chairperson Liccardo noted VTA staff would address the issue.

Ross Signorino, Interested Citizen, commended outgoing VTA Board Chairperson Dolly Sandoval for placing “Public Presentations” back at the beginning of the Board of Directors Agenda.

Ex-Officio Board Member Chu took his seat at 9:25 a.m.

6. General Manager’s Report

Michael T. Burns, General Manager, reported the following:

- Recognized and thanked on behalf of himself and the entire VTA staff all of the outgoing Board Members for their dedicated service helping to move VTA forward.

- Thanked and expressed appreciation to Deborah Harrington, Board Secretary, who is retiring from VTA on December 18, 2009. Noted former Board Secretary Sandra Weymouth has assumed the role of Board Secretary.

- VTA systemwide ridership for the month of October 2009 decreased when compared to October 2008. Systemwide average weekday ridership decreased by 13 percent. Bus average weekday ridership decreased by 13 percent and light rail average weekday ridership decreased by 12 percent when compared to October 2008. With regard to VTA’s partners, there were also significant decreases in ridership on Dumbarton Express Bus, Caltrain, Altamont Commuter Express (ACE), and Capital Corridor. The decreases in ridership are directly related to the economy and unemployment.

- VTA will be continuing the tradition of providing free New Year’s Eve service on all buses and light rail. Special free service will be available to passengers boarding from 7:00 p.m. on New Year’s Eve through 4:00 a.m. on January 1, 2010. VTA will also offer extended service on Express Bus 180 and light rail on New Year’s Eve.

- Reported on November 30, 2009, the Federal Transit Administration (FTA) informed VTA that it was taking the necessary steps with Congress to have the BART Project re-enter the New Starts Program. VTA expects to receive a letter from FTA at the end of December 2009, formally notifying VTA that the Project will be accepted into the New Starts Program.
Kurt Evans, Governmental Affairs Manager, provided a report on Legislative activities, highlighting: 1) Current continuing Resolution expires on December 18, 2009, therefore, Congress needs to decide the faith of the outstanding FY 2010 Appropriations Bills including the one for Transportation and SAFETEA-LU by December 18th; and 2) Discussions held regarding job creation and how infrastructure would fit into a jobs bill.

Ross Signorino, Interested Citizen, expressed appreciation to Mr. Burns for providing quality leadership.

Vice Chairperson Gage requested that future Ridership Reports include the cost to VTA when ridership decreases.

7. **Chairperson’s Report**

Chairperson Liccardo thanked VTA staff for getting the BART Project back into the New Starts process. He thanked all of the outgoing Board Members for a job well done.

Ross Signorino, Interested Citizen, expressed appreciation to outgoing VTA Board Chairperson Sandoval for her accomplishments on the Mary Avenue Bicycle Bridge opening. He wished everyone Happy Holidays and good luck in the upcoming year.

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

Noel Tebo, CAC Chairperson, provided the following report about the December 9, 2009 CAC Meeting: 1) Received report on VTA’s financial condition; 2) Acknowledged CAC Member Ellen Fletcher, who has retired, for her exemplary years of service; 3) Expressed a special thanks to outgoing VTA Board Chairperson Sandoval and thanked her for attending the November 10, 2009 CAC Meeting. Also, noted Ms. Sandoval formally served on CAC; 4) Elected Charlotte Powers as the Chairperson for CAC in 2010.

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

Margaret Abe-Koga, PAC Chairperson, provided the following report about the November 12, 2009 PAC meeting: 1) Received presentation on the Proactive CMP Quarterly Report for July through September 2009; 2) Recommended that the VTA Board of Directors approve the modification to the criteria used to evaluate and select projects for the Transportation Fund for Clean Air (TFCA) Program Manager Fund and review the status of ongoing Santa Clara County TFCA projects; 3) Recommended that the VTA Board of Directors approve Memorandum of Understanding between the Council of San Benito County Governments and VTA for the SR 152 Corridor; and 4) Reviewed the Light Rail Systems Analysis Cost Benefit Overview.

Ms. Abe-Koga also thanked the outgoing VTA Board Members for a very productive year.
CONSENT AGENDA

10. **Board of Directors’ Regular Meeting Minutes of November 5, 2009**

M/S/C (Herrera/Page) to approve the Board of Directors’ Regular Meeting Minutes of November 5, 2009.

11. **2010 VTA Board of Directors Meeting Schedule**

M/S/C (Herrera/Page) to approve the 2010 VTA Board of Directors Meeting Schedule.

12. **Proactive CMP Quarterly Report for July-September 2009**

M/S/C (Herrera/Page) to receive a presentation on the Proactive CMP Quarterly Report for July through September 2009.

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

M/S/C (Herrera/Page) to receive the Programmed Projects Quarterly Monitoring Report for July-September 2009.

14. **Community Design & Transportation Program – FY 10/11 Capital Grant Award**

M/S/C (Herrera/Page) to approve the project list to program Community Design & Transportation Program Capital Grants as shown in Attachment A.

15. **2010 STIP Program**

M/S/C (Herrera/Page) to approve the 2010 STIP Program as presented by VTA staff in this memorandum.

16. **TFCA 40% Project Selection Criteria Revisions**

M/S/C (Herrera/Page) to modify the criteria used to evaluate and select projects for the Transportation Fund for Clean Air (TFCA) Program Manager fund and review the status of ongoing Santa Clara County TFCA projects.

17. **2009 Congestion Management Program**

M/S/C (Herrera/Page) to adopt the 2009 Santa Clara County Congestion Management Program (CMP).
18. Memorandum of Understanding Between Council of San Benito County Governments and Santa Clara Valley Transportation Authority for SR 152 Corridor

M/S/C (Herrera/Page) to authorize the General Manager for Santa Clara Valley Transportation Authority to execute a Memorandum of Understanding with the Council of San Benito County Governments to formalize the Mobility Partnership committee to provide direction on the development of a SR 152 Trade Corridor and a new alignment of SR 152 between SR 156 and US 101.

19. High-Speed Rail Legislation

M/S/C (Herrera/Page) to review high-speed rail bills that were introduced in the California State Legislature in 2009.

20. Committee for Transit Accessibility Appointments

M/S/C (Herrera/Page) to approve the reappointments of Emma Eljas (2010-2011), Sandra Gouveia (2010-2011), Troy Hernandez (2009-2010), Martin Lasich (2010-2011), Aaron Morrow (2009-2010), Thomas Slack (2009-2010), and Barbara Stahl (2010-2011) to the Committee for Transit Accessibility (CTA) for specified two-year terms. Each of these incumbents represents persons with disabilities.

M/S/C (Herrera/Page) to approve the appointments of Donald Hunter (2010-completing the second year of a two-year term recently vacated) and Walter Schinke (2010-completing the second year of a two-year term) to the CTA for specified terms, representing persons with disabilities.

M/S/C (Herrera/Page) to approve the reappointments of the Independence Network (2009-2010), Los Gatos Senior Center (2010-2011), Silicon Valley Independent Living Center (2009-2010), and Vista Center for the Blind & Visually Impaired (2010-2011) and the appointment of the Barbara Lee Senior Center in Milpitas (2010-2011) to the CTA for specified two-year terms.

21. BPAC Member Appointments

M/S/C (Herrera/Page) to ratify the following new appointments and reappointments to the Bicycle & Pedestrian Advisory Committee to a two-year terms starting December 2009:

New Appointment
- Erik Wilhelmsen, Town of Los Gatos
- Jim Bell, City of San Jose

Reappointment
- Corinne Winter, Silicon Valley Bicycle Coalition
- Carl Hagenmaier, City of Los Altos
22. **Fiscal Year 2010 Quarterly Statement of Revenues and Expenses for the Period Ending September 30, 2009**

M/S/C (Herrera/Page) to review and accept the Fiscal Year 2010 Quarterly Statement of Revenues and Expenses for the period ending September 30, 2009.

23. **Contract Award – Money Manager Services**

M/S/C (Herrera/Page) to authorize the General Manager to execute an agreement with UBS Global Asset Management for the management of the US Core Real Estate portfolio portion of SCVTA - ATU Pension Plan assets.

24. **Transit Advertising – Contract Award to Lamar Corporation**

M/S/C (Herrera/Page) to authorize the General Manager to execute a contract with Lamar Corporation to sell, display and manage the advertising program on VTA Bus and Light Rail Vehicles for a three-year term beginning on January 1, 2010 through December 31, 2012, with an option for VTA to extend the contract for two additional one-year periods for 2013 and 2014.

25. **Caltrain Safety Improvements – JPB Crossings Contract Award**

M/S/C (Herrera/Page) to authorize the General Manager to execute a contract with Shimmick Transit, the lowest responsible bidder, in an amount of $5,833,770 for the construction of the Caltrain Safety Improvements - JPB Crossings. This contract is 100% Measure A funded.


M/S/C (Herrera/Page) to receive the September 2009 Facilities Projects Semi-annual Report.

27. **Governance Amendment to JPA**

M/S/C (Herrera/Page) to approve the attached Resolution No. 2009.12.35 to amend the Joint Powers Agreement for the Administration of the Santa Clara County Congestion Management Program dated December 1, 1994 (JPA), and direct staff to forward the amendment to each member agency and the County of Santa Clara for their approval.

**REGULAR AGENDA**

28. **Budget and Structural Deficit Strategies**

Michael T. Burns, General Manager, directed attention to the presentation entitled, “Budget and Structural Deficit Strategies,” that advances staff-developed strategies to address VTA’s Budget and Structural Deficit. Mr. Burns stated VTA is facing short term and long term issues; the short term issue is confined to VTA’s approved FY 2010 and
FY 2011 Biennial Budget, and the long term issue is looking at VTA’s structural problem and identifying viable funding solutions.

Mr. Burns stated VTA’s fundamental dilemma is VTA’s recurring expenses exceed available revenues to support operations, noting staff is constantly looking at one-time revenues and cost-savings to address VTA’s budget shortfall, which is no longer sustainable.

Mr. Burns highlighted VTA’s three basic guiding principles: 1) preserve service, 2) continue investment in VTA’s infrastructure, and 3) save jobs, noting VTA will increase position vacancy rates as well as achieve savings through attrition, while implementing a strict hiring freeze.


Mr. Burns directed attention to VTA’s FY 09 Projected Budget, FY 10 and FY 11 Adopted Budgets that assumed the use of VTA’s operating reserves to cover the deficits and balance the budgets. He noted it was expected the result of using VTA’s operating reserves would leave VTA with an operating reserve of $20 million at the end of FY 11, which would have been used as a base as the Organization moved forward.

Mr. Burns stated the actual third and fourth quarter sales tax receipts were significantly lower than anticipated, noting VTA’s budget assumptions were based on sales tax revenue projections that estimated third quarter sales tax receipts to be down eight percent but actual receipts were down 21 percent; and fourth quarter estimates were to be down five percent but actually were down 27 percent. He stated the impact on VTA’s Budget for FY 09 was $22 million, adding the lower base sales tax related revenues and updated projections for FY 10 and FY 11 result in a projected loss of revenue of $80 million.

Mr. Burns reported as a result of the significantly lower sales tax revenues, VTA needs to utilize additional operating reserves to balance the budget for FY 09. The sales tax revenue decline creates a much larger deficit for FY 10 and FY 11, and VTA will totally exhaust operating reserves in FY 10 with a $2 million deficit; FY 11 is estimated to have a deficit of $50 million.

VTA’s adopted FY 10 and FY 11 Biennial Budget assumed to have a $28 million deficit but with revised projections for sales tax revenues within the next two years indicate an additional projected deficit of $70 million for a total deficit of $98 million.

Mr. Burns noted the adopted FY 10 and FY 11 Biennial Budget included realigned Paratransit service coverage consistent with fixed route service, a fare increase effective
January 1, 2010, that was accelerated to October 1, 2009; January 1, 2010 Service Reductions; labor furloughs; wage freezes; non-labor reductions; and use of operating reserves to fund the $28 million budget deficit.

The proposed process to address VTA’s budget deficit is to determine near-term strategies to address FY 10 and FY 11 concerns and utilize the strategies as a bridge to develop long-term strategies, thus the recommendation to form an Ad Hoc Committee that will focus on solutions to address VTA’s structural problems.

Mr. Burns referred to the three guiding principles for the proposed process, noting the intent is to minimize service reductions and fare increases, preserve jobs to the greatest extent possible, limit reliability on one-time revenues as a long-term solution to VTA’s structural deficit, include both expense reduction and revenue generation strategies, and continue to invest in VTA’s capital infrastructure.

Mr. Burns noted that VTA has not received the actual sales tax receipts for FY 10; therefore, it is important to keep in mind that it may be necessary to continue to look at several strategies as the organization moves forward.

The goal is to identify internal operational efficiencies and savings by conducting divisional assessments within the organization that will determine additional decreases to VTA’s non-labor budget. Mr. Burns recognized OUTREACH Paratransit Services for working collaboratively with VTA to realize significant contracted service efficiencies and savings.

Staff expects a total savings of $15 million over the two-year period due to the savings from the internal and contracted services efficiencies; therefore, staff’s recommendation is to reduce appropriation for VTA’s Transit Enterprise Fund Operating Budget in the amount of $15 million for FY 10 and FY 11.

Mr. Burns referenced the California Air Resources Board (CARB) 15 percent zero emission requirement pertaining to the purchase of any buses in 2012, noting CARB has recognized that this not an achievable objective and has relaxed the requirement. Staff is now able to align the purchase of the hybrid buses with the project and move the authorization of the purchase into 2012 and 2013. Therefore, staff recommends the Board of Directors reduce appropriation in the Measure A Transit Improvement Program Budget for the procurement of the 40 articulated hybrid diesel electric buses by $25 million from $43.25 million and increase VTA’s Operating Assistance. He noted this will not have an adverse affect on the project timeline.

Mr. Burns stated staff expects to accumulate $40 million for operating assistance from the combination of internal and contracted services efficiencies along with the $25 million deferred from the Measure A Transit Improvement Program capital projects, leaving an additional $30 million budget deficit.

Mr. Burns referenced the California Transit Association (CTA) lawsuit regarding the State Transit Assistance (STA) funding, noting negotiation discussions are underway with the State to restore past funding. Mr. Burns noted that there may be additional funding opportunities for VTA from federal sources.
Mr. Burns stated the economical constraints and challenges are not only impacting VTA but other transit agencies as well, as this is an industry problem. Mr. Burns continued VTA is in a better situation than other transit agencies due to its revenue sources.

Staff will provide monthly updates on VTA’s budget status as the organization moves forward to reduce the $30 million deficit, stating it may be necessary to utilize several options to assist with the current financial situation, such as service modifications, reduction in workforce, and Debt Reduction Fund transfer.

Mr. Burns referenced the proposed Financial Stability Ad Hoc Committee, stating the goal is to work with several stakeholders to identify and develop long term strategies and recommendations to address VTA’s structural deficit. VTA’s Ad Hoc Committee will identify and develop strategies to address difficult subjects, such as benefit modifications, Regional transit partnership options to determine better ways to provide the regional services, revenue stability measures, and alternative service delivery models. VTA’s Ad Hoc Committee will be a subcommittee to the Board of Directors and will utilize key stakeholders in the community as advisors.

The Ad Hoc Committee members will be appointed at the Board of Directors January 7, 2010 Regular Meeting; the Committee will meet between January to September 2010. The Ad Hoc Committee will develop recommendations to forward for discussion at the Board of Directors September 2010 Workshop from which strategies will be developed for adoption later in 2010. The intent is to use the adopted strategies to develop future budgets beginning with FY 12.

Vice Chairperson Gage expressed appreciation and thanked staff for their diligent work on a complicated issue and trying to develop strategies to address VTA’s budget concerns. Vice Chairperson Gage expressed concern that the organization continues to address budget constraints and challenges by relying on VTA’s operating reserves. He stressed the importance to establish a plan to restore VTA’s operating reserves as the economy recovers and improves. Vice Chairperson Gage stressed the importance for staff to develop a priority list of the areas to restore once the economy improves, such as service and job positions. Vice Chairperson Gage stated this is an important task and provides an opportunity to determine how the organization can do things better, operate more effectively and efficiently, and try to provide better transit service to the community.

Mr. Burns referenced the December 9, 2009 Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC), noting their recommendation if funding becomes available then the capital funds and operating reserves must be restored. Board Member Casas stressed the importance for the Ad Hoc Committee to develop strategic plan with auto triggers to be utilized as necessary. The Ad Hoc Committee should develop a framework of the expectations that will allow staff flexibility to move forward.

Mark Knollmueller, VTA Employee and Steward, Service Employees International Union (SEIU), Local 521, provided a handout to the Board of Directors, which contained information regarding: 1) vacant Management Analyst and American Federation of State, County and Municipal Employees (AFSCME) positions; 2) ratio of supervisory staff to
line staff; 3) expressed concern about contracts relating to Protective Services; 4) recommended cost cutting, noting Paratransit and contract for Sheriff’s Department; and 5) urged the Board of Directors and General Manager to make changes where real savings can be realized. Mr. Knollmueller thanked all of the outgoing Board Members on behalf of SEIU for their support and cooperation over the years.

Ross Signorino, Interested Citizen, referenced VTA’s lease/lease back option and queried how much VTA executed compared to other transit agencies and the time period it was conducted. Mr. Burns responded the lease/lease back option was previously supported by the Federal Transit Administration (FTA) as a new source of revenue for transit agencies, and VTA executed several transactions until 2003. VTA realized slightly over $30 million from the lease/lease back transactions.

Ed Dolores, Amalgamated Transit Union (ATU), Local 265, queried why VTA was not utilizing the entire $43.25 million from the hybrid buses to assist with the budget deficit. Mr. Burns responded VTA will utilize $25 million to assist with the budget deficit since the entire project funds are not needed until 2012; however, VTA is still required to use some project funds for the project to move forward.

Tammy Dhanota, Chief Steward, SEIU, Local 521, expressed concern regarding the managers to employee ratios. She noted she received a preliminary report which showed 67 supervisors without direct reports and that she believes the ratio numbers are maybe 3 to 1 at best. She recommended this issue be added to the list of short term solutions when looking at employee benefits. Ms. Dhanota noted the priority should not be to hire multiple layers of managers; the priority should be to put back the money where it came from and to look at efficiencies. SEIU members will do whatever it takes to be part of the solution and to make VTA operate more efficiently.

Chairperson Liccardo directed attention to the e-mail from Michael Ludwig, Interested Citizen, which recommended possible ways to close VTA’s budget gap over the next couple years.

Board Member Pyle expressed support for the fact that Governor Arnold Schwarzenegger has signed a transportation bill, and it indicates the Governor is trying to be more hopeful in reference to transportation. She queried if VTA has done much in a way of push back to Sacramento. She indicated California is the only State that does not charge oil companies an extraction fee that could bring between $1.5 and $1.6 billion to the State. She queried about VTA’s position on the issue. Mr. Burns noted the Board of Directors takes positions on bills and VTA works with its Delegation who are largely almost sensitive and supportive of VTA’s positions. VTA also works with the California Transit Association in terms of lobbying and supporting activities. Mr. Burns commented that as bad it has been at the State, it will be worse this coming year and that may help to break loose some of the resistance to some of the revenue measures. Kurt Evans, Governmental Affairs Manager, reported on VTA’s advocacy efforts at the State level. He noted he works regularly with the seven Assembly Members and four Senate offices and they clearly understand how the decisions in Sacramento impact VTA. VTA is very aggressive in its participation in State-wide organizations that represent transportation interests.
Board Member Pyle expressed concern regarding the rising cost of insurance companies. She commented it is time to conduct heavy negotiating with the insurance companies, noting the need for more user friendly programs. She referenced infrastructure jobs and queried if there has been any interaction with local representatives. Board Member Pyle also queried about the “Black Friday” figures. She commented that there would be more spending if people had more confidence in the economy.

Board Member Herrera echoed Board Member Pyle’s comments on jobs and infrastructure projects. She thanked Mr. Burns and staff for all of their diligent work on developing strategies to address the budget and structural deficit. She expressed support for the goals on preserving service, continuing infrastructure investment, and savings jobs and expressed appreciation to staff for looking at every budget line item to make things more efficient.

In reference to the Debt Reduction Fund transfer, Board Member Herrera queried if there is a number that VTA should maintain and not go below. Mr. Burns noted VTA is looking at what it feels its exposure could be on those interest rate swaps and lease/leaseback obligations. The Debt Reduction Fund is approximately $70 million total, and VTA does not want to go below $30 Million.

Board Member Herrera referenced the following item to be discussed at a future Board Workshop meeting: “De-obligate funds for BRT buses and reprogram to VTA Operating Assistance.” She asked how will the budget action affect the project timeline. Mr. Burns noted it would not affect the project timeline. He noted BRT would be discussed at the Downtown East Valley Policy Advisory Board meeting next week.

Board Member Sellers encouraged the Board of Directors to adopt the prudent course of action presented to the Board of Directors. In terms of advertisement, he encouraged VTA not to make wholesale cuts to the efforts to reach out to the community during these difficult times. He encouraged the expedited sale of VTA’s excess property. He noted the support of the Ad Hoc Committee and encouraged a larger membership than three to five Board Members. He encouraged VTA build up their reserves and to have a plan in place to restore its capital programs.

Board Member Sellers commented he was elated to hear that there would not be any service and labor cuts in the near future. He noted the significant amount of time spent on the Comprehensive Operations Analysis (COA) in developing a very strong operations program and thought it would be dismantled through this process. He applauded staff for not making service and labor cuts and for looking at other ways to address the budget deficit.

Board Member Sellers encouraged the participation of the labor groups and noted the importance of their involvement. He commented if looking into the reduction of management as appropriate is considered that it be done without compromising the integrity of the organization and to continue to put service levels and jobs ahead of benefits.
Board Member Kishimoto expressed her gratitude of serving on the VTA Board of Directors and working with very professional staff. To address the short term measures that have been suggested, she expressed relief in seeing the proposal to maintain the service levels and save jobs.

Board Member Kishimoto provided recommendations for the Ad Hoc Committee to address in the future. She commented VTA has to go to as comprehensive a framework as possible when looking for sustainable solutions. One of the frameworks moving forward will be SB 375 – Redesigning Communities to Reduce Greenhouse Gases. Congestion Management Agencies (CMAs) like VTA will be asked to play an important role in working with communities and other Transit Agencies in the Bay Area.

Board Member Kniss noted in the past VTA has conducted a financial analysis of where it was by looking at measurements. VTA compared itself with other Transportation Authorities across the country and in the Bay Area. Board Member Kniss noted if VTA has done so as an ongoing data point, she would be interested in seeing the information.

Board Member Kniss requested that staff provide information on the cost to VTA per bus rider and light rail rider. She also queried if VTA has looked at the span of control.

Board Member Page thanked VTA staff for their diligent work and thanked the Board of Directors for their candor. He noted the importance of the stakeholders’ participation in the process. Board Member Page volunteered to serve on the Ad Hoc Committee.

Ex-Officio Board Member Chu thanked all of the outgoing Board Members for their service on the Board of Directors and thanked Mr. Burns for all that he has done for the organization. He noted when looking at near term and long term strategies, to look at Measure A Projects to understand how the timetables might change. In reference to Measure A, Ex-Officio Board Member Chu queried if there was a maximum amount of money that could be used for operating versus capital. He encouraged VTA to focus on the legislative changes to make it easier to create revenue opportunities. Ex-Officio Board Member Chu noted there needs to be great focus on restoring service.

Rajwinder Sehdev, Transportation Authority Engineers and Architects Association (TAEA), Local 21, thanked all of the outgoing Board Members and noted he looks forwarded to working with the new Board Members. Mr. Sehdev also expressed his appreciation to Mr. Burns for inviting labor groups to participate on the Ad Hoc Committee.

Chairperson Liccardo commented the Ad Hoc Committee is part of a very complex solution to VTA’s financial future.

M/S/C (Herrera/Pyle) to:

1. Reduce appropriation for the VTA Transit Enterprise Fund Operating budget in the amount of $7.5 million in FY 2010 and $7.5 million FY2011; and,
2. Reduce appropriation in the Measure A Transit Improvement Program budget for the procurement of 40 articulated hybrid diesel electric buses by $25.0 million from $43.25 million to $18.25 million and increase appropriation to direct such funds to support VTA operations; and,

3. Waive the provisions of the VTA Transit Enterprise Debt Reduction Policy restricting the uses of the Debt Reduction Fund and authorize use of the Debt Reduction Funds for operating requirements for a period not to exceed June 30, 2011; and,

4. Direct staff to return to the Board with additional recommendations in April 2010 if anticipated STA funding and updated Sales Tax Revenue projections are insufficient to provide FY 2011 ending Operating Reserves of $20.0 million; and,

5. Appoint an Ad-hoc Committee of the Board of Directors consisting of 3-5 members, supported by a representative group of business, labor, Advisory Committees and other stakeholders, to develop recommendations for consideration at a future board meeting that address VTA’s structural deficit beyond FY 2011 to insure the continued sustainability of transit services in Santa Clara County.

OTHER ITEMS

29. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

There were no Items of Concern and Referral to Administration.

30. Monthly Legislative History Matrix

On order of Chairperson Liccardo and there being no objection, the Monthly Legislative History Matrix was received.

31. REPORTS (UNAPPROVED MINUTES) FROM STANDING COMMITTEES

A. Administration and Finance Committee

On order of Chairperson Liccardo and there being no objection, the November 19, 2009 Administration and Finance 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 November 19, 2009 Congestion Management Program and Planning (CMPP) Committee Meeting 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 November 19, 2009 Transit Planning and Operations (TP&O) Committee Meeting Minutes were accepted as contained in the Agenda packet.

D. **Audit Committee**

On order of Chairperson Liccardo and there being no objection, the December 10, 2009 Audit Committee Meeting Cancellation Notice was accepted as contained in the Agenda packet.

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

A. **Committee for Transit Accessibility (CTA)**

On order of Chairperson Liccardo and there being no objection, the November 10, 2009 Committee for Transit Accessibility (CTA) Meeting Minutes were accepted as contained in the Agenda packet.

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

On order of Chairperson Liccardo and there being no objection, the November 10, 2009 Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) Meeting 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 November 10, 2009 Bicycle & Pedestrian Advisory Committee (BPAC) Meeting 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 November 12, 2009 Technical Advisory Committee (TAC) Meeting 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 November 12, 2009 Policy Advisory Committee (PAC) Meeting Minutes were accepted as contained in the Agenda packet.

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

A. Peninsula Corridor JPB

On order of Chairperson Liccardo and there being no objection, the December 3, 2009 Summary Notes from the Peninsula Corridor Joint Powers Board were accepted as contained on the dais.

B. Capitol Corridor JPB

On order of Chairperson Liccardo and there being no objection, the November 18, 2009 Summary Notes from the Capitol Corridor JPB were accepted as contained on the dais.

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 November 18, 2009 Summary Notes from the Metropolitan Transportation Commission (MTC) 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 November 5, 2009 Summary Notes from the Sunol Smart Carpool Lane Joint Powers Authority were accepted as contained on the dais.

34. 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.

D. **Highway PAB South**

There was no report from the Highway PAB South.

35. **ANNOUNCEMENTS**

Jim Lawson, Senior Policy Advisor, informed Board Members that the Board Self-Assessments would be distributed soon and asked that the Self-Assessments be returned to VTA as quickly as possible.

Chairperson Liccardo thanked the Board Members, VTA Staff, and Advisory Committees for a very productive year and also thanked the public for their support. Chairperson Liccardo wished everyone Happy Holidays.

36. **ADJOURNMENT**

On order of Chairperson Liccardo and there being no objection, the meeting was adjourned at 11:13 a.m.

Respectfully Submitted,

Tracene Y. Crenshaw, Board Assistant
Office of the Board Secretary
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 Bruce Liedstrand to the Citizens Advisory Committee, representing the North County Cities.

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 and specified business and labor groups nominate representatives for their respective membership positions. For the six 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 appointment.
DISCUSSION:

The VTA Administrative Code establishes the membership of the CAC. One of the six positions in the City and County Groupings section represents the North County Cities of Los Altos, Los Altos Hills, Mountain View, Palo Alto, Santa Clara and Sunnyvale. The North County Cities has nominated Bruce Liedstrand as its new CAC representative to replace its former representative, Margaret Okuzumi, who resigned earlier in 2009.

Bruce Liedstrand, who lives in Mountain View, is retired. During his career, he was a city design consultant, attorney, and a senior advisor to city governments. He also has many years in local government management, having served as the city manager for the City of Mountain View for 12 years, as the community development director for the City of Redwood City for five years, as the city attorney for the cities of Mountain View and Turlock, and as the assistant city attorney for Modesto. He has expertise and extensive experience in urban and transit-oriented design (TOD), having worked on the planning and implementation of the revitalization of both downtown Mountain View and downtown Redwood City.

Past and current civic and community service includes as a member of the Congress for the New Urbanism, as the Executive Director for Communities by Design (a non-profit organization working to improve city design), and a member of the Rotary Club of Palo Alto and the Redwood City Chamber of Commerce. He previously served on the Turlock city council.

Mr. Liedstrand has resided in California for over 50 years, with 35 of those in Santa Clara County. He received his bachelor's and law degrees from Stanford University.

Based on his qualifications, experience and local community involvement, staff recommends that the Board ratify the North County Cities nomination of Mr. Bruce Liedstrand to this position.

ALTERNATIVES:

The Board could choose to not ratify the nomination of this individual.

FISCAL IMPACT:

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

STANDING COMMITTEE DISCUSSION/RECOMMENDATIONS:

On December 17, 2009, the Administration and Finance Committee considered this item as part of its Consent Agenda and unanimously recommended Board approval of the staff recommendation.

Prepared by: Stephen Flynn, Sr. Management Analyst
Memo No. 2213
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: BPAC Member Appointments

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

ACTION ITEM

RECOMMENDATION:

Ratify the following new appointment and re-appointments to the Bicycle & Pedestrian Advisory Committee to a six-month term commencing January 2010 and ending June 30, 2010.

New Appointment
• Ray Cosyn, City of Saratoga

Re-appointment
• Thomas Muniz, City of Gilroy
• John Sullivan, City of Santa Clara
• Richard Swent, City of Palo Alto

BACKGROUND:

The Bicycle & Pedestrian Advisory Committee (BPAC) advises the VTA Board of Directors on planning and funding for bicycle and pedestrian projects and issues. The BPAC consists of 16 voting members, one appointed by each of VTA’s 16 Member Agencies (the 15 cities in the county and the County of Santa Clara), and one non-voting ex-officio member from the Silicon Valley Bicycle Coalition (SVBC).

The BPAC bylaws specify that each Member Agency appoints one representative to the BPAC and that the SVBC appoints one representative and one alternate. The bylaws also specify that the appointment term is two years and that members may be appointed to successive terms. Committee members must live or work in Santa Clara County during their term.
members of the Committee must also be a representative of the Member Agency's local bicycle advisory committee or, for Member Agencies without a local bicycle advisory committee, their representative must be an individual who lives or works in the local jurisdiction and is interested in bicycle or pedestrian issues. BPAC members are precluded from representing a Member Agency that is their employer.

In accordance with the bylaws, the process to fill BPAC vacancies is that 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 in 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 for a new term. In response, the City of Saratoga appointed a new member and the City of Gilroy, City of Santa Clara and City of Palo Alto re-appointed their current members to a new term.

The City of Saratoga appointed Ray Cosyn to replace Jim Stallman as their new BPAC representative. Mr. Cosyn served on the U.S. Coast Guard in both active duty and ready reserve prior to working for several computer companies including IBM, Hitachi and three different startup companies serving in sales, marketing and product management positions. Now retired, Mr. Cosyn is an avid cyclist and speed walker who enjoys tandem bike rides with his wife. He is knowledgeable in inter urban transit history having studied the area extensively. As a current member of the Saratoga Bicycle and Trails committee, Mr. Cosyn is focused on advocating for the adoption of bicycle detection signals.

The City of Gilroy wishes to re-appoint Thomas Muniz to renew his term on VTA's BPAC. Similarly, the City of Palo Alto confirmed the re-appointment of their current member Richard Swent. At the November 17th, 2009 City Council Meeting, the City of Santa Clara re-appointed John Sullivan to an additional term. These individuals are current BPAC members in good standing and have served the Committee well.

Staff recommends the Board of Directors ratify these appointments based on the individuals' good standing as current BPAC members and the newly appointed member based on his experience and dedication to bicycling and pedestrian issues.

**ALTERNATIVES:**

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

**FISCAL IMPACT:**

There is no financial impact as a result of this action.
STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Administration and Finance Committee considered this item as part of its December 17, 2009 Consent Agenda and approved it unanimously without comment.

Prepared by: Aiko Cuenco
Memo No. 2249
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 Program – SVBX Utility Relocation Agreements with Utility Owners

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

ACTION ITEM

RECOMMENDATION:

- Authorize the General Manager to execute master utility relocation agreements with utility owners in order to support the Silicon Valley Berryessa Extension Project (SVBX). These utilities include PG&E, San Jose Water Company, Santa Clara Valley Water District, Milpitas Public Works, Verizon, Air Products, Comcast, AT&T, and others. These agreements may include provisions for design and construction of utility relocation (e.g. determination of percentage cost share liability), but authorization for expenditure commitment is limited to design only.
- Authorize the General Manager’s expenditure commitment authority for SVBX utility relocation advanced design in an amount not to exceed $8.4 million for both preliminary and advanced design effort.

BACKGROUND:

VTA is planning transportation improvements in the Silicon Valley Rapid Transit (SVRT) Corridor that will extend the Bay Area Rapid Transit District (BART) service from the planned Warm Springs BART station in Fremont, through Milpitas and San Jose to a terminus in Santa Clara. The BART service extension is composed of two sections. The SVBX is an approximately 10-mile extension of BART service from the planned Warm Springs Station in the City of Fremont that proceeds on the former Union Pacific Railroad right-of-way and ends near Las Plumas Avenue in the City of San Jose.

VTA completed Conceptual Engineering for the SVRT Program in 2003 and Preliminary Engineering activities in December 2006. The 65% design phase began in early 2007 and was substantially completed in December 2008. Currently, VTA is applying for the federal New
Starts funding program. The New Starts funding program scope is within the SVBX project. As VTA moves the project towards final design, advanced design for utility relocation by the utilities is required to support this process. In August 2009 the VTA Board of Directors approved a revised spending authorization of $38.52 million for Freight Railroad Relocation (FRR) and the WP Milpitas Corridor utility relocations, of which approximately $1.0 million was estimated for the commencement of preliminary utility relocation design in the SVRT corridor.

DISCUSSION:

The Federal Transit Administration (FTA) has recently been evaluating the first 10 miles of the SVRT project (SVBX), for entry into its New Starts federal funding program. VTA recently submitted and FTA reviewed our submittal for New Starts Preliminary Engineering. FTA’s assessment provided guidance in areas to get ready for Final Engineering and right-of-way acquisition. The definition of right-of-way needed for utility relocation due to the proposed BART project has not been identified outside the Freight Railroad Relocation (FRR) activities.

Commencement and completion of SVBX utility relocation advanced design is necessary to identify right-of-way needs to accommodate utility relocation. Specifically, advanced design is required to identify staging requirements which may require temporary easements, access requirements and fee purchase parcels. Identifying all the right-of-way needs to relocate utilities must be performed in a timely manner to meet the New Starts Project schedule as submitted to FTA.

In order for utility companies to complete utility relocation design to support the SVBX project, master utility relocation agreements that identify how VTA and utility owners will work together must be executed. These agreements typically take 6 months or more to negotiate and execute, depending on the scope of the project and the utility owner. In addition to identifying how VTA and utility owners will work together, the agreements will address determination of cost share liability (VTA’s versus the utility owner’s) for utility relocation work. Cost share liability will be based on the utility owners’ rights to occupy property within which their existing utility is located, and on historic VTA agreements with utility owners for previous VTA projects. Utility companies requiring relocation to support the SVBX project include San Jose Water Company, Pacific Gas & Electric, Santa Clara Valley Water District, Milpitas Public Works, Verizon, Air Products, Comcast, AT&T, and others. VTA anticipates that it will execute approximately 19 utility relocation master agreements.

VTA estimates that the cost of preliminary and advanced design work by utility owners will be $8.4 million. VTA anticipates that one or more of the expenditure commitments may exceed $1 million for design work. Authorization of the General Manager to execute SVBX utility relocation advanced design expenditure commitments with utility companies, including the $1.0 million that the Board approved for preliminary design commitments, will not exceed $8.4 million and is recommended to avoid requesting separate Board spending authorizations that would add schedule and coordination issues which could result in project delays and increased administrative effort.

Board approval of this recommendation will not authorize any SVBX utility relocation construction cost commitments. Estimates for the cost of construction can only be prepared once
the relocation design has been completed. VTA staff will come to the VTA Board of Directors separately to request future expenditure commitment authorization of SVBX utility relocation construction costs.

**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.

**FISCAL IMPACT:**

Budget appropriation for these expenditures is included in the FY10 Adopted 2000 Measure A Transit Improvement Program Fund Capital Budget. Funding for the utility relocation advanced design will come from State TCRP funds.

Prepared by: Scott Brady
Memo No. 2419
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: Federal Advocacy Consultant Services Contract

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

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to execute a contract with Van Scoyoc Associates for federal advocacy consultant services for a period of three years in the amount of $456,000. The term of the contract would be from January 1, 2010, to December 31, 2012. The fixed monthly retainer for this contract would be $12,500 for the first two years and $13,000 for the third year. Further authorize the General Manager, at his discretion, to extend this contract after December 31, 2012, for two additional one-year periods at a fixed retainer rate to be negotiated.

BACKGROUND:

Historically, VTA contracted with a Washington, D.C. based firm to represent its interests at the federal level, before Congress, the White House, and various administrative agencies that deal with transportation issues, including the Federal Transit Administration (FTA). The Board of Directors approved awarding VTA’s original contract for federal advocacy consultant services to Gold and Liebengood in October 1995 for a fixed monthly retainer of $14,000. This contract was extended by the Board on two separate occasions, until the end of 2006. Over this 11-year period, the fixed monthly retainer for the contract increased from $14,000 to $17,500. Also during this time, Gold and Liebengood went through several organizational changes, eventually becoming BKSH & Associates, a wholly-owned subsidiary of Burson-Marsteller.

In 2006, a new Request for Proposals (RFP) for federal advocacy consultant services was issued, and on November 2, 2006, the Board of Directors authorized the General Manager to execute a three-year contract with Akin Gump Strauss Hauer & Feld (Akin Gump) at a fixed monthly retainer of $18,000. At the same time, the Board provided the General Manager with the ability to extend this contract for two one-year periods; however, the General Manager opted to issue an RFP instead. Consequently, VTA’s contract with Akin Gump is scheduled to expire on
DISCUSSION:

On October 23, 2009, VTA issued an RFP for federal advocacy consultant services, which was subsequently advertised in the Washington Post and San Jose Post Record. In addition, the RFP was listed on the VTA website, and notices were sent to more than 50 Washington, D.C., lobbying firms. The scope of work scope for the RFP is more focused than the broader, general purpose contracts that VTA has had in the past; the selected firm will be responsible for performing the following activities on behalf of VTA in Washington, D.C.:

- Monitoring, analyzing and providing counsel on activities at the congressional and administrative levels affecting VTA’s projects, programs and operations.

- Developing and implementing advocacy strategies designed to advance actions at the federal level that are beneficial to VTA, and its projects and programs.

- Communicating directly with members of Congress and transportation agency officials with respect to VTA’s project and program interests at the federal level.

- Advocating for VTA’s project and program interests in the annual federal transportation appropriations act, in any federal surface transportation authorization legislation, and through any other appropriate congressional and administrative avenues.

- Assisting VTA in advancing the BART Silicon Valley Project through the FTA and congressional processes.

On November 12, VTA received written proposals from the following nine firms:

1. Akin Gump.
2. Blank Rome Government Relations.
5. Holland & Knight.
7. Townsend Public Affairs.
8. Van Scoyoc Associates.

A panel was convened on November 19 to review and score these nine written proposals according to the following evaluation criteria:

1. Qualifications of the firm 20 points
2. Staffing and project organization 20 points
3. Demonstrated understanding of the project 20 points
4. Local firm preference 10 points
5. Cost and price 30 points
The review panel consisted of VTA’s Government Affairs Manager, VTA’s Chief SVRT Program Officer, VTA’s Policy and Community Relations Manager, VTA’s contracts administrator for this RFP, and the Director of Transportation for the city of Fremont.

After an in-depth evaluation of the written proposals, the review panel invited Akin Gump, Blank Rome Government Relations, the C2 Group, Holland & Knight, and Van Scoyoc Associates for interviews. These five firms were interviewed on December 1. Each firm made an oral presentation that was approximately 10 minutes in length and then answered a series of questions posed by the review panel. Following these oral interviews, the review panel ranked the five firms and concluded that Van Scoyoc Associates was the best qualified to perform the work described in the RFP.

The review panel is recommending Van Scoyoc Associates because there were a number of aspects of its written proposal and oral presentation that set it apart from all of the other firms that responded to the RFP:

- Van Scoyoc Associates has a balanced approach to federal advocacy. Their approach is bipartisan and bicameral, and includes both congressional and Executive Branch advocacy. Van Scoyoc Associates has established effective relationships with key members of the House and Senate from both political parties, as well as with key staff members for the various authorizing and appropriations committees that address transportation issues. The firm also has worked with VTA’s House delegation and California’s two senators in the past on behalf of other clients and, therefore, has established relationships with them. Furthermore, Van Scoyoc Associates has access to key officials within the White House, the U. S. Department of Transportation, FTA, the Federal Highway Administration (FHWA), and other appropriate federal agencies.

- Van Scoyoc Associates proposed a staffing plan for the RFP that is superior to those presented by the other firms. The Van Scoyoc Associates team will provide VTA with policy, political and advocacy expertise that will be essential in successfully advancing VTA’s project and program interests at the federal level.

- Van Scoyoc Associates was able to demonstrate to the review panel that it has a proven track record of successfully advocating for the project and program interests of its transportation-related clients at the federal level. The firm’s experience covers both highways and public transit, as well as joint development and innovative financing. Moreover, Van Scoyoc Associates was able to demonstrate that it has results-oriented experience in advancing New Starts/Small Starts projects through the FTA and congressional processes.

- The work plan submitted by Van Scoyoc Associates in response to the work scope in the RFP was comprehensive. It outlined a series of suggested strategies for the following: (a) how VTA should focus its efforts with regard to the successor legislation to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU); (b) what steps VTA could take to improve its advocacy efforts with regard to its project and program interests at the federal level, including the BART...
Silicon Valley Project; and (c) what potential opportunities VTA could consider pursuing for its high priority projects.

- It was evident that Van Scoyoc Associates has its fingers on the pulse of Washington, D.C., and would be able to provide thoughtful, thorough and timely counsel on federal transportation initiatives that directly impact VTA.

- Van Scoyoc Associates proposed the lowest price for performing the services outlined in the work scope of the RFP.

Steve Palmer, a vice president at Van Scoyoc Associates, will serve as the project manager for the contract with VTA. For more than 11 years, he has represented the interests of the firm’s public transportation agency clients before Congress and the administration. Prior to joining Van Scoyoc Associates in 1998, Mr. Palmer served as the assistant secretary for governmental affairs at the U.S. Department of Transportation, and in senior staff positions with the Senate Commerce, Science and Transportation Committee and the Senate Budget Committee.

VTA counts on substantial federal funding for its capital and operating budgets. For example, in FY 2009, VTA received roughly $140 million in federal discretionary and formula funds to support its projects, programs and operations. Therefore, it is important for VTA to have a contract with a firm located in Washington, D.C., to represent its project and program interests before Congress and the administration on a day-to-day basis. Perhaps this is more important now than ever before, given that Congress is in the process of debating the next long-term federal surface transportation authorization bill to replace SAFETEA-LU, as well as major climate change legislation. Not only will both of these measures dramatically change transportation policy at the federal level, but they also could present significant funding opportunities for VTA’s projects, programs and operations. In addition, the BART Silicon Valley Project is at a critical stage at the federal level, both from an administrative and congressional perspective. Federal funding is essential for the BART Silicon Valley Project in light of the fact that the 2008 Measure B local transportation sales tax -- the identified revenue source for covering the operations and maintenance costs of the project once it is built -- cannot be imposed unless VTA receives at least $750 million in capital funding from Washington, D.C.

**ALTERNATIVES:**

The Board of Directors could request VTA staff to initiate a new RFP process for this contract.

**DBE PARTICIPATION:**

Although no DBE goal has been established for this contract because of the lack of subcontracting opportunities, VTA will work with the selected firm to ensure DBE participation in the case of any ancillary services that may be needed to perform the RFP’s work scope.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Administration and Finance Committee considered this item on December 17, 2009, and unanimously recommended that the Board of Directors approve the staff recommendation.
At the meeting, Committee Chairperson Liz Kniss noted that VTA changed its federal advocate three years ago, and asked why another change is being recommended at this time. Staff responded that VTA is in a different place today than it was three years ago, in terms of its priorities and approach at the federal level, which has created the need for a firm with different skills set than what Akin Gump can provide.

In response to a question posed by alternate Board Member Chris Moylan, with regard to how VTA evaluated the effectiveness of federal advocacy firms, staff pointed out that Van Scoyoc Associates, in its written proposal and during the course of its oral interview with the review panel, provided specific examples of how it was able to effect policy changes in legislation, as well as where it successfully advocated for federal funding benefiting its transportation-related clients.

**FISCAL IMPACT:**

This action will authorize $456,000 for federal advocacy consultant services for a three-year term. Budget appropriation for the first two years of the contract is included in the FY10 and FY11 Adopted VTA Transit Enterprise Fund Operating Budget. Appropriation for the third year and potential two one-year extensions will be included in subsequent Biennial Operating Budgets. The contract with Van Scoyoc Associates represents a savings of $33,000 in FY 2010 and $66,000 in FY 2011 (approximately 31 percent) over VTA's current contract with Akin Gump. Furthermore, work performed by Van Scoyoc Associates relating to the BART Silicon Valley Project will be charged to the project, not to the VTA Transit Enterprise Fund.

Prepared by: Kurt Evans, Government Affairs Manager
Memo No. 2306
ATTACHMENT A

Federal Advocacy Consultant Services Contract

**Firm:**
Van Scoyoc Associates, Inc.
101 Constitution Avenue, NW
Suite 600 West
Washington, DC  20001

**Contact Information:**
Steve Palmer
Vice President
(202) 737-6554
spalmer@vsadc.com
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: 2010 Legislative Program

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

ACTION ITEM

RECOMMENDATION:

Recommend that the Board of Directors approve the 2010 Legislative Program for the Santa Clara Valley Transportation Authority (VTA).

BACKGROUND:

VTA annually adopts a Legislative Program to provide direction for its legislative and policy activities for the year. The purpose of the Legislative Program is to establish financial, statutory, regulatory, and administrative policies and principles to guide VTA’s advocacy efforts. The program is meant to be flexible in order to give VTA the ability to pursue unanticipated legislative and administrative opportunities that may present themselves during the course of the year, and to respond expeditiously to the dynamic political and policy processes in Washington, D.C., Sacramento and the Bay Area.

DISCUSSION:

The recommended 2010 Legislative Program is divided into three sections: (1) Federal; (2) State; and (3) Regional & Local. Each section consists of a summary of the key policy issues and a series of related advocacy principles.

Federal Section: The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) authorized federal surface transportation programs for a six-year period -- from FY 2004 through FY 2009 -- and allowed federal dollars to be spent on these programs during that timeframe. Although SAFETEA-LU expired on September 30, 2009, Congress has kept its provisions intact through a series of short-term extensions in the absence of an agreement on a new six-year authorization bill.
As part of its 2010 Legislative Program, VTA will urge Congress to act on a longer term surface transportation authorization measure to replace SAFETEA-LU as quickly as possible to ensure that much-needed transportation capital investments are initiated and critical infrastructure improvement projects are advanced. A six-year authorization bill for highways, public transit and other federal surface transportation programs will provide the guidance and predictability that VTA, other project sponsors across the nation and our private sector partners need in order to do long-range planning and to make multi-year financial commitments.

In addition, it is being recommended that VTA continue to endorse the California Consensus on Federal Transportation Authorization, which was developed through a collaborative process involving Gov. Arnold Schwarzenegger; the Business, Transportation & Housing Agency; Caltrans; and transportation stakeholders from across California. These principles are intended to provide a unified California position to Congress and the President on the future of the nation’s surface transportation policies. The Federal Section of the recommended 2010 Legislative Program also includes more specific authorization advocacy principles related to finance and the structure of federal surface transportation programs.

Besides surface transportation authorization, the Federal Section covers: (1) FY 2011 transportation appropriations; (2) climate change; (3) high-speed rail; (4) economic stimulus; (5) SILO/LILO transactions; and (6) public transit security.

**State Section:** In California, transportation funding has been plagued by uncertainty, unpredictability and instability. Throughout this decade, significant amounts of state transportation dollars have been loaned or transferred to the General Fund to help address budget deficits. This loss of revenue has negatively impacted the ability of Caltrans and local agencies to deliver capital improvement projects funded through all of the state’s transportation programs, including the Traffic Congestion Relief Program (TCRP), the State Transportation Improvement Program (STIP), and the State Highway Operation and Protection Program (SHOPP). It also has interrupted the flow of dollars for transit operations and capital projects through the Public Transportation Account (PTA), and for local roadway projects through Proposition 42.

Given California’s continuing fiscal challenges, protecting state transportation dollars for their intended purpose will once again be a top priority for VTA and the transportation community in 2010. Other key policy issues addressed under the State Section of the recommended 2010 Legislative Program include: (a) the structure of state transportation programs; (b) transportation and the environment; (c) transit-oriented development; (d) project delivery; and (e) high-speed rail.

**Regional & Local Section:** In early 2009, the Metropolitan Transportation Commission (MTC) adopted the Regional Transportation Plan (RTP) for the nine-county Bay Area. The RTP is the Bay Area’s 25-year vision for transportation. As part of the RTP, MTC included a series of regional programs to address issues such as climate change, express lanes, bicycles, and land use. In 2010, a top priority for VTA will be to ensure that these programs are administered in a way that benefits Santa Clara County, as well as the region as a whole.

In addition, VTA will be working with MTC and other regional partners on implementing SB
375 (Steinberg) in the Bay Area and developing the region’s sustainable communities strategy pursuant to the requirements of this legislation. The sustainable communities strategy will be a key part of the next RTP, and will document development patterns and transportation measures designed to achieve greenhouse gas emission reductions in the Bay Area. Because of the emphasis on land use, it will be vital for VTA, as well as our county and city partners, to play a key role in the planning process for the region’s sustainable communities strategy.

In the area of new revenues, the passage of SB 83 (Hancock) provides congestion management agencies (CMAs) with the authority to place a vehicle registration surcharge on the ballot, subject to a simple majority vote, to pay for a predetermined list of transportation projects and programs that are geared toward congestion relief and the mitigation of the environmental impacts of motor vehicles. In 2010, VTA will explore the opportunities and challenges related to placing such a measure on a future ballot.

Other key areas addressed in the Regional & Local Section of the recommended 2010 Legislative Program are: (a) the Caltrain Commuter Rail Service; (b) the Capitol Corridor Intercity Rail Service; and (c) the Dumbarton Rail Project. In general, the Legislative Program calls for VTA to work collaboratively with our partners to deliver projects and programs that provide cost-effective benefits for current and future users of these regional transit services.

**ALTERNATIVES:**

It is necessary for VTA to have a Legislative Program in place to be prepared to address the policy and legislative issues that may arise in Washington, D.C., Sacramento and the Bay Area during the coming year. The Board of Directors may elect to add other elements to VTA’s 2010 Legislative Program, or to modify or delete elements contained in the recommended program.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Administration and Finance Committee considered this item on December 17, 2009, and unanimously recommended that the Board of Directors adopt the 2010 Legislative Program with one change suggested by alternate Board Member Chris Moylan. Per his request, staff has added language under the “Other Regional Transit Services” section of the program to reflect that VTA would push to improve the operational efficiencies of the Amtrak long-haul trains that serve Santa Clara County, such as the Coast Starlight.

This item also was considered by the Citizens Advisory Committee on December 9, 2009. The committee took a formal action recommending that the Board of Directors approve the 2010 Legislative Program as presented by staff.

**FISCAL IMPACT:**

There is no fiscal impact directly related to this recommendation.

Prepared by: Kurt Evans, Government Affairs Manager
Memo No. 2245
EXECUTIVE SUMMARY

The Santa Clara Valley Transportation Authority (VTA) annually adopts a Legislative Program to provide direction for its legislative and policy activities for the year. The purpose of the Legislative Program is to establish financial, statutory, regulatory, and administrative policies and principles to guide VTA’s advocacy efforts. The program is meant to be flexible in order to give VTA the ability to pursue unanticipated legislative and administrative opportunities that may present themselves during the course of the year, and to respond expeditiously to the dynamic political and policy processes in Washington, D.C., Sacramento and the Bay Area.

The 2010 Legislative Program is divided into the following sections:

1. Federal.
2. State.
3. Regional & Local.

Each section of the program consists of a summary of the key policy issues and a series of related advocacy principles.

FEDERAL

The Federal Section of VTA’s 2010 Legislative Program is divided into the following policy areas:

2. FY 2011 Federal Transportation Appropriations.
3. Climate Change.
4. High-Speed Rail.
5. Economic Stimulus.
6. SILO/LILO Transactions.

SURFACE TRANSPORTATION AUTHORIZATION

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) authorized federal surface transportation programs for a six-year period—from FY 2004 through FY 2009—and allowed federal dollars to be spent on these programs during that timeframe. Although SAFETEA-LU expired on September 30, 2009, Congress has kept its provisions intact through a series of short-term extensions in the absence of an agreement on a new six-year authorization bill.

As part of its 2010 Legislature Program, VTA will urge Congress to act on a longer term surface transportation authorization measure to replace SAFETEA-LU as quickly as possible to ensure that much-needed transportation capital investments are initiated and critical infrastructure improvement projects are advanced. A six-year authorization bill for highways, public transit and other federal surface transportation programs will provide the guidance and predictability that VTA, other project sponsors across the nation and our private sector partners need in order to do long-range planning and to make multi-year financial commitments. In addition, VTA’s
advocacy platform regarding the form, content and funding provisions of a new federal surface transportation authorization bill will embrace the following principles.

**General Principles:** VTA endorses the California Consensus on Federal Transportation Authorization, which was developed through a collaborative process involving Gov. Arnold Schwarzenegger; the Business, Transportation & Housing Agency; Caltrans; and transportation stakeholders from across California. These principles, which are intended to provide a unified California position to Congress and the President on the future of the nation’s surface transportation policies, are summarized as follows:

1. **Ensure the financial integrity of the Highway Trust Fund:** The financial integrity of the Highway Trust Fund is at a crossroads. Current user fees are not keeping pace with needs or even the authorized funding levels in current law. In the long-term, the per-gallon taxes now charged on motor vehicle fuels will not provide the revenues or stability needed, especially as new fuels enter the marketplace. This authorization must stabilize the existing revenue system and prepare the way for a transition to new methods for funding the nation’s transportation infrastructure.

2. **Rebuild and maintain transportation infrastructure in a good state of repair:** Conditions on California’s surface transportation network are deteriorating while demand is increasing. This situation adversely impacts the operational efficiency of the state’s key transportation assets, hindering mobility, commerce, quality of life, and the environment. The successor bill to SAFETEA-LU must give top priority to the preservation and maintenance of the nation’s existing system of roads, highways, bridges, and public transit.

3. **Establish goods movement as a national economic priority:** Interstate commerce is the historic cornerstone defining the federal role in transportation. The efficient movement of goods across state and international boundaries enhances the nation’s ability to remain globally competitive and to generate jobs. A new federal program and funding sources dedicated to relieving growing congestion at America’s global gateways need to be created.

4. **Enhance mobility through congestion relief within and between metropolitan areas:** California is home to six of the 25 most congested metropolitan areas in the nation. These mega-regions represent a large majority of the population affected by travel delays and by exposure to air pollutants. Funding should be increased to enhance the capacity of all modes aimed at reducing congestion and promoting mobility in the nation’s most congested areas. In addition, increased state flexibility to implement performance-based infrastructure projects, public-private partnerships and innovative finance programs should be provided.

5. **Strengthen the federal commitment to safety and security:** Traffic safety involves saving lives, reducing injuries and optimizing the uninterrupted flow of traffic on the nation’s transportation network. Increased funding should be provided for safety projects aimed at reducing fatalities and for a national program to enhance the security of the nation’s transportation systems, including public transit.

6. **Strengthen comprehensive environmental stewardship:** Environmental mitigation is part of every transportation project and program. The federal role is to provide the tools that will help mitigate future impacts and to cope with changes to the environment. The successor legislation to SAFETEA-LU should strive to integrate the consideration of climate change and land-use/transportation linkages into the planning process. In addition, funding should
be provided for the planning and implementation of measures that have the potential to reduce emissions and improve public health, such as new vehicle technologies, alternative fuels, clean public transit vehicles, transit-oriented development, ride-sharing, and bicycle and pedestrian travel.

7. **Streamline project delivery**: Extended processing time for environmental clearances, permits and reviews adds to the cost of projects. Given constrained resources, it is critical that these clearances and reviews be kept to a minimum, consistent with good stewardship of our natural resources. The successor legislation to SAFETEA-LU should: (a) increase the opportunities for state stewardship through delegation programs for National Environmental Policy Act (NEPA) and air quality conformity; (b) increase state flexibility for using innovative contracting methods, such as construction management-general contractor and design-build; (c) ensure that federal project oversight is commensurate with the amount of federal funding; and (d) require federal permitting agencies to engage actively and collaboratively in project development and approval.

**Finance Principles**: Under SAFETEA-LU, the overall funding level for highways, public transit, highway safety, motor carrier safety, and transportation research during the legislation’s six-year life was $286.4 billion. While this amount was greater than previous authorizations, it fell far short of the level of federal investment needed to maintain the nation’s existing transportation infrastructure, as well as to expand its capacity in order to keep up with the steadily growing demand for transportation. Therefore, providing sustained federal investment in the nation’s transportation infrastructure that is adequate to meet the significant needs of highways, public transit and other transportation modes must be front-and-center in the debate concerning the successor legislation to SAFETEA-LU.

According to a report issued by the National Surface Transportation Policy and Revenue Study Commission in January 2008: “Any effort to address the future transportation needs of the United States must come to grips with the sobering financial reality of such an undertaking. Estimates indicate that the U.S. needs to invest at least $225 billion annually for the next 50 years to upgrade our existing transportation network to a good state of repair and to build the more advanced facilities we will require to remain competitive. We are spending less than 40 percent of this amount, and the current fuel-tax-based revenue mechanisms probably cannot be relied upon alone to raise the needed sums.”

As part of its 2010 Legislative Program, VTA endorses the following finance principles for federal surface transportation authorization:

- Authorize a significant increase in federal surface transportation funding sufficient to meet the needs. In the case of public transit, the American Public Transportation Association (APTA) is advocating for a total investment of no less than $123 billion over the six-year authorization period in order to: (a) meet at least 50 percent of the estimated $60 billion in annual critical public transit capital needs by the end of the authorization period; and (b) support a projected doubling of ridership over the next 20 years.

- Authorize individual programs within the highway and transit titles at increasing funding levels that are sufficient to address current and future surface transportation infrastructure needs.
• Maintain and strengthen the current budgetary protections and funding guarantees for surface transportation programs to ensure that authorized spending levels are actually appropriated each fiscal year.

• Preserve the General Fund contributions to the Mass Transit Account to support federal public transit programs.

• Restore and increase the purchasing power of the federal gas tax in order to support a significant increase in the level of federal investment in surface transportation programs.

• To diversify and augment Highway Trust Fund resources, authorize the implementation of innovative financing mechanisms, such as public-private partnerships, tolling, congestion pricing, tax-exempt/tax-credit bonds, express lanes, and freight user fees.

• Provide an appropriate balance between highway and public transit investments by continuing to credit the Mass Transit Account with, at a minimum, 20 percent of each future increase in the gas tax or any successor tax.

• Ensure that the Highway Trust Fund is appropriately credited for ethanol fuels, as well as other new and currently exempt alternative fuels.

• Restore the earning of interest income to the Highway Trust Fund.

• Support longer-term efforts to transition the Highway Trust Fund from motor fuel taxes and fees to a vehicle mileage tax or a vehicle weight/mile tax.

Program Structure Principles: For the most part, SAFETEA-LU respected the basic program structure that existed previously. This program structure consists of a core highway program that is primarily formula-based, a core public transit program comprised of both formula and discretionary elements, and flexible funding programs that allow the states and metropolitan planning organizations (MPOs), such as the Metropolitan Transportation Commission (MTC) in the Bay Area, to move funds around in a manner that best meets local and regional mobility needs. While this basic, overall program framework should remain in place, VTA supports the following modifications:

• Explore opportunities to consolidate similar program categories under the highway title.

• Create a new multimodal “metropolitan mobility program” dedicated to funding large-scale transportation infrastructure projects that would reduce congestion and improve mobility in the nation’s major metropolitan areas.

• Re-evaluate current federal surface transportation law regarding the definition, designation, structure, and composition of MPOs.

• Support APTA’s proposal to modify the Bus/Bus Facilities Program from a discretionary to a formula-based program.

• Create a separate and distinct Clean-Fuels Bus Program for the purchase of alternative-fuel buses, and the construction of fueling facilities and other related infrastructure.
• Continue allowing Urbanized Area (UZA) Formula Program funds to be used for preventive maintenance costs. In addition, support providing all public transit agencies, regardless of size, with the flexibility to choose to use a portion of these funds for general operating expenses.

• Support APTA’s proposal to restructure the Fixed Guideway Modernization Program by replacing the current, complicated seven-tier structure with a simpler two-tier formula distribution that, at a minimum, holds all current recipients harmless.

• Support the following reforms to the New Starts Program: (a) strengthening the language in existing law to ensure that a multi-measure approach is used to evaluate a New Starts project and to determine whether it should be recommended for funding; (b) either eliminating cost-effectiveness as a criterion or, at a minimum, restructuring it to evaluate the federal investment in a New Starts project, to utilize a composite rating that takes into consideration other factors besides travel time savings, to differentiate between transit modes so as not to prejudice or bias the local alternatives analysis process, and to reflect the benefits of the project to all travelers in the transportation corridor, not just transit users; (c) ensuring that the New Starts evaluation/rating process considers in a meaningful way situations where local communities have stepped forward with significant local and non-federal resources to fund their projects; and (d) streamlining the process to shorten the length of time it takes for meritorious New Starts projects to progress from preliminary engineering to a Full Funding Grant Agreement (FFGA).

• Support the following reforms to the Small Starts Program: (a) creating a simplified and streamlined planning, project development and evaluation/rating process for Small Starts projects; (b) opposing the segregation of the program into “Very Small Starts” and “Small Starts” to ensure that all Small Starts projects are subjected to the same simplified and streamlined process; (c) reinstituting the exemption from the evaluation/rating process for projects seeking $25 million or less in New Starts or Small Starts funding; and (d) ensuring that the evaluation/rating process utilizes a multi-measure approach that does not overemphasize one particular criterion.

• Support APTA’s proposal to combine the Job Access/Reverse Commute, New Freedom, and Elderly and Disabled Formula Programs into one program that provides funding for transportation services for seniors, the disabled and other populations with specialized mobility needs.

• Clarify current law to allow public transit operators to specifically design routes to accommodate the needs of schools so long as those routes are open to the public and are part of an operator’s regularly scheduled service.

• Provide funding to promote workforce development and career opportunities in the public transit industry.

**FY 2011 FEDERAL TRANSPORTATION APPROPRIATIONS**

Every year, Congress adopts at least 12 separate appropriations bills, including one for transportation. These measures provide the legal authority for federal agencies to spend money
during the upcoming fiscal year for the programs they administer. In developing these appropriations bills, Congress may allocate funding for programs within a particular policy area up to the maximum amount included in the related authorizing legislation, but no more. In the case of surface transportation, the annual appropriations process is guided by SAFETEA-LU until successor legislation is enacted.

In general, VTA’s advocacy efforts with regard to the FY 2011 federal transportation appropriations bill will emphasize the following:

- Support a minimum appropriations level for federal surface transportation programs equal to the guaranteed spending levels authorized in SAFETEA-LU or its successor.

- Advocate for the highest possible levels of funding for individual programs within the highway and transit titles of SAFETEA-LU or its successor. The key federal surface transportation programs for VTA are: (a) the UZA Formula Program; (b) the New Starts, Small Starts, Fixed Guideway Modernization, and Bus/Bus Facilities Programs; (c) the Job Access/Reverse Commute and New Freedom Programs; (d) the Surface Transportation Program (STP); and (e) the Congestion Mitigation and Air Quality Improvement Program (CMAQ).

- Ensure that appropriations are allocated according to the program structure contained in SAFETEA-LU or its successor.

**CLIMATE CHANGE**

The United Nation’s Intergovernmental Panel on Climate Change has found that a concerted and coordinated effort must be made to limit the effects of global warming. The United States is responsible for 22 percent of the world’s total greenhouse gas emissions. The transportation sector produces approximately one-third of the greenhouse gas emissions in this country, primarily in the form of carbon dioxide (CO2) emissions. Therefore, as Congress considers climate change legislation, it must address the challenge of reducing transportation-related emissions.

Public transit will play a key role in reducing greenhouse gas emissions from the transportation sector. Studies show that public transit cuts CO2 emissions by 37 million metric tons annually by reducing the number of automobile trips, easing traffic congestion and supporting more efficient land-use patterns. These contributions are important because driving rates, as measured in vehicle miles traveled, are expected to double by 2030, which would negate the greenhouse gas emission reductions resulting from recent changes in Corporate Average Fuel Economy (CAFE) standards and from new low-carbon fuel requirements.

In partnership with APTA, VTA will advocate on issues related to federal climate change legislation according the following four principles:

1. **Use revenues from federal climate change legislation to expand public transit services:** To achieve the increases in public transit ridership that will significantly reduce greenhouse gas emissions from the transportation sector, federal climate change legislation must begin to address the large annual capital funding shortfall for public transit, as well as allow public transit agencies to address service levels, fare strategies and the cost of carbon under a cap-and-trade program. Revenues from the auction or sale of emission allowances under a cap-
and-trade program or from an emission reduction program should be used to supplement—not supplant—public transit funding provided through SAFETEA-LU and its successor.

2. **Increase the availability of fixed guideway transit:** Fixed guideway transit investments help create energy efficient land-use patterns, which produce greenhouse gas emission reductions beyond the immediate benefit of increased public transit use. These investments have the potential to significantly improve the way people live and travel, reducing individual carbon footprints while preserving and enhancing mobility.

3. **Promote energy efficient technologies:** Federal climate change legislation should encourage new investment in energy efficient technologies that can increase the annual CO2 savings from current public transit services. Federal support for such investment would speed up the deployment of advanced technologies, thereby freeing up resources to support expanded service.

4. **Support local, regional and state efforts to increase mobility while reducing emissions from the transportation sector:** As part of a comprehensive strategy to reduce greenhouse gas emissions, a new source of funding should be created for local, regional and state governments to advance mobility in ways that reduce vehicle miles traveled. New funding could be linked to efforts that will capture emission reductions through energy efficient land-use patterns, expanded public transit service and transit-oriented development.

**HIGH-SPEED RAIL**

Rapid population growth, congested highways and constrained airports prompted California leaders to consider building a high-speed train system in the state along the lines of those that have been in operation for decades in Europe and Asia. In 2000, the California High-Speed Rail Authority, the agency currently responsible for planning, building and operating the state’s high-speed train system, unveiled a plan for an 800-mile system that would link all of the state’s major population centers, including the Bay Area, Los Angeles, Sacramento, the Inland Empire, Orange County, and San Diego. Through a subsequent program-level environmental document, the High-Speed Rail Authority recommended using an alignment over the Pacheco Pass to enter the Bay Area. This alignment would maximize service to Silicon Valley and dramatically improve the Caltrain commuter rail corridor.

The High-Speed Rail Authority projects that trains operating at speeds of up to 220 miles per hour would be able to transport riders from downtown San Francisco to Los Angeles in just under two and a half hours. The steel-wheel-on-steel-rail, electrically powered high-speed trains would rely on proven technology employed by systems in use in Europe and Asia. Supporters of the state’s proposed high-speed train system contend that it would relieve highway and air traffic congestion between Northern and Southern California, and significantly reduce transportation-related greenhouse gas emissions.

To fund the core segment of the state’s proposed high-speed train system, SB 1856 (Costa) was enacted in 2002 to provide for the submission of the Safe, Reliable, High-Speed Passenger Train Bond Act for the 21st Century to the voters of California for their approval. The bond act calls for the issuance of a total of $9.95 billion in general obligation bonds, $9 billion of which would be used in conjunction with federal and private funds for the planning and construction of the first phase of the system—from Anaheim through Los Angeles to the Bay Area. The remaining $950 million would be made available for capital projects on other passenger rail lines in...
California to provide connectivity to the high-speed train system, and for capacity enhancements and safety improvements to those lines. Under the provisions of SB 1856, the bond act was initially scheduled for the 2004 general election. However, two subsequent bills postponed its consideration until November 2008, at which time it was approved by the voters as Proposition 1A.

In 2009, the Obama Administration unveiled a long-term strategy intended to build an efficient, high-speed passenger rail network of 100- to 600-mile intercity corridors as one element of a modernized national transportation system. In the near term, the proposal lays the foundation for this network by investing in intercity and high-speed rail infrastructure, equipment and intermodal connections, beginning with an $8 billion down payment provided under the American Recovery and Reinvestment Act (ARRA), and continuing with a grant program of $1 billion per year over the next five fiscal years. California, as well as Silicon Valley, will benefit from this federal commitment.

In 2010, VTA will work with the California High-Speed Rail Authority, MTC, Caltrain, and other regional partners to pursue actions at the federal level that advance the San Francisco/Silicon Valley Corridor Investment Strategy for High-Speed Rail. In addition, VTA will support efforts to fund and implement improvements to the Diridon Station Area consistent with plans developed by the city of San Jose and Caltrain.

**ECONOMIC STIMULUS LEGISLATION**

If the Obama Administration and Congress consider a second economic stimulus bill, VTA will advocate for the inclusion of substantial funding for transportation infrastructure in such legislation. Public transit and other types of transportation infrastructure projects yield considerable benefits to the economy in terms of job creation and revenue generation. In addition, VTA will work to ensure that the legislative parameters defining how any federal economic stimulus funding would be provided for transportation infrastructure projects allow VTA to take advantage of such funding for high-priority projects in Santa Clara County.

**SILO/LILO TRANSACTIONS**

Throughout the 1990s and up until 2003, the Federal Transit Administration (FTA) encouraged public transit agencies to enter into Sale-In/Lease Out (SILO) and Lease-In/Lease-Out (LILO) transactions. As a result, VTA entered into six such transactions. The benefit to public transit agencies for entering into these transactions was to provide additional resources to increase their capital budgets and allow them to make critical investments in their infrastructure.

In 2004, however, the Jobs Creation Act was enacted, which prohibited SILO/LILO transactions. As a result, the Internal Revenue Service (IRS) began denying the benefits claimed by investors under these transactions. After successfully defending its position in at least two major court cases, the IRS made a settlement offer to the investor community, under which investors would be allowed to keep 20 percent of the tax benefits that they had originally anticipated while agreeing not to litigate the matter any further. This settlement was accepted by the vast majority of the investors.

As part of a SILO/LILO agreement, it was necessary for a public transit agency to retain a third-party guarantor to distribute lease payments over the life of the transaction. In many cases, AIG,
Ambac and FSA provided this guarantee. During the period that these transactions were undertaken, AIG, Ambac and FSA were considered to be extremely reliable parties to play this role, and they were three of a handful of financial institutions that were eligible to meet the credit standards of the contractual requirements.

However, during the recent financial crisis, AIG, Ambac and FSA saw their credit ratings reduced below the contractual requirements of most SILO/LILO agreements. Under such a circumstance, the duty to replace the guarantor with a like party that met the credit standards rested solely with the public transit agency. Because the marketplace has been and continues to be in such disarray, and no other financial institutions exist that could meet the contractual standards, banks and other investors could claim a technical default and attempt to dissolve the transactions. Such an early termination would expose public transit systems to significant liability for earnings and unrealized tax benefits of the investors.

As part of its 2010 Legislative Program, VTA will continue to work with other public transit agencies from across the country on administrative and/or legislative remedies that would prevent investors from taking advantage of the credit ratings of the third-party guarantors in order to seek an early termination of SILO/LILO transactions and secure unrealized tax benefits that were denied to them by Congress and the IRS.

**PUBLIC TRANSIT SECURITY**

Security is a top priority for public transit agencies across the United States. Since the terrorist attacks of September 11, 2001, public transit agencies have spent more than $2 billion on security and emergency preparedness programs from their own budgets. As a result, many public transit systems are more secure now than they were prior to 9/11. However, more needs to be done. Although state and local governments, as well as public transit agencies, are doing what they can to improve security, it is important for the federal government to be a full partner in efforts to ensure the security of the nation’s public transit users.

As part of its 2010 Legislative Program, VTA will advocate for funding to enhance the security and safety of our nation’s public transit systems through the FY 2011 U.S. Department of Homeland Security appropriations bill, as well as for the following policies:

- The federal government should increase its financial support for public transit security and safety improvements. However, such funding should not be provided at the expense of existing federal transit programs.

- Federal public transit security and safety funding should recognize the varying needs and nature of systems across the nation, and should be flexible in terms of use.

- Federal public transit security and safety funding should be provided at a 100 percent federal share with no match requirement.

- Consideration should be given to transferring the responsibility for administering federal transit security and safety grants from the Homeland Security Department to the U.S. Department of Transportation. In addition, the process should be streamlined to decrease the length of time between when grant applications are submitted to the federal government and when a public transit agency actually receives its grant funding.
Federal public transit security and safety funding should be allocated directly to operators, rather than through State Administering Agencies (SAAs) to ensure that funding is made available in an efficient and timely manner.

STATE

The State Section of VTA’s 2010 Legislative Program is divided into the following policy areas:

1. FY 2011 State Budget.
2. Transportation Finance.
3. Transportation Program Structure.
5. Transit-Oriented Development.
6. Project Delivery.
7. High-Speed Rail.

FY 2011 STATE BUDGET

Transportation funding in California has been plagued by uncertainty, unpredictability and instability. Throughout this decade, significant amounts of transportation dollars have been loaned or transferred to the General Fund to help address state budget deficits. This loss of revenue has negatively impacted the ability of Caltrans and local agencies to deliver capital improvement projects funded through all of the state’s transportation programs, including the Traffic Congestion Relief Program (TCRP), the State Transportation Improvement Program (STIP), and the State Highway Operation and Protection Program (SHOPP). It also has interrupted the flow of dollars for transit operations and capital projects through the Public Transportation Account (PTA), and for local roadway projects through Proposition 42.

Given the state’s worsening fiscal condition, protecting transportation dollars for their intended purpose will once again be a top priority for VTA and the transportation community in 2010. Although the passage of Proposition 1A was an important step, it does not completely close the door on the possibility of Proposition 42 gasoline sales tax revenues being loaned for non-transportation uses. Moreover, PTA revenues continue to remain vulnerable to diversion to the General Fund. Finally, transportation revenues that were loaned to the General Fund in prior fiscal years still need to be repaid. Therefore, as part of its 2010 Legislative Program, VTA will advocate for the following:

- Support the full transfer of gasoline sales tax revenues from the General Fund to the Transportation Investment Fund (TIF) pursuant to Proposition 42. Furthermore, oppose the loaning or diversion of Proposition 42, PTA and other state transportation dollars to the General Fund or to pay for General Fund obligations.

- Support the constitutional amendment being proposed by the League of California Cities, the California Alliance for Jobs and the California Transit Association that seeks to permanently protect local government and transportation funding for their intended purposes.

- Support the California Transit Association’s efforts to reclaim PTA revenues for public transit purposes, including the State Transit Assistance Program (STA), that were used to
cover General Fund obligations over the past three fiscal years, pursuant to the Association’s successful lawsuit.

- Ensure that all previous loans from the various state transportation accounts to help with prior-year General Fund deficits are repaid in full and as expeditiously as possible, using General Fund and tribal gaming revenues as originally specified in state law. Oppose attempts to repay these loans with PTA or other transportation dollars.

- Support appropriating the full amount of funding for STA as part of the FY 2011 state budget.

- Continue to partner with the California Transportation Commission (CTC) and the TCRP Working Group to implement the commission’s adopted TCRP Allocation Plan, which includes a payment schedule for the remaining TCRP funding for the BART Extension to Silicon Valley.

- Support appropriating the highest possible level of Proposition 1B bond revenues as part of the FY 2011 budget. Monitor discussions within the Schwarzenegger Administration and the Legislature concerning the distribution of these revenues among the various Proposition 1B program categories. Oppose efforts to use Proposition 1B bond funds to supplant existing revenues for other state transportation programs.

- Partner with other transportation stakeholders to advocate for the timely issuance of bonds by the Treasurer’s Office to ensure that Proposition 1B projects are not delayed.

- Work with the CTC to ensure the approval of any allocation requests submitted in FY 2011 for Santa Clara County Proposition 1B and STIP projects.

**TRANSPORTATION FINANCE**

California is suffering from an overall underinvestment in transportation infrastructure. The gas tax, the historic foundation of transportation funding, has substantially eroded in value. California last approved a gas tax increase in June 1990 under Proposition 111, which raised the rate up to the current level of 18 cents a gallon. However, statistics indicate that the state’s gas tax rate has not kept pace with the growth in population, licensed drivers, registered vehicles, and vehicle miles traveled. At the same time, automobile fuel economy has more than doubled, resulting in drivers using less gas and paying less gas taxes for each mile they drive. Furthermore, while the cost of constructing transportation projects increases each year, the gas tax stays constant. The result is an erosion of purchasing power.

In May 1999, the CTC published a report suggesting that the magnitude of California’s unfunded transportation needs over 10 years was close to $120 billion. Although the CTC has not done a comprehensive update of this 1999 assessment, the commission recently reported that the number has actually grown to roughly $200 billion since that time.

VTA supports legislative proposals and policies that ensure that adequate levels of funding are available for operating, maintaining, rehabilitating, and improving California’s transportation infrastructure, including state highways, public transit, local streets and roads, bicycle and
pedestrian facilities, transportation corridor management strategies, and intelligent transportation systems. In 2010, VTA’s advocacy efforts in this regard will emphasize the following:

- Support legislation that would require the state gas and diesel fuel tax rates to be adjusted annually for inflation. In addition, explore the possibility of changing how the gas tax is collected at the pump from a per-gallon rate to a percentage of the purchase price.

- Support efforts to place a constitutional amendment before the voters of California to allow them to decide whether the two-thirds voting requirement for local transportation sales tax measures should be lowered.

- Support legislation that would provide the necessary authorization in state law to implement the proposed Bay Area regional express lane network predicated on the following: (a) such legislation must ensure that the regional express lane network will be implemented through a partnership between MTC and the Bay Area congestion management agencies (CMAs); (b) it must ensure that individual corridors retain at least 95 percent of their net revenues for transportation improvements within those corridors; and (c) it must maintain the ability of the CMAs to manage the development and construction of express lane projects within their counties, as well as any improvements in express lane corridors within their counties that generate net revenues.

**TRANSPORTATION PROGRAM STRUCTURE**

**STIP:** SB 45 (Kopp), which was enacted into law in 1997, brought about various changes to the process for programming transportation dollars through the STIP. In general, this legislation simplified the programming process by consolidating nine separate state transportation funding pots into two broad categories: (1) the Regional Transportation Improvement Program (RTIP); and (2) the Interregional Transportation Improvement Program (ITIP). SB 45 also devolved a significant amount of programming responsibility from the CTC to regional transportation planning agencies (RTPAs), such as MTC in the Bay Area.

VTA will work with other transportation stakeholders on possible reforms to the STIP process, including: (a) eliminating the four-year county share period, thereby allowing county shares and programming capacity to be calculated based on the STIP Fund Estimate; (b) strengthening the language in current law that states that the CTC can only accept or reject RTIPs in their entirety; (c) establishing clear criteria as to when the CTC may reject an RTIP; and (d) allowing local agencies to bond against their STIP county shares.

**PTA:** Revenues in the PTA are derived primarily from the following four sources: (1) sales tax on diesel fuel; (2) sales tax on 9 cents of the state excise tax on gasoline; (3) Proposition 42; and (4) spillover. On the expenditure side, how PTA revenues are allocated varies by funding source, causing a certain amount of confusion.

The PTA is in need of some restructuring. In 2010, VTA will work with the California Transit Association and other transportation stakeholders on the following: (a) providing adequate constitutional protections for all PTA revenue sources to ensure that they cannot be used to shore up the General Fund; (b) determining whether to allocate spillover through Proposition 42; (c) clarifying the definition of public transit to ensure that PTA dollars cannot be used for expenditures that historically have been covered by the General Fund; (d) determining whether to distribute PTA revenues that are currently allocated through the STIP process by some other
method; and (e) establishing the same method of distribution for PTA revenues, regardless of funding source.

**TRANSPORTATION AND THE ENVIRONMENT**

Transportation is an environmental issue. How the transportation system is planned and developed can have either positive or negative environmental consequences. Improving air and water quality, protecting wildlife habitats, preserving open and green spaces, sensibly managing energy and resource consumption, and preventing sprawl are among the environmental objectives that directly impact the quality of life of California’s communities. Creating a more balanced transportation system is central to preserving the environment as a whole.

**Climate Change:** In 2006, Gov. Schwarzenegger signed into law AB 32 (Nunez), the Global Warming Solutions Act, which made California the first state in the nation to attempt to cap its greenhouse gas emissions. This legislation sets the ambitious goal of cutting greenhouse gas emissions throughout the state to 1990 levels by 2020. This translates into an estimated 25 percent reduction, or 174 million metric tons per year. To achieve this goal, AB 32 empowers the California Air Resources Board (CARB) to adopt rules and regulations to “achieve the maximum technologically feasible and cost-effective greenhouse gas emissions reductions from sources or categories of sources” according to a series of benchmarks and timetables specified in the legislation.

Two years later, SB 375 (Steinberg) was enacted into law. This extremely complex piece of legislation attempts to put in place a framework for cutting vehicle miles traveled as a strategy for reducing greenhouse gas emissions from the transportation sector. In general, SB 375 requires MPOs in California, including MTC, to include a “sustainable communities strategy” in their regional transportation plans (RTPs) that would consist of development patterns and transportation measures designed to achieve regional greenhouse gas emission reduction targets provided by CARB. In addition, the bill requires the allocation of regional housing needs assessment (RHNA) shares to cities and counties to be consistent with a particular region’s sustainable communities strategy. Finally, SB 375 provides California Environmental Quality Act (CEQA) incentives for certain types of development projects in order to encourage local governments to undertake their planning activities in a manner that is consistent with the sustainable communities strategy, and to entice developers to build high-density housing near public transit stations.

As part of its 2010 Legislative Program, VTA will advocate at the state level on issues related to the implementation of AB 32 and SB 375 according the following four principles:

1. **Recognize the role of public transit:** Given that the AB 32 scoping plan includes multiple policies directed at reducing vehicle miles traveled and increasing the use of alternative modes of transportation, reliable funding for public transit is needed to build capacity to accommodate the resulting growth in ridership. Public transit operators across the state already are experiencing financial pressures due to the loss of PTA funding and steep reductions in local sales tax revenues resulting from California’s struggling economy. The significant role that public transit will play in meeting the goals of AB 32 and SB 375 must be recognized, and new revenues must be dedicated for transit capital and operating needs.

2. **Ensure that AB 32 and SB 375 actions do not erode the existing transportation funding base:** Significant transportation funding is derived from state and federal gas taxes. Incentives to
reduce consumption of taxable fuels will cut greenhouse gas emissions, but run the risk of reducing a major funding source that California relies on to develop and maintain its transportation infrastructure. CARB should evaluate the impact of AB 32 actions on transportation funding levels and develop a plan to supplement any lost revenues.

3. **Dedicate revenues from market mechanisms implemented under AB 32 for transportation:**

Future policies directed at reducing greenhouse gas emissions present challenges and opportunities for the transportation sector. Therefore, CARB should develop a framework for the use and allocation of new revenues created under AB 32 for multimodal transportation projects and programs that provide greenhouse gas emission reductions.

4. **Incorporate greenhouse gas adaptation in CEQA:**

CARB should work with the Office of Planning and Research and other key stakeholders to address how greenhouse gas emissions would be analyzed under CEQA, and allow transportation projects to be evaluated for greenhouse gas emissions at the programmatic level.

In addition, VTA will work with local agencies and the business community in Silicon Valley to develop a coordinated response to any legislation that may be introduced that seeks to reform parking policies.

**Urban Transit Bus Fleet Rule:**

As part of its 2010 Legislative Program, VTA will continue to monitor the implementation of CARB’s Urban Transit Bus Fleet Rule to ensure that these efforts: (a) are consistent with VTA’s environmental policies and clean-fuels strategies, as well as with the regional Zero-Emission Bus Demonstration Program; and (b) do not impose any unnecessary financial and administrative burdens on public transit operators. In addition, VTA will work with the California Transit Association to ensure the certification of diesel hybrid engines to meet the diverse needs of the state’s public transit operators.

**TRANSIT-ORIENTED DEVELOPMENT**

Transportation and land use are inextricably connected. Land use determines commute patterns by influencing mode choices, travel routes and trip distances. At the same time, the transportation system shapes land-use patterns as development tends to occur along major transportation corridors. To maximize mobility, land-use planning should encourage alternatives to the automobile. Policies that promote the clustering of high-density housing and mixed-use developments at existing or planned public transit hubs result in more effective utilization of the transportation system. Specifically, they help reduce sprawl and encourage more efficient use of public transit services.

As part of its 2010 Legislative Program, VTA will support legislative proposals and policies that encourage transit-oriented development and other smart growth initiatives that enhance the effectiveness of public transit and other alternative modes of transportation.

**PROJECT DELIVERY**

Project delivery continues to be an area of focus. Oftentimes, transportation projects can take a considerable amount of time to complete. Project sponsors must maneuver through a multi-stage development and review process that includes design and engineering, right-of-way acquisition, environmental impact review and mitigation, financing, construction, and other related
requirements at various levels of government. As a result, delays are common. Therefore, it is important to explore different and innovative ways to expedite the delivery of transportation projects in order to control costs and provide the benefits of transportation improvements to the system’s users quicker.

In general, VTA supports legislative proposals and policies that enhance the ability of local project sponsors and Caltrans to effectively manage and expedite project delivery. In 2010, VTA’s efforts in this regard will emphasize the following:

• Support legislation that would allow project sponsors to utilize design-build contracting, construction management-general contractor and other innovative contracting methods for delivering state highway and other types of transportation projects. In addition, ensure that adequate flexibility is provided in state procurement law to allow project sponsors to do advanced purchases of materials and supplies for construction projects when it would result in expediting project delivery.

• Support legislation that would enhance the ability of VTA to engage in public-private partnerships to deliver transportation projects.

• Preserve the flexibility for local transportation organizations to be designated as the lead agency for the preparation of environmental documents and the management of construction work for state highway projects.

• Support the continued use of Grant Anticipation Revenue Vehicle (GARVEE) bonds and AB 3090 arrangements by the CTC for STIP projects that are programmed in the out-years, but are ready to go now. In addition, work with the CTC to encourage the use of pre-award authority for projects programmed in the current year of the STIP.

• Monitor legislative proposals regarding eminent domain to ensure that: (a) the authority for local transportation entities to use eminent domain for transportation projects is not jeopardized; and (b) any changes to eminent domain law do not adversely impact the delivery schedules and cost of transportation projects.

**HIGH-SPEED RAIL**

VTA has historically supported the concept of building and operating a high-speed rail line to provide a competitive, long-distance travel option between Northern and Southern California as a way to relieve air traffic and highway congestion. In fact, several years ago, VTA partnered with four other organizations to establish the Silicon Valley High-Speed Rail Coalition to advocate not only for high-speed rail in general, but also for a Pacheco Pass alignment into the Bay Area. As part of its 2010 Legislative Program, VTA will continue to participate in the Silicon Valley High-Speed Rail Coalition to:

• Support full funding for the activities of the High-Speed Rail Authority in the FY 2011 state budget.

• Support the implementation of a Pacheco Pass alignment into the Bay Area for high-speed rail as proposed in the California High-Speed Rail Authority’s program-level environmental document.
The Regional & Local Section of VTA’s 2010 Legislative Program is divided into the following sections:

1. MTC Discretionary Allocations.
2. Transit for Livable Communities Program.
3. Regional Bicycle Program.
4. Climate Change Program.
5. Express Lanes.
7. Vehicle Registration Surcharge for Transportation.
8. Caltrain Commuter Rail Service.
9. Capitol Corridor Intercity Rail Service.
10. Dumbarton Rail Project.
11. Other Regional Transit Services.

**MTC DISCRETIONARY ALLOCATIONS**

MTC allocates more than $1 billion per year in federal, state and toll revenues to operate, maintain and expand the Bay Area’s transportation network. While many of these allocations are based on formulas, MTC does distribute discretionary money. Historically, Santa Clara County has not fared well with regard to MTC’s allocation of discretionary funding. Based on population, Santa Clara County should receive approximately 25 percent of all regional discretionary funding.

As part of its 2010 Legislative Program, VTA will:

- Support efforts to distribute MTC discretionary funding by population at every opportunity.

- Seek to direct any unanticipated regional highway funding to high priority projects in Santa Clara County. Such priorities include the I-280/I-880/Stevens Creek Boulevard Interchange Project, improvements in the U.S. 101 Corridor, the SR 85/SR 237/El Camino Real Interchange Project, the U.S. 101/SR 25 Interchange Project, and the Silicon Valley Express Lane Program.

- Seek to direct any unanticipated regional public transit funding to high priority projects in Santa Clara County, which include the BART Silicon Valley Project, and light rail extensions to Eastridge and Vasona Junction.

- Support efforts to have decision-making authority regarding project selection and program implementation occur at the county level.

- Promote VTA projects in competition for regional discretionary funding.

**TRANSPORTATION FOR LIVABLE COMMUNITIES PROGRAM**

The Transportation for Livable Communities Program (TLC) provides planning and capital assistance to promote transit-oriented development throughout the Bay Area. MTC is in the
process of re-evaluating this program in order to make it more effective and to encourage more transit-oriented development projects. Currently, 75 percent of all TLC funding is distributed at the regional level and 25 percent at the county level. VTA plans to distribute its share of TLC money through its Community Design and Transportation Program, which promotes the same goals as the TLC Program.

As part of its 2010 Legislative Program, VTA will advocate according to the following principles with regard to the TLC Program:

- The distribution of TLC funding should be reflective of each county’s population in the Bay Area.
- MTC should set the vision for the program in collaboration with the CMAs. The criteria for project scoring should be equitable for all counties.
- The TLC Program should be administered and implemented entirely at the county level.
- The TLC Program should recognize that the nine counties in the Bay Area are at different stages in terms of pursuing transit-oriented development. Therefore, the program needs to be flexible in order to be effective throughout the Bay Area.
- The TLC Program should be simple and should not duplicate the efforts of other agencies.

**REGIONAL BICYCLE PROGRAM**

MTC is planning to spend $1 billion over the next 25 years to complete the Regional Bikeway Network, which is comprised of a list of bicycle projects that are regionally significant. This list of projects was compiled with the intent of creating a regional bicycle network that would allow for long-distance bike travel throughout the Bay Area.

Since the drafting of the Regional Bikeway Network, many Bay Area counties have developed countywide bicycle plans that include both local and regional projects. These plans were put together by the CMAs using an extensive public process to identify the most important needs of bicyclists in their counties.

With regard to the Regional Bicycle Program, VTA will advocate according to the following principles:

- The program should allow maximum flexibility for counties to determine which local projects will provide the highest public benefit.
- The program should focus on developing county-based networks and facilitate the development of intra-county, short-distance bicycle connections.
- MTC should allocate regional bicycle funding by population to each county. This funding should support both local and regional projects as determined through the Regional Bikeway Network, or based on countywide bicycle or long-range transportation plans.
**CLIMATE CHANGE PROGRAM**

The Climate Change Program is a new MTC effort designed to identify cost-effective methods for using transportation funding to reduce greenhouse gas emissions in the region. The Climate Change Program will likely be comprised of a number of smaller programs, such as: (a) Safe Routes to School/Transit, which would provide funding to promote walking or bicycling to schools and public transit centers; (b) Outreach Campaign to educate the public about how it can reduce its greenhouse gas emissions on an everyday basis; and (c) Transit Priority Program, which would support the implementation of transit priority measures to maintain and improve the speed and on-time reliability of bus transit.

As part of its 2010 Legislative Program, VTA will advocate according to the following principles with regard to MTC’s Climate Change Program:

- Non-Regional Measure 2 funding for Safe Routes to School/Transit should be distributed to the counties by population.
- Funding for the Transit Priority Program should be distributed to the counties by population.
- MTC should work closely with the CMAs in developing the Climate Change Program. The CMAs should be included early in the process.

**EXPRESS LANES**

Express lanes allow solo motorists to drive in the carpool lanes for a fee. Revenues generated from express lanes would be used to pay for the operation and maintenance of the express lanes. Any additional revenues would pay for transportation improvements in the express lane corridor. VTA currently has the authority to build express lanes in two transportation corridors within Santa Clara County.

MTC is planning to implement a regional express lane network throughout the Bay Area, but it currently does not have the necessary statutory authority to do so. MTC and the CMAs have pledged to work collaboratively to seek the necessary authority by securing the passage of AB 744 (Torrico). Assuming that this legislation is enacted into law, VTA’s Express Lane Program would be integrated into the regional network.

At the regional level, VTA will advocate for a Bay Area express lane network that:

- Utilizes a corridor-based structure that recognizes commute-sheds and geographic communities of interest as being the most effective and user-responsive model for express lane implementation. Therefore, each individual corridor working group must be organized in a manner that reflects actual commute sheds.

- Recognizes that popular, political and legislative support will rest on demonstrating that the revenues collected in a particular corridor are used to benefit travelers in that corridor. Therefore, any net revenues generated by a particular corridor must be allocated to the appropriate local agency in a timely manner in order to fund the improvements that are identified in the corridor’s investment plan.
SUSTAINABLE COMMUNITIES STRATEGY

Under the provisions of SB 375 (Steinberg), MTC is required to include a “sustainable communities strategy” as part of the Bay Area’s RTP. This strategy will document development patterns and transportation measures that are designed to achieve regional greenhouse gas emission reduction targets. MTC, the Association of Bay Area Governments (ABAG), the Bay Area Air Quality Management District (BAAQMD), and the Joint Policy Committee (JPC) will be working with regional and local agencies throughout the Bay Area to develop policies and procedures for crafting this strategy.

As part of its 2010 Legislative Program, VTA will advocate for a Bay Area sustainable communities strategy that:

- Is generated through a “bottoms-up” process, rather than being imposed from the top down.
- Includes the CMAs extensively in the planning process.
- Recognizes the unique needs, opportunities and travel patterns of the Bay Area’s nine counties.

VEHICLE REGISTRATION SURCHARGE FOR TRANSPORTATION

SB 83 (Hancock), which was enacted into law in 2009, authorizes a “countywide transportation planning agency,” including VTA, to place a measure before its voters to impose an annual surcharge of up to $10 on each motor vehicle registered within its county to fund transportation-related programs and projects. The legislation requires the governing board of the countywide transportation planning agency to adopt an expenditure plan that details the programs and projects that would be funded with surcharge revenues. The expenditure plan must demonstrate that the programs and projects to be funded with surcharge revenues provide benefits to persons paying the surcharge.

As part of its 2010 Legislative Program, VTA will explore the opportunities and challenges related to placing a vehicle registration surcharge measure before the voters of Santa Clara County at some future election.

CALTRAIN COMMUTER RAIL SERVICE

Caltrain is a 76.8-mile daily commuter rail service that runs between San Francisco and Gilroy. It operates on railroad track owned by the Peninsula Corridor Joint Powers Board (JPB) between San Francisco and the Tamien Station in San Jose, and on Union Pacific Railroad track between the Tamien Station and Gilroy. Currently, Caltrain runs a total of 98 weekday trains.

Caltrain is administered through a Joint Powers Agreement (JPA) that was executed by the City and County of San Francisco, the San Mateo County Transit District (SamTrans), and VTA. Three JPB members are appointed from each of the three counties, and SamTrans serves as the managing agency. Currently, Caltrain is partnering with the California High Speed Rail Authority on the Peninsula Rail Program, which proposes to build the necessary infrastructure to electrify the Caltrain service and provide the facilities that are needed for future high-speed rail along the Peninsula Corridor.
Funding for Caltrain operations and capital projects comes from the three partner agencies. Given that all three member agencies are experiencing financial hardships that impact the public transit service that they provide to their local communities, it is important that they work closely together to determine how to best meet future ridership demand for Caltrain with the limited resources available.

As part of its 2010 Legislative Program, VTA will:

- Work collaboratively with San Francisco Muni and SamTrans to fund Caltrain system improvements that provide cost-effective benefits for current and future passengers.
- Advocate on behalf of Santa Clara County Caltrain passengers to ensure that they receive high quality service.
- In light of VTA’s operating budget situation, be open to the possibility of pursuing options related to changing the way the Caltrain service is funded.

**CAPITOL CORRIDOR INTERCITY RAIL SERVICE**

The Capitol Corridor is a 170-mile intercity rail service that runs between Auburn/Sacramento and San Jose. Service consists of 32 weekday trains between Sacramento and Oakland, and 14 daily trains between Oakland and San Jose. The Capitol Corridor Joint Powers Authority consists of two representatives from each of the eight counties that the Capitol Corridor serves. Funding is provided by the state, and the Bay Area Rapid Transit District (BART) serves as the managing agency.

As part of its 2010 Legislative Program, VTA will advocate for improvements to the Capitol Corridor service as identified by the Joint Powers Authority.

**DUMBARTON RAIL PROJECT**

The Dumbarton Rail Project calls for providing commuter train service from the East Bay to the Peninsula over the existing Dumbarton Railroad Bridge. The current schedule contemplates three trains during the morning peak hours and three trains during the evening, with a transfer at the Redwood City Caltrain Station. VTA is one of four project partners, along with Alameda County, San Mateo County and MTC. However, the project faces several obstacles, the most significant of which is a $400 million capital funding shortfall.

As part of its 2010 Legislative Program, VTA will:

- Advocate for providing enhanced express bus service in the Dumbarton Bridge Corridor. The plan should include direct service to the Stanford Research Park in Palo Alto and the Shoreline Area of Mountain View.
- Work collaboratively with MTC and the project’s other partners to identify revenue sources to close the capital funding shortfall.
OTHER REGIONAL TRANSIT SERVICES

VTA’s transportation network includes other regional public transit services that provide travel options for passengers requiring longer trips through multiple counties. VTA participates in these partnerships through JPAs, not through direct representation on a board of directors. Through these partnerships, VTA is able to provide Santa Clara County residents and workers with a wealth of transportation alternatives. These services include: (a) the Dumbarton Express, which provides bus service from the East Bay over the Dumbarton Bridge to northern Santa Clara County; (b) the Highway 17 Express, which provides bus service between Santa Cruz County and downtown San Jose; (c) the Monterey-San Jose Express, which provides bus service between Monterey County, Gilroy, Morgan Hill, and downtown San Jose; and (d) the Altamont Commuter Express (ACE), which provides commuter rail service between San Joaquin, Alameda and Santa Clara Counties. VTA’s long-term commitment to these services is reflected in its 2000 Measure A Expenditure Plan, which includes capital funding for ACE and the Highway 17 Express.

As part of its 2010 Legislative Program, VTA will work collaboratively with its partners in these regional public transit services to identify any cost-effective capital and operational improvements that would provide benefits to their passengers. In addition, similar to Caltrain, VTA will be open to the possibility of pursuing options related to changing the way these regional public transit services are funded. Finally, VTA will work to ensure that the other Amtrak trains that serve Santa Clara County, such as the Coast Starlight, are as efficient as possible and provide benefits to the residents of our communities.
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: Advisory Committee Enhancement Process Recommendations

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

ACTION ITEM

RECOMMENDATION:

Approve the indicated modifications to the advisory committee process.

BACKGROUND:

VTA values the thoughtful input and diverse perspective provided by advisory committee members. Currently, VTA has five advisory committees, specifically: Bicycle & Pedestrian Advisory Committee (BPAC); Citizens Advisory Committee (CAC); Committee for Transit Accessibility (CTA); Policy Advisory Committee (PAC); and the Technical Advisory Committee (TAC). These committees provide a wide spectrum of stakeholder groups with a forum for discussing proposed changes in VTA policy or priorities that potentially impact transit service and transportation projects throughout the county.

In August 2008, VTA General Manager, Michael Burns, initiated the Advisory Committee Enhancement (ACE) process, to engage advisory committee members in the development of recommendations for improving the existing advisory committee process, to maximize their efficiency and usefulness to VTA Board and administration.

Initially, each advisory committee established a subcommittee (ACE subcommittees) that met monthly to review the roles and responsibilities of their committee, and discuss strategies for improving communications with VTA and the Board. Subsequently, the ACE Task Force was formed, consisting of two representatives from each of the five subcommittees. The Task Force continued to meet on a monthly basis to further explore the strategies that had been suggested, as well as ideas for how they could increase collaboration among the committees.
Four high-level objectives guided the ACE process:

- Enhancing communication/input
- Building consensus among stakeholders
- Promoting informed discussion
- Ensuring efficient use of resources

Several recommendations for improving communication with the Board, or improving the advisory committee process in general, were developed through these monthly discussions, and a number of these have been implemented. For example, Board memos now include a summary of input provided by the Advisory Committees, so that Board members do not have to refer to meeting minutes to know what was recommended by the committees. The Board chair now meets with Advisory Committee chairs on a quarterly basis, to provide an additional avenue for sharing information on Board priorities, and what the committees are working on.

**DISCUSSION:**

Beginning in January 2009, the Task Force met to discuss, develop and evaluate proposals for increasing meeting efficiency, enhancing information sharing and consensus building among stakeholder groups/committees, as well as improving the utilization of resources. Given VTA’s current financial challenges, the goals of increasing efficiency and minimizing the resources dedicated to supporting the advisory process has taken on greater urgency in recent months.

The Task Force worked diligently, over the course of nine meetings, to evaluate the proposals with respect to streamlining the advisory process while still supporting VTA’s mission and goals. The group engaged in dynamic and informative discussions on the merits, implications and concerns associated with each proposed option.

At its final meeting on November 10, 2009 the Task Force voted 8-1 in favor of recommending that the Board approve several specific modifications to the existing advisory committee process. Specifically, the Task Force recommended:

- CAC, PAC, TAC will continue to meet on a monthly basis. However, if the agenda does not warrant a full meeting, every effort will be made to cancel the meeting, or hold a workshop if there are items that need to be discussed but no action will be taken.
- CTA and BPAC will reduce their meeting schedule from twelve (12) to four (4) regular meetings. These meetings do not necessarily have to be held on a quarterly basis; rather, the meeting date will depend on the timing of the item moving to the Board or other external body for review, and other business considerations. The CTA has offered to immediately adopt this schedule for the reminder of FY10 (through June 2010).
- All advisory committees will continue to look for efficiencies in their agendas and cancel meetings if opportunities and workloads allow.
- Advisory committee members will be notified a minimum of two weeks in advance of any change in meeting date, conversion to a workshop, or cancellation. The Board Office will send staff to set up and support regularly scheduled advisory committee meetings, however, there will be no Board Office support for workshops.
• The CAC will allow CTA and BPAC to recommend members of their committee to fill two existing vacant CAC seats that represent bicyclists and the disabled community. CTA and BPAC nominees will need to meet the established CAC membership requirements and all nominations for those positions will still require Board of Director approval.

• The Advisory Committee Enhancement Task Force will reconvene one year following implementation of these recommendations to evaluate the impact of these changes.

Subsequent to the November 10, 2009 Task Force meeting, BPAC’s Task Force members emailed VTA staff and indicated that they had a different understanding of the proposed meeting frequency they had voted on, after seeing the summary of the Task Force recommendation. VTA staff and BPAC committee chairpersons agreed to meet and discuss options for moving forward. As a result of continued dialogue, the BPAC representatives and staff reached agreement, specifically:

• BPAC will reduce its meeting schedule from twelve (12) to a maximum of six (6) regular meetings per year. Regular meetings, which have action taken by the committee (voting is conducted), will be provided with Board Office support. Additionally, the BPAC will have the option to hold four (4) workshops/study sessions per year, which do not require full Board Office support, as there will be no action taken at the meeting. A minimum of two meetings per year (compared to the current monthly schedule) will be cancelled. Further, if any of the six regular meetings do not require action, there is the option to either cancel or convert the meeting to a workshop/study session. Workshops and meeting cancellations will be publicly noticed in compliance with the Brown Act.

Implementation of all the recommended modifications listed above would result in cost savings, primarily thorough decreased staff time dedicated to supporting and attending the advisory committee meetings, preparing detailed project reports and meeting minutes, as well as the cost to prepare and mail information packets to members. The ultimate level of savings will depend upon the actual number of times that each advisory committee meets in a given year. Nevertheless, it is projected that the recommendations above will result in annual savings that will help VTA address its structural deficit. Implementation of most recommendations could occur immediately, however, modifying the CAC membership process, and appointing BPAC and CTA representatives will require additional time.

ALTERNATIVES:

The recommendations reflect the consensus of the Task Force members. If further efficiencies are necessary to address VTA’s projected operating deficit, the Board Secretary may recommend additional strategies for streamlining the committee process.

FISCAL IMPACT:

Implementing the Task Force recommendations to streamline the advisory committee process would result in staff and resource savings. Due to the current fiscal crisis, all departments are reviewing their operations to suggest options for modifying current activities to reduce costs, and this proposal is consistent with that direction.
ADVISORY COMMITTEE DISCUSSION/RECOMMENDATIONS:

On December 10, 2009, the Citizens Advisory Committee considered this item as part of its Regular Agenda and unanimously recommended that the Board of Directors support the Task Force recommendations.

STANDING COMMITTEE DISCUSSION/RECOMMENDATIONS:

On December 17, 2009, the Administration and Finance Committee considered this item as part of its Regular Agenda and unanimously recommended Board approval of the Task Force recommendations, including the direction to staff to evaluate the impact of changes after one year.

At the A&F meeting, alternate Board Member Moylan, who participated in the ACE process, indicated he thought that the Task Force recommendations were a good start, but missed the opportunity to further consolidate the number of committees, as recommended by an earlier organizational study. Member Kniss noted her support for the recommendations, and that Member Moylan's input should be taken under advisement. Member Gage also indicated support for the recommendations, and cautioned that as staff looks for opportunities for consolidation in the future that they keep in mind the distinct roles of the respective committees. VTA General Manager Michael Burns noted that the reduced meeting schedule would promote a more focused use of the committee members’ time, thereby making their input more relevant.

Two Task Force participants, members from the BPAC and CTA, also spoke in favor of the recommendations at the A&F meeting.

Prepared by: Stephen Flynn, Sr. Management Analyst
Memo No. 2312
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: Senate Bill 83 - Implementation Actions

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

ACTION ITEM

RECOMMENDATION:

Recommend that the VTA Board of Directors approve the following tasks relating to SB 83:

1. Authorize the expenditure of up to $30,000 to perform polling in order to determine the feasibility of placing a $10 vehicle registration fee on the ballot for residents of Santa Clara County.
2. Direct staff to develop an expenditure plan to detail the programs and projects that would be developed through the potential vehicle registration fee.
3. Return to the Board in mid 2010 with the draft expenditure plan and the polling results to determine whether or not to place the vehicle registration fee on the November 2010 ballot.

BACKGROUND:

Earlier this year, SB 83 (Hancock) was signed into law. This legislation authorizes a countywide transportation agency to propose placing an annual fee of up to $10 on motor vehicles registered within the county for transportation programs and projects. The bill requires a simple majority voter approval of the measure. If approved by the electorate, the Department of Motor Vehicles will collect the additional fee and distribute the net revenues to the agency, after deduction of specified costs. The agency’s administrative costs are limited to not more than 5% of the distributed fees.

The bill requires that the fees collected be used only to pay for programs and projects bearing a relationship or benefit to the owners of motor vehicles paying the fee. The programs and projects must be consistent with the regional transportation plan and requires the agency’s board to make
a specified finding of fact in that regard. Finally, the governing board of the agency must adopt an expenditure plan that details the programs and projects that would result from the vehicle registration fee.

**DISCUSSION:**

To best evaluate this new funding opportunity, staff is recommending a three-step process. First, staff recommends that the Board approve the expenditure up to $30,000 to conduct polling to determine the likelihood of the measure being approved by the electorate. VTA plans to partner with the Alameda County Congestion Management Agency in hiring the consultant to streamline the polling process and save costs. This investment will provide the VTA Board of Directors with the analysis needed to determine whether or not VTA should place the vehicle registration fee on the ballot.

Secondly, VTA will work with our partners to develop an expenditure plan through a collaborative process per the requirements of SB 83. As outlined by the statue the categories of eligible programs may include:

A. To provide matching funds for other grant funds sources

B. Congestion mitigation programs such as HOV/HOT lanes, local streets and roads rehabilitation, bicycle and pedestrian improvements, signal coordination and roadway operational improvements, traveler information systems, Intelligent Transportation Systems and transit service expansion.

C. Automobile-related pollution mitigation programs.

A $10 annual fee per vehicle would generate an estimated $14 million per year in Santa Clara County.

Thirdly, VTA will return to the Board of Directors in mid 2010 with the polling results and the draft expenditure plan. The Board will have the opportunity to review the results of the poll and determine whether or not it is likely that a ballot measure would be approved by the electorate. If the Board should decide to move forward with the vehicle registration fee, the Board will also be asked to consider adopting the expenditure plan. The fee would then be placed on the November 2010 ballot.

Below is the preliminary schedule that details the work plan for 2010:

January - Refine scope of work and schedule including coordination with polling Request for Proposal.

February - Forecast estimated revenue including multiple fee level scenarios.
February - Develop evaluation criteria and methodology identifying expenditure plan.

March - Develop recommended list of expenditure plan programs.

April - Develop draft expenditure plan within estimated revenues.

May - Conduct nexus analysis

June - Develop recommended expenditure plan based on nexus analysis.

Ongoing - Conduct public outreach

August - Return to the Board for decision on ballot measure and expenditure plan.

August - If approved by the Board of Directors, develop and submit ballot measure.

**ALTERNATIVES:**

The Board could elect not to pursue this funding opportunity or elect to move forward without conducting the background analysis. However, the measure may not be placed on the ballot without developing an expenditure plan.

**FISCAL IMPACT:**

This action would amend the FY10 Congestion Management Program Workplan to include up to $30,000 for polling services. Budget appropriation for this expenditure is available in the FY10 Congestion Management Program Fund Operating Budget.

**ADVISORY COMMITTEE DISCUSSION/RECOMMENDATION:**

The Policy Advisory Committee reviewed this item at their December 10, 2009 meeting. Questions were asked concerning the kinds of projects that would be funded, could there be a nexus to transit projects and the threshold to pass the proposed measure.

Some members enquired about the potential accuracy of the polling data. They expressed concern over whether polls conducted during a down economy would be of value. Other members stated that conducting the poll would help determine the likelihood of success as well as what might be successful. Members commented that the 2010 ballot may have many complex and controversial items and that VTA would need to take that fact into consideration when deciding the time to bring this item before the voters. Members requested that staff report back to
the PAC when the polling would be conducted and with the analysis once it is completed.

The PAC unanimously recommended that the Board of Directors approve staff’s recommended actions regarding SB 83.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Congestion Management Program and Planning Committee was cancelled and this item was moved to the January 7, 2010 Board agenda.

Prepared by: Scott Haywood
Memo No. 2372
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: Santa Clara-Alum Rock Bus Rapid Transit Project Agreement

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

ACTION ITEM

RECOMMENDATION:

Recommend approval of the Santa Clara-Alum Rock Bus Rapid Transit Project Agreement between the City of San Jose and VTA establishing a project description and vision statement for the project.

BACKGROUND:

Since the September 3, 2009 Downtown East Valley Policy Advisory Board (PAB) meeting, VTA staff has worked closely with City staff to finalize an agreement between the City of San Jose and VTA for the Santa Clara-Alum Rock Bus Rapid Transit project. The purpose of the agreement is to formalize the understanding between the City and VTA on the Conceptual Engineering (CE) plans and agree to the design as the basis for the Preliminary Engineering (PE) effort. The Project Agreement also defines a project vision that will guide both agencies as the PE effort progresses. The Agreement has been approved by the staff liaisons from the City and VTA and was submitted to the PAB on December 17th for recommendation to the VTA Board of Directors on January 7th. It is anticipated that the Agreement will appear before the San Jose City Council in February 2010 for adoption. Preliminary Engineering is scheduled to begin in March 2010.

DISCUSSION:

The Project Agreement (Attachment A) between the City of San Jose and VTA includes conceptual project designs (Attachment B & C) agreed to by all parties and will serve as a basis for the PE effort. Project Agreements will be a standard practice for VTA as projects move into advanced stages of design to ensure that public funds are being spent wisely and to allow VTA and partner agencies to formalize key elements of project design and vision. Further refinement
of the project design will undoubtedly occur as detailed analysis of traffic operations, signal timing, utility relocation and street geometrics is better understood. To help the process proceed under an expedited schedule, it is important that the established project design be agreed to by the parties that will participate in the PE effort. The City of San Jose provided a letter in support of the Santa Clara-Alum Rock BRT Project Agreement which is attached with this memo (Attachment D).

**Policy Advisory Board Discussion/Recommendation:**

The Downtown East Valley Policy Advisory Board considered this item at the December 17, 2009 meeting attended by Chairperson Campos, Vice Chairperson Liccardo and Members Cortese, Herrera and Shirakawa.

Member Herrera made a motion to approve the Santa Clara-Alum Rock Bus Rapid Transit Draft Project Agreement between the City of San Jose and VTA establishing a project description and vision statement for the project; and amended her motion to recommend that any potential project cost savings would be reinvested into the corridor. Member Liccardo seconded the motion, and it passed unanimously.

**FISCAL IMPACT:**

There is no fiscal impact.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Congestion Management Program and Planning Committee was cancelled and this item was moved to the January 7, 2010 Board agenda.

Prepared by: Jody Littlehales
Memo No. 1906
AGREEMENT BETWEEN
SANTA CLARA VALLEY TRANSPORTATION AUTHORITY
AND CITY OF SAN JOSE ESTABLISHING A
VISION STATEMENT AND PROJECT DESCRIPTION
FOR THE SANTA CLARA-ALUM ROCK BUS RAPID TRANSIT PROJECT

THIS AGREEMENT effective _______________, 2010 is between the CITY OF SAN JOSE (hereinafter referred to as the "CITY"), and the SANTA CLARA VALLEY TRANSPORTATION AUTHORITY (hereinafter referred to as "VTA").

RECITALS

WHEREAS, VTA intends to construct the Santa Clara-Alum Rock Bus Rapid Transit Project herein after referred to as the "PROJECT" within the City of San Jose; and

WHEREAS, on December 11, 2008 the VTA Board of Directors approved and certified the Santa Clara-Alum Rock Transit Improvement Project Environmental Impact Report (EIR) in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, VTA and the CITY support the goal of expeditiously providing high quality bus rapid transit service in the City of San Jose on Santa Clara Street and Alum Rock Avenue; and

WHEREAS, the City is implementing Form-based Zoning in the Alum Rock Corridor that supports VTA’s PROJECT and is intended to foster economic development and transit and pedestrian oriented design elements within the corridor; and

WHEREAS, VTA and the CITY mutually desire to describe a shared vision statement and project description to provide for maximum interagency cooperation and coordination of the PROJECT to ensure an efficient use of public resources and deliver the project on schedule and within budget.

NOW, THEREFORE, the parties agree as follows:

I. VISION STATEMENT

The Santa Clara-Alum Rock BRT project creates a unique opportunity to combine a commitment to high-quality transit service with a commitment for intensified land uses to revitalize the corridor, creating a sense of community and place that provides a stimulus for private investment. The overall goal for the Santa Clara-Alum Rock BRT project is to provide a rapid transit service that will enhance the economic viability, visual identity and pedestrian and business environment of the corridor.
II. PURPOSE OF AGREEMENT

The purpose of this AGREEMENT is to establish a project description for the PROJECT whereby VTA and the CITY engage as partners to complete the project within budget and on schedule as described in Section IV below.

III. PROJECT DESCRIPTION

A. BRT Lines

The Project as defined in the certified EIR is two separate BRT lines (the 522 El Camino and the 523 Stevens Creek), which would operate in the Santa Clara-Alum Rock Corridor in the City of San Jose. West of 33rd Street, BRT vehicles would operate in the curb lane of Santa Clara Street and Alum Rock Avenue. East of 33rd Street, the alignment would transition to a median running busway within the center of Alum Rock Avenue until Capitol Avenue. East of Alexander Street the BRT would transition back to operating in the curb lane and turn south on Capitol Avenue/Capitol Expressway where the BRT would utilize the HOV lane until the Eastridge Transit Center.

The two BRT lines would offer rapid transit service between downtown San Jose and the Eastridge Transit Center, to the stations outlined below and in Appendix B. At the Downtown Transit Mall, the two BRT lines would split with westbound BRT 522 El Camino service continuing on West Santa Clara Street to the HP Pavilion. Westbound BRT 523 Stevens Creek service would turn south on Second Street and west on West San Carlos Street, stopping at the San Jose Convention Center and Bird Avenue (Note that Eastbound BRT 523 Stevens Creek would use Second Street between Santa Clara and San Carlos Streets). While BRT service would extend for both lines west of Bird Avenue and the HP Pavilion, capital improvements (stations, exclusive lanes, Transit Signal Priority, etc.) associated with those services would be incorporated into the future El Camino and Stevens Creek BRT projects.

The BRT service will have specialized vehicles (articulated, 60 feet in length) with unique branding. The BRT 522 and BRT 523 will operate at 10-minute headways during the peak periods with off-set schedules allowing for a 5-minute combined headway between the Transit Mall and the Eastridge Transit Center. Local lines currently operating in the corridor would continue service to local bus stops with some adjustments for BRT implementation as necessary to better serve passengers.

B. Proposed Stations

BRT stations would consist of a combination of sidewalk areas, sidewalk extensions (bulb-outs) and median platform design. Stations will include expanded shelters, lighting, real time information, ticket vending machines and other amenities similar to those found at existing light rail stations. Depending on location, opportunities may be found to provide unique station/shelter designs that enhance community character and provide other community benefits. The Santa Clara-Alum Rock BRT project identified 14 station locations to serve the BRT lines, 522 and 523. The BRT stations were selected based on transit demand, station visibility and
access, connections to bus and rail, surrounding land uses, station spacing, public support and right-of-way impacts. The 14 BRT station locations are listed below and a detailed description of each station can be found in Attachment B.

1. Bird Avenue Station (Line 523 Only).
2. Convention Center Station (Line 523 Only).
3. San Jose Diridon/HP Pavilion Station (Line 522 Only).
4. Transit Mall Station. (Multiple locations)
5. City Hall/SJSU Station
6. 16th Street Station.
7. 28th Street or 24th Street Station.
8. King Road Station.
9. Jackson Avenue Station.
10. Alum Rock Transit Center.
11. Story Road Station.
12. Ocala Avenue Station.
13. Eastridge Transit Center.
14. Sunset. (An optional station will be considered at Sunset Street as the surrounding area develops. Funding for and construction of the station is expected to come from non-project funds and could include non Measure A-local, state, federal and developer sources.)

IV. PROJECT PLANS, SCHEDULE, PUBLIC OUTREACH

VTA and the CITY have worked cooperatively since January 2009 to develop the conceptual-level project plans, dated 10-27-2009 and attached here as Attachment C. These plans will serve as the basis for Preliminary Engineering, scheduled to begin by the Spring of 2010 and take approximately 16 months to complete. The CITY and VTA acknowledge that portions of the project are within the jurisdiction of the County of Santa Clara (Capitol Expressway) or the State of California (Alum Rock Avenue, State Route 130) and that neither the County of Santa Clara nor the State of California is a party to this AGREEMENT. VTA is advancing the design development of the PROJECT subject to the future relinquishment of all or portions of these facilities to the CITY. If the City either chooses to not accept relinquishment or is unable to reach agreement on relinquishment, VTA will continue with the project by pursuing design exceptions under Caltrans requirements.

The attached plans represent the final product developed through the conceptual-level design for the PROJECT. PROJECT design changes may occur as detailed analysis of traffic and bus operations, utility relocations and other studies are developed in Preliminary Engineering. In that case, the parties will endeavor to preserve the Vision of the PROJECT as expressed in this Agreement when developing and considering design changes.

Architectural and design elements will be a focus of intensive design study and stakeholder outreach in the Preliminary Engineering phase of the PROJECT.
The community outreach process during Preliminary Engineering will build on the outreach work already accomplished in Conceptual Engineering by continuing to include business and property owners along the PROJECT corridor.

**IN WITNESS WHEREOF**, the parties have executed this AGREEMENT effective the day and year set forth above.

“CITY”
City of San Jose  
a municipal corporation

By:_________________________________
Lee Price, MMC  
City Clerk

“VTA”
Santa Clara Valley Transportation Authority  
a public agency

By:_________________________________
Michael T. Burns  
General Manager

APPROVED AS TO FORM:

By:_________________________________
City Attorney

By:_________________________________
General Counsel

**ATTACHMENTS**

Attachment B – Project Description: Station Locations
Attachment C – Project Description: Plan and Cross-section drawings dated 10-27-2009
Santa Clara-Alum Rock Bus Rapid Transit (BRT) Stations

The Santa Clara-Alum Rock BRT project will construct 13 new stations and possibly one optional station to serve the BRT 522 and BRT 523, and are described in detail below:

1. **Bird Avenue Station (Line 523 Only).** The Bird Avenue Station would be constructed adjacent to the curb in both directions without bulb-outs. The eastbound platform would be located on the farside of Bird Avenue in front of Delmas Park Apartments. The westbound platform would be constructed along the curb on the nearside of the intersection at the existing local bus stop. The platforms would include BRT capital improvements and enhanced amenities. Bulb-outs would be added to the stations in the future as the area continues to redevelop.

2. **Convention Center Station (Line 523 Only).** The Convention Center Station would include the construction of a bulb-out on West San Carlos Street in the westbound direction, which would be 90 feet in length, 8 feet wide with a curb height of 6 inches. The station would be located at the existing local bus stop west of the signalized mid-block crosswalk between Market Street and Almaden Boulevard. The eastbound platform would occupy the existing turn-out in front of the San Jose Convention Center and would provide amenities only.

3. **San Jose Diridon/HP Pavilion Station (Line 522 Only).** The San Jose Diridon/HP Pavilion Station would include two station platforms, without bulb-outs, 160 feet in length, 8 feet wide, with a curb height of 6 inches to be located on West Santa Clara Street between Cahill Street and Montgomery Street. The eastbound platform would occupy most of the length of curb between Cahill Street and Montgomery Street. The westbound platform would be located on the opposite side of West Santa Clara Street.

4. **Transit Mall Station.** The Transit Mall Station would be located along the entire block of East Santa Clara Street between 1st Street and 2nd Street, to accommodate the high level of passenger activity. The station would have bulb-out platforms adjacent to the curb lane on both sides of East Santa Clara Street that would be 240 feet in length, 8 feet wide with a curb height of 6 inches. Construction of the station would require the relocation of the existing truck loading zones from East Santa Clara Street to West Santa Clara Street in the vicinity of the proposed station. The eastbound loading zone would be moved to a location just west of 1st Street, and the westbound loading zone would be moved to a location just east of 2nd Street. Existing bus stops located between 3rd Street and 4th Street would be removed. Lines 23 and 523 would stop at the existing bus stations on 1st Street and 2nd Street between East San Fernando and East Santa Clara Streets.

5. **City Hall Station.** The City Hall Station includes the construction of two bulb-out platforms 180 feet in length, 8 feet wide, with a curb height of 6 inches, both of which would be located adjacent to the curb lane of East Santa Clara Street west of 6th Street.
The bus stops currently located at the intersection of East Santa Clara Street and 7th Street would be relocated to the City Hall Station platform.

6. **16th Street Station.** The 16th Street Station includes the construction of bulb-out platforms 180 feet in length, 8 feet wide, with a curb height of 6 inches located adjacent to the curb lane on opposite sides of 16th Street. The bulb-out platform for westbound buses would be located west of 16th Street and the bulb-out platform for eastbound buses would be located east of 16th Street. The two bus stops currently located along East Santa Clara Street at 17th Street would be relocated to the 16th Street Station platforms. Both the bus stops currently located at the southeast corner of East Santa Clara Street and 15th Street and the bus stop currently located at the northwest corner of East Santa Clara Street and 14th Street would be removed. The intersection of East Santa Clara Street and 16th Street would be signalized to enhance passenger safety while accessing this station.

7. **28th Street Station.** The 28th Street Station includes bulb-out platforms 180 feet in length, 8 feet wide, with a curb height of 6 inches adjacent to the curb lanes of East Santa Clara Street, on opposite sides of 28th Street. The westbound bulb-out platform would be located east of 28th Street in front of Five Wounds Church and the eastbound bulb-out platform would be located west of 28th Street in front of the former Empire Lumber site. Construction of the eastbound bulb-out platform would require the removal of one of the two curb cuts at 1260 East Santa Clara Street. The bus stop currently located at the northwest corner of East Santa Clara Street and 26th Street would be removed. The 28th Street Station would provide a connection point for passengers transferring to and from the proposed Alum Rock BART Station.

Assuming the Silicon Valley Rapid Transit Project (SVRT-BART) terminates at Berryessa in the near term, the Preliminary Engineering Consultant would be asked to evaluate the 28th Street BRT Station. The 28th Street Station was selected specifically for the connection to the Alum Rock BART station, so in the near term a station at 24th street may provide better access and multi-modal connections for the community.

8. **King Road Station.** The King Road Station would be constructed adjacent to the median running alignment on the opposite sides of King Road. The platforms would be 90 feet in length and 12.5 feet in width, with the westbound platform located west of King Road and the eastbound platform located east of King Road. Access to the platforms would be via the pedestrian crosswalks across King Road.

9. **Jackson Avenue Station.** The Jackson Avenue Station would be constructed adjacent to the median running alignment on opposite sides of Jackson Avenue. The platforms would be 90 feet in length and 12.5 feet in width, with the median platform for eastbound buses located east of Jackson Avenue and the westbound platform located west of Jackson Avenue.

10. **Alum Rock Transit Center.** The baseline assumes that the BRT line would stop at the Alum Rock Transit Center on Capitol Avenue providing transfer opportunities at the end-
of-line LRT station. If the Capitol Expressway LRT extension project is delayed, VTA would move forward with the Baseline Alternative.

11. Story Road Station. The Story Road Station includes bus duck outs adjacent to the curb lanes on Capitol Expressway. Both northbound and southbound stations would be located on the farside of the intersection of Story Road and Capitol Expressway.

12. Ocala Avenue Station. The Ocala Avenue Station includes bus duckouts adjacent to the curb lanes on Capitol Expressway. Ocala would have a split-station configuration, with the southbound duckout located south of Ocala Avenue and the northbound duckout located north of Cunningham Avenue.

13. Eastridge Transit Center. The BRT would stop at the existing Eastridge Transit Center which can accommodate BRT 522 and BRT 523 service. There are no planned improvements to the Transit Center as a part of the BRT project but VTA is looking for potential funding opportunities that might allow for the re-design and build of the facility.

14. Sunset. An optional station will be considered at Sunset Street as the surrounding area develops. Funding for and construction of the station is expected to come from non-project funds and could include non Measure A-local, state, federal and developer sources.
Bus Rapid Transit Design Option 2
Bus Rapid Transit Cross Sections
TYPICAL SECTION (AT GRADE PLATFORM)
BETWEEN 1ST & 2ND
APPROX. STA. 50+00
SECTION A

TYPICAL SECTION (WITHOUT PLATFORM)
DOWNTOWN
APPROX. STA. 53+00
SECTION B
TYPICAL SECTION (WITHOUT PLATFORM)
BETWEEN 19TH & 23RD
APPROX. STA. 117+00
SECTION C

TYPICAL SECTION (WITHOUT PLATFORM)
BETWEEN 24TH & 28TH
APPROX. STA. 1274+00
SECTION D
TYPICAL SECTION (AT GRADE PLATFORM)
BETWEEN 24TH & 28TH
APPROX. STA. 139+00
SECTION F

TYPICAL SECTION (WITHOUT PLATFORM)
BETWEEN 33RD & 34TH
APPROX. STA. 160+00
SECTION F
TYPICAL SECTION (AT GRADE PLATFORM)

WEST OF KING RD. STATION

APPROX. STA. 165+00

SECTION G

TYPICAL SECTION (AT GRADE PLATFORM)

EAST OF KING RD. STATION

APPROX. STA. 168+00

SECTION H
TYPICAL SECTION (WITHOUT PLATFORM)

WEST OF ALEXANDER AV.

APPROX. STA. 224+00

SECTION M

TYPICAL SECTION

EAST OF ALEXANDER AV.

APPROX. STA. 227+00

SECTION N
TYPICAL SECTION
WEST OF CAPITOL AV.
APPROX STA 232+00
SECTION G
November 19, 2009

Mr. John Ristow  
Chief CMA Officer  
Santa Clara Valley Transportation Authority  
3331 North First Street  
San Jose, CA 95134-1906

Dear Mr. Ristow

SUBJECT: Santa Clara – Alum Rock Bus Rapid Transit Project Scope Agreement

The City of San Jose staff has been a partner in developing the subject agreement and supports its approval by the PAB, the City Council and VTA Board. This agreement establishes a project description that allows the City and VTA to continue to work together as the project moves to the next phase of design. The Santa Clara-Alum Rock Bus Rapid Transit (BRT) project presents an opportunity for our agencies to deliver high-quality transit service and revitalize the corridor. City staff is committed to continue working with VTA to support the implementation of this agreement and deliver the BRT project.

Please contact Ray Salvano at (408) 975-3706 if you have any questions.

Hans F. Larsen, Acting Director  
Department of Transportation
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: Resolution for 2009 American Recovery and Reinvestment Act Funds

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

Resolution

ACTION ITEM

RECOMMENDATION:

Adopt a resolution certifying that VTA is an eligible and responsible sponsor for the US 101/Capitol Expressway/Yerba Buena Interchange Modifications project, authorize the General Manager to submit an application for $5,000,000 of 2009 American Recovery and Reinvestment Act (ARRA) funding for this project and authorize the General Manager to execute an agreement with Caltrans as necessary to receive this grant.

BACKGROUND:

On February 17, 2009 the President signed the American Recovery and Reinvestment Act (ARRA) into law, providing Federal stimulus funding for ready-to-go transportation projects throughout the nation.

To date VTA has received $56,150,000, which the Board has directed as follows:

<table>
<thead>
<tr>
<th>Project</th>
<th>ARRA Funds</th>
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<tbody>
<tr>
<td>Hybrid -Electric Bus Purchase</td>
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<tr>
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<tr>
<td>Preventive Maintenance</td>
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<tr>
<td>VTA Transit Operations</td>
<td>$4.7M</td>
</tr>
<tr>
<td>SR-237/880 and SR-85 Express Lanes</td>
<td>$6.0M</td>
</tr>
</tbody>
</table>
The VTA Board of Directors also programmed $31,550,000 in ARRA funds to the cities and the County of Santa Clara for local road projects.

In the Bay Area, the majority of ARRA transportation projects have now been awarded and are under construction. The contracting environment has been very favorable resulting in substantial bid savings have been realized region-wide. The ARRA contains very strict use-it-or-lose-it deadlines for transportation funds, and these savings are at risk of being taken by the State unless they are obligated by December 31, 2009 to a Bay Area project.

**DISCUSSION:**

As a result of these bid savings and the small window of opportunity to secure them, VTA has an opportunity to submit an application for funds to design the US 101/Capitol Expressway/Yerba Buena Interchange Modifications project. VTA has been aggressively seeking funding for this project. It was previously (and unsuccessfully) submitted for Proposition 1B Corridor Mobility Improvement Account (CMIA) funding in 2007. The project has Federal environmental clearance and can be obligated by December 31, 2009.

Project sponsors are required to submit a Resolution of Local Support to the Metropolitan Transportation Commission (MTC) as part of the grant application process. The resolution is included with this memo as Attachment A.

VTA is the lead agency for the US 101/Capitol Expressway/Yerba Buena Interchange Modifications project and will serve as the sponsor, submitting the grant applications.

**ALTERNATIVES:**

There are no practical alternatives to the recommended action if the Board of Directors wishes to obtain ARRA funds for this project. The Resolution of Local Support is required as part of the application for American Recovery and Reinvestment Act grants.

**FISCAL IMPACT:**

This action may result in approximately $5 million in 2009 American Recovery and Reinvestment Act funds being made available to VTA for design of the US 101/Capitol Expressway/Yerba Buena Interchange Modifications project.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Congestion Management Program and Planning Committee was cancelled and this item was moved to the January 7, 2010 Board agenda.

Prepared by: Celeste Fiore
Memo No. 2427
Resolution of Local Support
American Recovery and Reinvestment Act of 2009 (ARRA) Funding

Resolution No.

Authorizing the filing of an application for federal American Recovery and Reinvestment Act of 2009 (ARRA) funding and stating the assurance to complete the project

WHEREAS, Santa Clara Valley Transportation Authority (VTA) (herein referred as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for approximately $5,000,000 in funding from the federal American Recovery and Reinvestment Act of 2009 (ARRA) for the US 101/Capitol Expressway/Yerba Buena Interchange Modifications project (herein referred as PROJECT) for the MTC Regional ARRA Program (MTC Resolution No. 3885) (herein referred as PROGRAM); and

WHEREAS, pursuant to ARRA, and any regulations and/or guidance promulgated thereunder, eligible project sponsors wishing to receive Regional ARRA funds for a project shall submit an application first with the appropriate Metropolitan Planning Organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, the Metropolitan Transportation Commission (MTC) is the MPO for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised applicable to federal ARRA fund delivery and has adopted in MTC Resolution No. 3885 such additional requirements as are necessary or appropriate to meet the obligations/award deadlines in the ARRA; and

WHEREAS, ARRA funds for transit projects are provided through Federal Transit Administration Formula Programs (23 U.S.C. §53); and

WHEREAS, APPLICANT is an eligible project sponsor for FTA Section 5307, Section 5309 FG, or Section 5311 funds; and

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

WHEREAS, as part of the application for ARRA funding, MTC requires a resolution adopted by the responsible implementing agency stating the following:

1) that the sponsor understands that the ARRA funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional ARRA or other MTC-programmed funds; and
2) that PROJECT will comply with the procedures specified in MTC’s Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and with all project-specific requirements as set forth in MTC’s Regional ARRA Program (MTC Resolution No. 3885); and PROJECT as described in the application, and if approved, as included in MTC's TIP; and
3) that PROJECT will comply with all the project-specific requirements as set forth in the federal ARRA and appropriate applicable regulations or guidance.
NOW, THEREFORE, BE IT RESOLVED that APPLICANT is authorized to execute and file an application for funding under the American Recovery and Reinvestment Act of 2009 for PROJECT; and be it further

RESOLVED that the APPLICANT by adopting this resolution does hereby state that:

1. APPLICANT understands that the ARRA funding for PROJECT is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional ARRA or MTC-programmed funds; and

2. APPLICANT understands the funding deadlines associated with these funds and will comply with the applicable provisions and requirements of the Regional ARRA Program (MTC Resolution No. 3885) and Regional Project Funding Delivery Policy (MTC Resolution No. 3606, as revised); and

3. PROJECT will be implemented as described in the complete application and in this resolution and, if approved, for the amount programmed in the MTC federal TIP; and

4. PROJECT will comply with all the project-specific requirements as set forth in the ARRA and 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 PROJECT; and be it further

RESOLVED that APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for ARRA 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 MTC in conjunction with the filing of the application; and be it further

RESOLVED that the MTC is requested to 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 Board of Directors of the Santa Clara Valley Transportation Authority on _________________ by the following vote:

AYES: 
NOES: 
ABSENT:

Sam Liccardo, Chairperson
Board of Directors

ATTEST: 
Approved as to Form:

Sandra Weymouth, Board Secretary
General Counsel
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

FROM: Chief CMA Officer, John Ristow

SUBJECT: Regional Land Use-Related Initiatives

FOR INFORMATION ONLY

BACKGROUND:

This memo provides information on three regional land use related initiatives, SB375, ABAG FOCUS Program, and Air District Indirect Source Rule. These issues will significantly affect land use and transportation decisions at the local level. At this month’s meetings, staff will provide additional information on these initiatives and engage the committees in discussions of how the initiatives will impact land use planning at the local jurisdictions.

DISCUSSION:

SB375

SB 375 establishes a process for the California Air Resources Board (ARB) to implement the state’s global warming legislation (AB 32) for the transportation sector. The Bill requires metropolitan planning organizations (MPOs) such as Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) to develop a Sustainable Communities Strategy (SCS) - a new element of the regional transportation plan (RTP) - to strive to reach the GHG reduction targets. If the SCS falls short of the ARB targets, an “alternative planning strategy” (APS) is required to achieve them. SB 375 also requires the MPO to conduct extensive outreach with local government officials in developing the SCS. SB 375 implementation will also synchronize the regional housing needs assessment (RHNA) process with the RTP process, requires local governments to rezone their general plans, consistent with the updated housing element within three years of adoption, and provides that RHNA allocations must be consistent with the development pattern in the SCS.

The key milestones of SB 375 implementation in the Bay Area are:

California Air Resources Board targets: June 2010
There are many outstanding questions:

- How will cities and counties get involved?
- What will happen to the newly completed General Plans?
- In addition to MTC and ABAG, who are involved in preparing the Sustainable community Strategy (SCS) or Alternative Planning Strategy (APS)?
- What is the process for local plans to be linked with the Regional Transportation Plan?

ABAG FOCUS PROGRAM

The primary goal of FOCUS is to encourage future growth near transit and in the existing communities that surround the San Francisco Bay. The key implementation tool being pursued is incentives to develop in the Priority Development Areas (PDA). Currently ABAG is working with the cities to conduct the PDA performance assessment process, which is expected to complete in spring 2010.

Funding to support and implement developments in the PDAs will come from various sources as identified in the RTP, including the Transportation for Livable Communities (TLC), Propositions 1C and 84, and other grant opportunities. There are three parts of financial support: planning grants through the Station Area Planning effort, Capital Grants through MTC’s TLC program and technical assistance.

The largest portion of funding is from the MTC’s TLC program, estimated to be approximately $30 million per year. There are several new changes to the TLC program that are likely to affect what projects will qualify and the applications’ competitive, including funding for non-transportation infrastructure improvements, density incentives, and a project’s ability to help meet RHNA allocation and exceed standards for affordable housing. VTA staff is currently working with MTC to improve the draft TLC scoring criteria.

Another area that requires attention is the designation of PDAs. The PDAs in Santa Clara County are shown in Attachment A. VTA staff has been advocating streamlining the designation to “planned PDA” only and requesting ABAG to include all of Santa Clara County’s PDAs to the “planned” category.

AIR DISTRICT INDIRECT SOURCE RULE

The Indirect Source Review Rule is a measure that helps developers take into account how the design, location and other decisions they make as they conceive projects affect air pollution, and then allows them to make changes onsite or offsite that will reduce that pollution. In California there are approximately nine air districts have implemented the indirect source rule. The Bay Area Air Quality Management District (Air District) is initiating the development of an Indirect
Source Review Rule (ISR), with a target adoption year of 2010.

An indirect source rule is believed to be an effective tool for reducing greenhouse gas emissions created by vehicles and energy use linked to new developments. However, as the Air District is developing this rule, we believe we should analyze its potential impacts on developments in Santa Clara County and on the existing and future traffic impact fees.

**ADVISORY COMMITTEE DISCUSSION**

The Technical Advisory Committee and Policy Advisory Committee received a verbal report. The TAC had questions about how cities and VTA can get involved in these initiatives and which cities will participate in the ABAG PDA assessment meetings. Chair Person Witthaus made a comment that for a large County, the number of PDAs are very few. He encouraged cities to be more involved. The PAC didn't have questions for staff.

**STANDING COMMITTEE DISCUSSION**

The December 17, 2009 Congestion Management Program and Planning Committee meeting was cancelled and the item was moved to the January 7, 2010 Board Agenda.

Prepared By: Ying Smith
Memo No. 2309
Priority Development Areas (as of Nov. 21, 2008) in Santa Clara County

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<tr>
<th>City/Agency</th>
<th>Area</th>
<th>Designation</th>
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<tr>
<td>City of Campbell</td>
<td>Central Redevelopment Area</td>
<td>Planned</td>
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<tr>
<td>City of Gilroy</td>
<td>Gilroy Downtown Specific Plan</td>
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<tr>
<td>City of Morgan Hill</td>
<td>Downtown Morgan Hill</td>
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<tr>
<td>City of Mountain View</td>
<td>Whisman Station Area</td>
<td>Potential</td>
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<tr>
<td>City of Palo Alto</td>
<td>California Avenue</td>
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<tr>
<td>City of San Jose</td>
<td>Central &amp; North San Jose – Communications Hill, Evergreen</td>
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</tr>
<tr>
<td>City of Sunnyvale</td>
<td>Downtown Sunnyvale and Sunnyvale Caltrain Station Area</td>
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<td>City of Sunnyvale</td>
<td>El Camino Real Corridor</td>
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<td>City of Sunnyvale</td>
<td>Lawrence Station Transit Village</td>
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<tr>
<td>Valley Transportation Authority</td>
<td>CDT Cores, Corridors &amp; Station Areas</td>
<td>Potential</td>
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</table>

Source: Association of Bay Area Governments (ABAG)
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Michael T. Burns

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

SUBJECT: VTP Hwy Program Semi-Annual Report - October 2009

FOR INFORMATION ONLY

DISCUSSION:

Please find attached the Semi-Annual Report for the VTP Highway Program for the period ending October 31, 2009. We look forward to your continued feedback on this report as the VTP Highway Program moves forward.

ADVISORY COMMITTEE DISCUSSION/RECOMMENDATION:

This item was on the regular agenda at the December TAC meeting and on the consent agenda for the December CAC and PAC meetings. There were no questions or comments on this item at these three advisory committee meetings.

Prepared By: Tim Phillips, Lead Cost Engineer
Memo No. 2287
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<td>PROJECT SUMMARY REPORTS</td>
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SECTION 1

EXECUTIVE SUMMARY
SECTION 1 – EXECUTIVE SUMMARY

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.
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.

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.
Schedule is also a concern, particularly for the three projects utilizing Corridor Mobility Improvement Account (CMIA) funds for construction phase work: US 101 Auxiliary Lanes – Embarcadero to Route 85, I-880 HOV Widening Project, and US 101 Improvements - I-280 to Yerba Buena. CMIA guidelines require VTA to follow specific schedules in order to remain eligible for this source of construction funding. These schedules are typically quite aggressive, requiring that projects proceed to the construction phase in 2010 or 2011.
Figure 1.3 shows a Summary Master Schedule of the currently-identified VTP Highway projects.

### Figure 1.3 - VTP Highway Program Summary Master Schedule

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Legend:
- **Implementation Plan**
- **Environmental/PE**
- **Final Design (PS&E)**
- **Right-of-Way**
- **Construction**
- **Plant Establishment**
- **Funding/scope not identified/defined, schedule is tentative**
SECTION 2

PROGRESS SUMMARY
SECTION 2 - PROGRESS SUMMARY

A. CONCEPTUAL STUDY PROJECTS

On the New Route 152 Alignment project, VTA has received $5 million of State funding from ITIP for the Route 152 Trade and Mobility Corridor, matched with VTA Local Program Reserve funding of $5 million. The study of a new alignment for Route 152 between US 101 and Route 156 is part of a larger effort to study Route 152 between US 101 and Route 99. The Cooperative Agreement between VTA and Caltrans has been executed, and VTA has engaged HDR to provide engineering services for the Traffic and Revenue study and conceptual level engineering.

The Draft Implementation Plan for the US 101 Implementation - Trimble to Mabury project has been prepared and submitted to the City of San Jose for final review and approval. The plan recommends advancing the Taylor/Maybury Road Interchange, and is anticipated to be finalized in late 2009. The preparation of a Project Study Report is the next phase of project development, and will be undertaken as funding is made available.

The footprint of the ultimate Route 85/Route 237 interchange has been determined for the El Camino Real/Route 85/237/Middlefield project, and a range of options for projects which could be advanced within the study area has been provided. The draft PEAR and Preliminary Geotechnical Report have been prepared, Caltrans has approved the traffic model, and traffic studies are ongoing. Caltrans will not provide further reviews or approvals until State resources are made available for the project. Funding is actively being pursued, including the submittal of an application for federal earmark funds. The PSR-PDS is expected to be completed in mid 2010.

B. PROJECTS IN THE ENVIRONMENTAL/PRELIMINARY ENGINEERING PHASE

Progress on the different elements of the Silicon Valley Express Lanes project is as follows:

- ARRA funds have been received for the Route 237/I-880 Express Connector project. The project team is working with Caltrans to analyze current and future traffic conditions. Preliminary Engineering work for the development of the congestion pricing system is underway, and coordination with Caltrans and other stakeholders is ongoing. VTA anticipates awarding a contract for systems integration in early 2010, with construction and public outreach efforts also occurring in 2010.

- ARRA and Earmark funds have been received for the Route 85 Express Lanes. Traffic forecasting and operations reports are under preparation for submittal and approval by Caltrans. Work on the Environmental Document and Preliminary Engineering will commence in early 2010.
B. PROJECTS IN THE ENVIRONMENTAL/PRELIMINARY ENGINEERING PHASE (Continued)

Silicon Valley Express Lanes, Continued

- Work on the **US 101 Express Lanes** continues with Caltrans approving the traffic forecasts for the mainline segment and with efforts currently underway to obtain approval for the ramp traffic forecasts.

VTA is preparing 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.

Work is underway to complete a PSR/PR and ED (State - CEQA only) for the **US 101 De La Cruz Boulevard/Trimble Road Interchange Improvements** in the City of San Jose, and completion is expected in mid 2010.

Current work on the **Charcot Avenue Extension** project 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.

The PSR for the **Calaveras Boulevard Improvements** project will include three project alternatives: the “widen in,” “widen out,” and “no build” options. Both the “widen in” and “widen out” options include three lanes with auxiliary lanes. The final PSR has been submitted to Caltrans, and approval is anticipated late 2009.

The **Mary Avenue Extension** project is currently in the PA/ED phase, with the Final Environmental Impact Report 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 has been finalized with approval by Caltrans pending. 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.
C. PROJECTS IN FINAL DESIGN (PS&E)

The Mitigated Negative Declaration for the **US 101 Improvements - I-280 to Yerba Buena Road** project was signed by Caltrans on December 1, 2005. Project approval was achieved in March 2009, and VTA will file 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 and the project is ready for advertisement following approval by CTC, which is scheduled for late 2009. Utilities relocations are anticipated to commence in late 2009. Construction administration is planned to be conducted by Caltrans.

The 35% PS&E design for the **US 101 Auxiliary Lanes - Embarcadero to Route 85** project was completed in Summer 2009. The 65% PS&E submittal is on schedule for November 2009. Final PS&E is targeted for completion in late 2010. Based on the current design, the project will require two 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.

The 35% PS&E design for the **I-880 HOV Widening** project was completed in Summer 2009. The 65% PS&E submittal is scheduled for November 2009. Final PS&E is targeted for completion in late 2010. This project will require right-of-way acquisitions and temporary construction easements as well as utility relocations. Coordination with the Cities of San Jose and Milpitas is ongoing.

Preliminary Engineering and conceptual design for the **I-880/I-280/Stevens Creek Improvements** project is ongoing. Current efforts include traffic studies, 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 pending the award of $32 million in CMIA funds to the project.

The 95/100% design for the **I-880/Route 237 Planting** project was submitted to Caltrans in August 2009. A construction schedule is dependent upon the execution of agreements between Caltrans and the City of Milpitas. The project is anticipated to be phased to coordinate with the I-880 HOV Widening project in the same corridor.

The **I-880/Coleman Avenue Planting** project is currently on hold pending resolution of issues related to funding, maintenance, and design elements.
D. PROJECTS UNDER CONSTRUCTION

RGW Construction, Inc. was awarded the construction contract for the **Route 152/156 Interchange** project, and the first charged day was March 27, 2007. On August 28, 2008, six weeks ahead of schedule, the flyover (overpass) was opened to traffic, just in time for the busy Labor Day weekend. Work has been completed and the project is being closed out. Mitigation planting and monitoring will continue through mid 2012. This project received the Project of the Year Award in June 2009 from the Silicon Valley Chapter of the American Public Works Association.

The bid opening for the **Route 87 Planting** project occurred on June 25, 2008, and McGuire and Hester was awarded the contract. The first charged day was August 27, 2008. Construction started in August 2008 and was completed in October 2009, two months ahead of schedule. Infrastructure installation activities, including electrical and irrigation work, were completed. The three-year Plant Establishment Phase runs from October 2009 through October 2012.

**Ramp Metering Implementation** plans along the Route 87 and Route 85 corridors were implemented in the first half of 2009. “After” studies on these corridors are being conducted to evaluate the effectiveness of the ramp metering to improve traffic operations. Ramp metering was activated along the southbound US 101 corridor on November 9, 2009. Ramp metering implementation for an additional freeway corridor will occur due to the availability of unused funding. The proposed fourth corridor is the I-880 corridor between Route 237 and Interstate 280, with implementation expected by mid 2010.

**Figure 2.1**, on the next page, provides an overview map of the projects comprising the VTP Highway Program.
Figure 2.1 - VTP Highway Program Overview Map
SECTION 3

PROJECT SUMMARY REPORTS
SECTION 3 - 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 Auxiliary Lanes – Embarcadero to Route 85 (CMIA)
   3. I-880 HOV Widening (CMIA)
   4. I-880/I-280/Stevens Creek Improvements
   5. I-880/Route 237 Planting
   6. I-880/Coleman Avenue Planting

D. PROJECTS UNDER CONSTRUCTION
   1. Route 152/156 Interchange
   2. Route 87 Planting
   3. Ramp Metering Implementation
New Route 152 Alignment

Estimated Cost:
$300-400 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)

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.

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 engineering services for the Traffic and Revenue study and conceptual level engineering.

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<td>225</td>
<td>-</td>
<td>-</td>
<td>225</td>
</tr>
<tr>
<td>Total</td>
<td>4,600</td>
<td>1,672</td>
<td>377</td>
<td>4,223</td>
</tr>
</tbody>
</table>

Secured Funding Incurred 8%
Secured Funding Committed 36%

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 (Other)</td>
<td>$0.15</td>
<td>$0.15</td>
</tr>
<tr>
<td>Measure A/STIP Swap</td>
<td>5.00</td>
<td>2.15</td>
</tr>
<tr>
<td>State - STIP</td>
<td>5.00</td>
<td>2.30</td>
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<tr>
<td>TBD</td>
<td>290-390</td>
<td>-</td>
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<tr>
<td>Total</td>
<td>$300-400</td>
<td>$4.60</td>
</tr>
</tbody>
</table>

Portion of Estimated Cost for which funding has been identified

Existing Route 152 Alignment
**US 101 Implementation - Trimble to Mabury/Taylor**

**Estimated Cost:** $1.75 million  
Estimate Class 5 (see appendix)

**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 for final review and approval. The plan recommends advancing the Taylor/Mabury Road Interchange, and is anticipated to be finalized in late 2009.

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>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
Cost:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Oct-09 Committed Costs</th>
<th>Oct-09 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>1,750</td>
<td>1,747</td>
<td>1,714</td>
<td>36</td>
</tr>
<tr>
<td>Contingency</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>1,750</td>
<td>1,747</td>
<td>1,714</td>
<td>36</td>
</tr>
</tbody>
</table>

Secured Funding Incurred: 98%
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>$0.50</td>
<td>$0.50</td>
</tr>
<tr>
<td>Local (San Jose)</td>
<td>4.75</td>
<td>1.25</td>
</tr>
<tr>
<td>TBD</td>
<td>0.25</td>
<td>-</td>
</tr>
<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

   Estimate Class 5 (see appendix)

**Appropriation through FY 11:**

$2.0 million

**Secured Funding to Date:**

$0.75 million

**Year of Completion:** 2009

(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 provided. The draft PEAR and Preliminary Geotechnical Report have been prepared, Caltrans has approved the traffic model, and traffic studies are ongoing. Caltrans will not provide further reviews or approvals until State resources are made available for the project.

Funding is actively being pursued, including the submittal of an application for federal earmark funds.

The PSR-PDS is expected to be completed in mid 2010.

---

**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>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>PSR-PDS</td>
<td>Mid 2006</td>
<td>Mid 2010</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
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</table>

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P-0570
Cost:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding (a)</th>
<th>Oct-09 Committed Costs (b)</th>
<th>Oct-09 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>
<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>750</td>
<td>748</td>
<td>573</td>
<td>177</td>
</tr>
<tr>
<td>Contingency</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>750</td>
<td>748</td>
<td>573</td>
<td>177</td>
</tr>
</tbody>
</table>

Secured Funding Incurred: 76%
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>$0.50</td>
<td>$0.50</td>
</tr>
<tr>
<td>Local (Mountain View)</td>
<td>0.25</td>
<td>0.25</td>
</tr>
<tr>
<td>Total</td>
<td>$0.75</td>
<td>$0.75</td>
</tr>
</tbody>
</table>

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:

$16 million

Year of Completion: 2015

Project Manager: Leo Scott

Designer: URS and PB Americas

Project Description:

Convert existing carpool lanes to Express Lanes at the Route 237/I-880 direct connector, along the entire 24 mile length of Route 85, and along 34 miles of US 101 from Cochrane Road in Morgan Hill to the San Mateo County line. This will allow for:

- More effective use of existing HOV lanes
- Utilization of dynamic pricing to maintain reliability of express lanes
- Generation of toll revenues for transportation and transit improvements in the Express Lane corridor
- Trip time reliability and travel time savings in the corridor

Project Status:

ARRA and other federal funds have been received for the **Route 237/I-880 Express Connector** project. The project team is working with Caltrans to analyze current and future traffic conditions. Preliminary Engineering work for the development of the congestion pricing system is underway, and coordination with Caltrans and other stakeholders is ongoing. VTA anticipates awarding a contract for systems integration in early 2010, with construction and public outreach efforts also occurring in 2010.

ARRA and Earmark funds have been received for the **Route 85 Express Lanes**. Traffic forecasting and operations reports are under preparation for submittal and approval by Caltrans. Work on the Environmental Document and Preliminary Engineering will commence in early 2010.

Work on the **US 101 Express Lanes** continues with Caltrans approving the traffic forecasts for the mainline segment and with efforts currently underway to obtain approval for the ramp traffic forecasts.

Project Schedule:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Start</th>
<th>End</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preliminary Eng &amp; PA/ED</td>
<td>Early 2007</td>
<td>Early 2012</td>
</tr>
<tr>
<td>237/880 Design (PS&amp;E)</td>
<td>Early 2009</td>
<td>Late 2010</td>
</tr>
<tr>
<td>237/880 Construction</td>
<td>Late 2010</td>
<td>Mid 2011</td>
</tr>
<tr>
<td>237/880 Tolling Operational</td>
<td>Mid 2011</td>
<td></td>
</tr>
<tr>
<td>Route 85 Design (PS&amp;E)</td>
<td>Late 2009</td>
<td>Early 2012</td>
</tr>
<tr>
<td>Route 85 Construction</td>
<td>Early 2012*</td>
<td>Early 2013*</td>
</tr>
<tr>
<td>Route 85 Tolling Operational</td>
<td>Early 2013</td>
<td></td>
</tr>
<tr>
<td>US-101 Design (PS&amp;E)</td>
<td>Mid 2011*</td>
<td>Late 2013*</td>
</tr>
<tr>
<td>US-101 Construction</td>
<td>Late 2013*</td>
<td>Mid 2016*</td>
</tr>
<tr>
<td>US-101 Tolling Operational</td>
<td>Mid 2016*</td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Oct-09 Committed Costs</th>
<th>Oct-09 Incurred Costs</th>
<th>Secured Funding Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>5,077</td>
<td>-</td>
<td>-</td>
<td>5,077</td>
</tr>
<tr>
<td>Real Estate</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Labor, Services and Support</td>
<td>9,956</td>
<td>3,952</td>
<td>3,527</td>
<td>6,429</td>
</tr>
<tr>
<td>Contingency</td>
<td>576</td>
<td>-</td>
<td>-</td>
<td>576</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>15,610</strong></td>
<td><strong>3,952</strong></td>
<td><strong>3,527</strong></td>
<td><strong>12,083</strong></td>
</tr>
</tbody>
</table>

- Secured Funding Incurred 23%
- Secured Funding Committed 25%

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

---

**Funding (millions):**

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Identified Initial Study</th>
<th>US 101 Express Lanes</th>
<th>Route 85 Express Lanes</th>
<th>237 I-880 Conn.</th>
<th>Total Identified</th>
<th>Secured</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local</td>
<td>$3</td>
<td>$0.4</td>
<td>$3</td>
<td>$2</td>
<td>$9</td>
<td>$9</td>
</tr>
<tr>
<td>Federal</td>
<td>-</td>
<td>-</td>
<td>4</td>
<td>7</td>
<td>10</td>
<td>7</td>
</tr>
<tr>
<td>TBD (STIP, Federal)</td>
<td>-</td>
<td>416</td>
<td>89</td>
<td>-</td>
<td>505</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$3</strong></td>
<td><strong>$416</strong></td>
<td><strong>$96</strong></td>
<td><strong>$9</strong></td>
<td><strong>$524</strong></td>
<td><strong>$16</strong></td>
</tr>
</tbody>
</table>

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

---

- **Local** 1.7%
- **Federal** 2.0%
- **Portion of Estimated Cost for which funding has been identified** 96.3%
US 101 Widening - Monterey Road to Route 129

**Estimated Cost:** $370 million

Estimate Class 4 (see appendix)

**Appropriation through FY 11:** $15.5 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 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.

**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>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>Design (PS&amp;E)</td>
<td>Mid 2010*</td>
<td>Early 2012*</td>
<td></td>
<td></td>
<td></td>
<td>2010</td>
<td></td>
<td>2011</td>
<td></td>
<td>2012</td>
</tr>
<tr>
<td>Construction</td>
<td>Early 2012*</td>
<td>Early 2014*</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2011</td>
<td>2012</td>
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<tr>
<td>Open to Traffic</td>
<td>Early 2014*</td>
<td>Late 2014*</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2013</td>
</tr>
<tr>
<td>Closeout</td>
<td>Early 2014*</td>
<td>Late 2014*</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding $</th>
<th>Oct-09 Committed Costs $</th>
<th>Oct-09 Incurred Costs $</th>
<th>Secured Funding Balance = (a-c) $</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>167</td>
<td>99</td>
<td>67</td>
<td>100</td>
</tr>
<tr>
<td>Labor, Services and Support</td>
<td>5,243</td>
<td>5,037</td>
<td>4,682</td>
<td>562</td>
</tr>
<tr>
<td>Contingency</td>
<td>90</td>
<td>-</td>
<td>-</td>
<td>90</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>5,500</strong></td>
<td><strong>5,136</strong></td>
<td><strong>4,749</strong></td>
<td><strong>751</strong></td>
</tr>
</tbody>
</table>

Secured Funding Incurred 86%
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 A/STIP Swap</td>
<td>$4.5</td>
<td>$4.5</td>
</tr>
<tr>
<td>Meas B Swap</td>
<td>1.0</td>
<td>1.0</td>
</tr>
<tr>
<td>TBD</td>
<td>364.5</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$370.0</strong></td>
<td><strong>$5.5</strong></td>
</tr>
</tbody>
</table>

Portion of Estimated Cost for which funding has been identified

**Local 2%**

**TBD 98%**

Northbound US 101 approaching Route 129 Overcrossing

Northbound US 101 at Route 25 Overcrossing
VTP Highway Projects

US 101 De La Cruz Boulevard/Trimble Road Interchange Improvements

**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 ramp termini 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 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>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental/PE Design &amp; Beyond</td>
<td>Early 2007</td>
<td>Mid 2010</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>Oct-09 Committed Costs</th>
<th>Oct-09 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>700</td>
<td>700</td>
<td>504</td>
<td>196</td>
</tr>
<tr>
<td>Contingency</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>700</strong></td>
<td><strong>700</strong></td>
<td><strong>504</strong></td>
<td><strong>196</strong></td>
</tr>
</tbody>
</table>

Secured Funding Incurred: 72%
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>Local (San Jose)</td>
<td>$4.8</td>
<td>$0.7</td>
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<tr>
<td>TBD</td>
<td>22.2</td>
<td>-</td>
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<td><strong>Total</strong></td>
<td><strong>$27.0</strong></td>
<td><strong>$0.7</strong></td>
</tr>
</tbody>
</table>

Approaching the bridge over US 101
Trimble/De La Cruz bridge from US 101 Northbound

Portion of Estimated Cost for which funding has been identified
Charcot Avenue Extension

Estimated Cost: $35 million

Appropriation through FY 11: $5.6 million

Secured Funding to Date: $0.8 million

Year of Completion: 2009 (Preliminary Engineering and Environmental Document)

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. These improvements 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.

Project Schedule:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Start</th>
<th>End</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preliminary Engineering &amp;</td>
<td>Late 2007</td>
<td>Late 2009</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental Document</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>
## Cost:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Oct-09 Committed Costs</th>
<th>Oct-09 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>800</td>
<td>781</td>
<td>753</td>
<td>47</td>
</tr>
<tr>
<td>Contingency</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>800</td>
<td>781</td>
<td>753</td>
<td>47</td>
</tr>
</tbody>
</table>

- Secured Funding Incurred: 94%
- Secured Funding Committed: 98%

**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%

**Proposed overcrossing location, looking north along Otoole Ave at Charcot Ave and I-880**

**Simulation of overcrossing**

**Portion of Estimated Cost for which funding has been identified**

---

**P-0615**
**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 will include three project alternatives: the “widen in,” “widen out,” and “no build” options. Both the “widen in” and “widen out” options include three lanes with auxiliary lanes.

The final PSR has been submitted to Caltrans, and approval is anticipated late 2009.

**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>
</tr>
</thead>
<tbody>
<tr>
<td>Conceptual Eng/PSR</td>
<td>Late 2007</td>
<td>Late 2009</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental &amp; Beyond</td>
<td>TBD</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>Oct-09 Committed Costs</th>
<th>Oct-09 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>600</td>
<td>600</td>
<td>597</td>
<td>3</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>597</strong></td>
<td><strong>3</strong></td>
</tr>
</tbody>
</table>

Secured Funding Incurred: 99%
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>

![Diagram showing Portion of Estimated Cost for which funding has been identified]

---

**Eastbound Calaveras Blvd.**

**Intersection of Calaveras Blvd. & Abbott Ave. Approaching Route 237 West**
VTP Highway Projects

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: Sajeeni DeAlwis-Mima

Designer: BKF Engineers

Project Description:

Extend Mary Avenue across US 101 and Route 237 to improve traffic operations and circulation and improve 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 span structure over 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 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 has been finalized with approval by Caltrans pending.

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>
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<td>Design &amp; Beyond</td>
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<td></td>
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</tbody>
</table>
### Cost:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Oct-09 Committed Costs</th>
<th>Oct-09 Incurred Costs</th>
<th>Secured Funding Balance</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>0</td>
<td>0</td>
<td>0</td>
<td>-</td>
</tr>
<tr>
<td>Labor, Services and Support</td>
<td>1,590</td>
<td>1,090</td>
<td>1,036</td>
<td>554</td>
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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>1,590</strong></td>
<td><strong>1,090</strong></td>
<td><strong>1,036</strong></td>
<td><strong>554</strong></td>
</tr>
</tbody>
</table>

Secured Funding Incurred: 65%
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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<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>

Local 8%
TBD 92%

Portion of Estimated Cost for which funding has been identified

---

View along 11th Avenue

Mary Avenue and Almanor Avenue
US 101 Improvements - I-280 to Yerba Buena Road

**Estimated Cost:** $65 million  
Estimate Class 1 (see appendix)  
**Appropriation through FY 11:** $63 million  
**Secured Funding to Date:** $9.0 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 sidewalks on both sides along the full length of Tully Road.

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

**Project Status:**
In December 2007, the VTA Board authorized a second Measure A/STIP swap that provided an additional $5 million in funding for construction. These funds were approved by CTC in May 2008. VTA will make these funds available to the project based on a funding schedule driven by project phase.

**Design (PS&E):** The Mitigated Negative Declaration was signed by Caltrans on December 1, 2005. Project approval was achieved in March 2009, and VTA will file 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 and the project is ready for advertisement following approval by CTC, which is scheduled for late 2009. Utilities relocations are anticipated to commence in late 2009. Construction administration is planned to 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>
<th>2014</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>
<td></td>
</tr>
<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>
<td></td>
</tr>
<tr>
<td>Construction</td>
<td>Early 2010</td>
<td>Late 2012</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>Late 2012</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>Late 2012</td>
<td>Late 2013</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>Oct-09 Committed Costs</th>
<th>Oct-09 Incurred Costs</th>
<th>Secured Funding Balance d = (a-c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>1,350</td>
<td>200</td>
<td>37</td>
<td>1,313</td>
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<tr>
<td>Real Estate</td>
<td>605</td>
<td>449</td>
<td>432</td>
<td>174</td>
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<tr>
<td>Labor, Services and Support</td>
<td>6,958</td>
<td>6,793</td>
<td>6,696</td>
<td>261</td>
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<tr>
<td>Contingency</td>
<td>87</td>
<td></td>
<td></td>
<td>87</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>9,000</strong></td>
<td><strong>7,442</strong></td>
<td><strong>7,165</strong></td>
<td><strong>1,835</strong></td>
</tr>
</tbody>
</table>

- Secured Funding Incurred: 80%
- Secured Funding Committed: 83%

**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>Local 39%</th>
<th>Federal 11%</th>
<th>State 50%</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Identified</td>
<td>Secured</td>
<td>Identified</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meas A/STIP Swap</td>
<td>$12.0</td>
<td>$4.6</td>
<td>$0.0</td>
<td>$12.0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meas B Swap</td>
<td>0.1</td>
<td>0.1</td>
<td>-</td>
<td>0.1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local (CSJ)</td>
<td>10.0</td>
<td>4.0</td>
<td>3.2</td>
<td>13.2</td>
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<td></td>
</tr>
<tr>
<td>Local (Other)</td>
<td>0.3</td>
<td>0.3</td>
<td>-</td>
<td>0.3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State (CMIA)</td>
<td>1.2</td>
<td>-</td>
<td>28.8</td>
<td>30.0</td>
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<td></td>
</tr>
<tr>
<td>State (SHOPP)</td>
<td>-</td>
<td>-</td>
<td>2.2</td>
<td>2.2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal (Earmark)</td>
<td>-</td>
<td>-</td>
<td>7.2</td>
<td>7.2</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$23.6</strong></td>
<td><strong>$9.0</strong></td>
<td><strong>$41.4</strong></td>
<td><strong>$65.0</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Portion of Estimated Cost for which funding has been identified**

- Intersection 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

**Design Elements at US 101 / Tully Road Intersection**
Estimated Cost: $102.3 million

Estimate Class 4 (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 35% PS&E completed in Summer 2009. The 65% PS&E submittal is on schedule for November 2009. Final PS&E is targeted for completion in late 2010.

Based on the current design, the project will require two 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 Year</th>
<th>End Year</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>
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<td>Design (PS&amp;E)</td>
<td>Mid 2009</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Right-of-Way</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>Construction</td>
<td>Mid 2011</td>
<td>Mid 2013</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Open to Traffic</td>
<td>Mid 2013</td>
<td>Mid 2014</td>
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<tr>
<td>Closeout</td>
<td>Mid 2013</td>
<td>Mid 2014</td>
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<td></td>
<td></td>
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</tr>
</tbody>
</table>
**Cost:**

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Oct-09 Committed Costs</th>
<th>Oct-09 Incurred Costs</th>
<th>Secured Funding Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>3,500</td>
<td>-</td>
<td>-</td>
<td>3,500</td>
</tr>
<tr>
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<td>1,477</td>
<td>345</td>
<td>132</td>
<td>1,345</td>
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<tr>
<td>Labor, Services and Support</td>
<td>11,994</td>
<td>10,673</td>
<td>6,530</td>
<td>5,464</td>
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<td>Contingency</td>
<td>100</td>
<td>-</td>
<td>-</td>
<td>100</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>17,070</strong></td>
<td><strong>11,018</strong></td>
<td><strong>6,662</strong></td>
<td><strong>10,408</strong></td>
</tr>
</tbody>
</table>

Secured Funding Incurred 39%
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>
<th>Identified</th>
<th>Secured</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meas A/STIP Swap</td>
<td>$17.1</td>
<td>$17.1</td>
</tr>
<tr>
<td>Local (LPR)</td>
<td>0.3</td>
<td>-</td>
</tr>
<tr>
<td>State (CMIA)</td>
<td>84.9</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$102.3</strong></td>
<td><strong>$17.1</strong></td>
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</tbody>
</table>

Portion of Estimated Cost for which funding has been identified

![Double HOV lanes south of Old Middlefield Road](image1)

![US 101 – Route 85 Interchange](image2)
VTP Highway Projects

I-880 HOV Widening

Estimated Cost: $95 million

Estimate Class 4 *(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 partial funds through the Corridor Mobility Improvement Account (CMIA) Proposition 1B Funding Program.

**Project Status:**

In December 2007, the VTA Board authorized a second Measure A/STIP swap that provides an additional $14.9 million in funding. These funds were approved by CTC in May 2008. VTA will make these funds available to the project based on a funding schedule driven by project phase.

**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 35% PS&E completed in Summer 2009. The 65% PS&E submittal is scheduled for November 2009. Final PS&E is targeted for completion in late 2010.

This project will require right-of-way acquisitions 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>
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</thead>
<tbody>
<tr>
<td>Environmental/PE</td>
<td>Mid 2007</td>
<td>Mid 2009</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
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<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>
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<td></td>
<td></td>
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<tr>
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<tr>
<td>Open to Traffic</td>
<td>Mid 2013</td>
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<tr>
<td>Closeout</td>
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<td></td>
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</table>
### Cost:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Oct-09 Committed Costs</th>
<th>Oct-09 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>
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<tr>
<td>Real Estate</td>
<td>400</td>
<td>294</td>
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<td>Labor, Services and Support</td>
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<td>8,504</td>
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<td>1,416</td>
<td>-</td>
<td>-</td>
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<td><strong>11,700</strong></td>
<td><strong>8,798</strong></td>
<td><strong>5,867</strong></td>
<td><strong>5,833</strong></td>
</tr>
</tbody>
</table>

- Secured Funding Incurred: 50%
- Secured Funding Committed: 75%

**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>$23.4</td>
<td>$11.7</td>
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<tr>
<td>State (CMIA)</td>
<td>71.6</td>
<td>-</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$95.0</strong></td>
<td><strong>$11.7</strong></td>
</tr>
</tbody>
</table>

- Local 25%
- State 75%

Portion of Estimated Cost for which funding has been identified

---

I-880/Brokaw Road Interchange

I-880/Route 237 Interchange
**I-880/I-280/Stevens Creek Improvements**

**Estimated Cost:** $130 - $150 million  
Estimate Class 5 (see appendix)  
**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.

**Project Status:**
**Environmental/Preliminary Engineering:** Preliminary Engineering and conceptual design work for the project is ongoing. Current efforts include traffic studies, 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 pending the award of $32 million in CMIA funds to the project.

**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>
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<tbody>
<tr>
<td>Environmental/PE</td>
<td>Early 2007</td>
<td>Late 2010</td>
<td>✔️</td>
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<td></td>
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</tr>
<tr>
<td>PHASE 1 SB I880, Monroe Ramp &amp; Stevens Creek Bridge</td>
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<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Phase 1 Design PS&amp;E</td>
<td>Early 2009</td>
<td>Late 2011</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></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>Late 2011</td>
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<td>Phase 1 Construction</td>
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<td></td>
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<td></td>
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<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>
<td>Phase 2 Right-of-Way</td>
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<td>Mid 2012*</td>
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<td>Phase 2 Construction</td>
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<td>Phase 1 Open to Traffic</td>
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<tr>
<td>Closeout</td>
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<td>Mid 2014*</td>
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</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Oct-09 Committed Costs</th>
<th>Oct-09 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>
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<tr>
<td>Real Estate</td>
<td>73</td>
<td>52</td>
<td>13.7</td>
<td>60</td>
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<tr>
<td>Labor, Services and Support</td>
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<td>4,129</td>
<td>3,224</td>
<td>1,255</td>
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<td>Contingency</td>
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<td>-</td>
<td>-</td>
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<tr>
<td><strong>Total</strong></td>
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<td><strong>4,181</strong></td>
<td><strong>3,238</strong></td>
<td><strong>3,878</strong></td>
</tr>
</tbody>
</table>

Secured Funding Incurred: 46%
Secured Funding Committed: 59%

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

### Funding (millions):

**Funding Source** | Identified | Secured | Portion of Estimated Cost for which funding has been identified
--- | --- | --- | ---
Meas A/STIP Swap | $0.5 | $0.5 | 
Local (San Jose) | 1.6 | 1.6 | 
State (CMIA) | 32.2 | 0.0 | 
Federal (Earmark) | 18.3 | 5.1 | 
TBD (Future STIP, other) | 75-95 | - | 
**Total** | **$130-150** | **$7.1** | 

---

Northbound I-280 at Northbound I-880 Junction

Arial View of Project Area
Estimated Cost: $3.75 million
  Estimate Class 2 (see appendix)

Appropriation through FY 11:
$3.75 million*
* Pending execution of agreements between Caltrans and the City of Milpitas

Secured Funding to Date:
$3.75 million

Year of Completion: 2010

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): The 95/100% design was submitted to Caltrans in August 2009. A construction schedule is dependent upon the execution of agreements between Caltrans and the City of Milpitas.

The project is anticipated to be 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>
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</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Oct-09 Committed Costs</th>
<th>Oct-09 Incurred Costs</th>
<th>Secured Funding Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
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<td>2,865</td>
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<td>Real Estate</td>
<td>-</td>
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<td>-</td>
</tr>
<tr>
<td>Labor, Services and Support</td>
<td>885</td>
<td>497</td>
<td>471</td>
<td>414</td>
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<tr>
<td>Contingency</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>3,750</strong></td>
<td><strong>497</strong></td>
<td><strong>471</strong></td>
<td><strong>3,279</strong></td>
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Secured Funding Incurred 13%
Secured Funding Committed 13%

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

### Funding (millions):

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<tr>
<th>Funding Source</th>
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</thead>
<tbody>
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<td>Local (Milpitas)</td>
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<td>$3.75</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$3.75</strong></td>
<td><strong>$3.75</strong></td>
</tr>
</tbody>
</table>

Portion of Estimated Cost for which funding has been identified

I-880/Route 237 Interchange

Typical Landscaping
**I-880/Coleman Avenue Planting**

**Estimated Cost:** $3.6 million  
**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>
<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>
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<tbody>
<tr>
<td>Final Design (PS&amp;E)</td>
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<td>Planting</td>
<td>Mid 2010*</td>
<td>Early 2011*</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Plant Establishment</td>
<td>Early 2011*</td>
<td>Early 2014*</td>
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</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
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<th>Secured Funding a</th>
<th>Oct-09 Committed Costs b</th>
<th>Oct-09 Incurred Costs c</th>
<th>Secured Funding Balance d = (a-c)</th>
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</thead>
<tbody>
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<td>Construction and Major Procurement</td>
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<td>-</td>
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<tr>
<td>Real Estate</td>
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<td>-</td>
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<tr>
<td>Labor, Services and Support</td>
<td>-</td>
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<tr>
<td>Contingency</td>
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</tr>
<tr>
<td><strong>Total</strong></td>
<td>-</td>
<td>-</td>
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</table>

Secured Funding Incurred X
Secured Funding Committed X

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

### Funding (millions):

<table>
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<th>Funding Source</th>
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<tbody>
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<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**
**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 structure (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 project is being closed out. Mitigation planting and monitoring will continue through mid-2012.

This project received the Project of the Year Award in June 2009 from the Silicon Valley Chapter of the American Public Works Association.

**Project Schedule:**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Start</th>
<th>End</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental/PE</td>
<td>Early 2002</td>
<td>Mid 2004</td>
</tr>
<tr>
<td>Design (PS&amp;E)</td>
<td>Mid 2004</td>
<td>Early 2007</td>
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<tr>
<td>Right-of-Way</td>
<td>Late 2004</td>
<td>Late 2006</td>
</tr>
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<td>Construction</td>
<td>Early 2007</td>
<td>Mid 2009</td>
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<tr>
<td>Flyover Open to Traffic</td>
<td>Mid 2008</td>
<td>Mid 2009</td>
</tr>
<tr>
<td>Fully Open to Traffic</td>
<td>Mid 2009</td>
<td>Mid 2010</td>
</tr>
<tr>
<td>Closeout</td>
<td>Mid 2009</td>
<td>Mid 2010</td>
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</table>
**Cost:**

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Oct-09 Committed Costs</th>
<th>Oct-09 Incurred Costs</th>
<th>Secured Funding Balance</th>
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<td>-</td>
<td>-</td>
<td>2,149</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>36,689</strong></td>
<td><strong>33,106</strong></td>
<td><strong>32,720</strong></td>
<td><strong>3,970</strong></td>
</tr>
</tbody>
</table>

Secured Funding Incurred 89%
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>

Local 22%
State 31%
Federal 47%

Portion of Estimated Cost for which funding has been identified
**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: Capitol 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. Infrastructure installation activities, including electrical and irrigation work, were completed.

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>Oct-09 Committed Costs</th>
<th>Oct-09 Incurred Costs</th>
<th>Secured Funding Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>3,560</td>
<td>3,083</td>
<td>2,270</td>
<td>1,290</td>
</tr>
<tr>
<td>Real Estate</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Labor, Services and Support</td>
<td>1,310</td>
<td>1,078</td>
<td>1,022</td>
<td>288</td>
</tr>
<tr>
<td>Contingency</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>4,870</td>
<td>4,161</td>
<td>3,292</td>
<td>1,578</td>
</tr>
</tbody>
</table>

Secured Funding Incurred: 68%
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>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>
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<tr>
<td>Total</td>
<td>$4.9</td>
<td>$4.9</td>
</tr>
</tbody>
</table>

Local 43%
Federal 57%

100% 0

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 4
(see appendix)

Appropriation through FY 11:
$13.5 million

Secured Funding to Date:
$2.1 million

Year of Completion:
2009

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. “After” studies on these corridors are being conducted to evaluate the effectiveness of the ramp metering to improve traffic operations.

Ramp metering was activated along the southbound US 101 corridor on November 9, 2009.

Ramp metering implementation for an additional freeway corridor will occur due to the availability of unused funding. The proposed fourth corridor is the I-880 corridor between Route 237 and Interstate 280, with implementation expected by mid 2010.

Project Schedule:

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

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Oct-09 Committed Costs</th>
<th>Oct-09 Incurred Costs</th>
<th>Secured Funding Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>210</td>
<td>99</td>
<td>12</td>
<td>198</td>
</tr>
<tr>
<td>Real Estate</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Labor, Services and Support</td>
<td>1,771</td>
<td>1,222</td>
<td>1,091</td>
<td>679</td>
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<tr>
<td>Contingency</td>
<td>70</td>
<td>-</td>
<td>-</td>
<td>70</td>
</tr>
<tr>
<td>Total</td>
<td>2,051</td>
<td>1,320</td>
<td>1,104</td>
<td>947</td>
</tr>
</tbody>
</table>

Secured Funding Incurred: 54%
Secured Funding Committed: 64%

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>Total</td>
<td>$2.1</td>
<td>$2.1</td>
</tr>
</tbody>
</table>

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

---

**Ramp Metering Hardware Example**

*(Typical One Lane On-Ramp)*

Legend:
- Traffic flow direction
- Advance Warning Device, Advisory MESSAGE (in white)
- Ramp Meter Signal Standard, with signal heads and signs
- In-pavement loops
- Ramp Meter Control cabinet
- On-Ramp
- Off-Ramp
- Freeway Mainline

**Metered Onramp**

**Ramp Metering Schematic**
### APPENDIX – COST ESTIMATE CLASSES

**Figure 1 – Cost Estimate Classification Matrix**  
(Adapted from AACE Skills & Knowledge of Cost Engineering, 4th ed., Chapter 1)

<table>
<thead>
<tr>
<th>Estimate Class</th>
<th>Level of Project Definition</th>
<th>Expected Accuracy Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class 5</td>
<td>0% to 5%</td>
<td>-50% to +100%</td>
</tr>
<tr>
<td>Class 4</td>
<td>5% to 25%</td>
<td>-30% to +50%</td>
</tr>
<tr>
<td>Class 3</td>
<td>35%</td>
<td>-20% to +30%</td>
</tr>
<tr>
<td>Class 2</td>
<td>65%</td>
<td>-15% to +20%</td>
</tr>
<tr>
<td>Class 1</td>
<td>90% to 100%</td>
<td>-10% to +15%</td>
</tr>
</tbody>
</table>

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: Chief External Affairs Officer, Greta Helm

SUBJECT: Monthly Legislative History Matrix

______________________________
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 2009-10 session. It indicates the status of these measures and any adopted VTA positions with regard to them.

DISCUSSION:

Lawmakers are scheduled to reconvene the second year of the 2009-2010 regular legislative session on January 4, 2010. A busy month awaits them. Shortly after their arrival in Sacramento, Gov. Arnold Schwarzenegger will deliver his State of the State Address and unveil his 18-month budget proposal, covering the remaining six months of the current fiscal year and all of FY 2011. Also on the agenda is the consideration of measures that were left over from 2009. The deadline for these so-called “two-year bills” to move out of their house of origin is January 31. Finally, January is the month when lawmakers must submit any ideas for new bills to the Office of the Legislative Counsel for drafting.

In the case of transportation, some of the more interesting pieces of legislation that are still pending from 2009 are as follows:

AB 266 (Carter): This bill requires the California Transportation Commission (CTC) to develop a statewide 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. The assessment also must include recommendations on how the state and local transportation agencies could address any transportation funding shortfalls and unmet needs that are identified. Under the provisions of AB 266, the CTC would be required to do this assessment every five years. Status: Senate
AB 289 (Galgiani): One of a plethora of bills dealing with high-speed rail, AB 289 requires the California High-Speed Rail Authority to use the proceeds from Proposition 1A bonds to match federal economic stimulus funds made available under the American Recovery and Reinvestment Act (ARRA). Status: Senate Rules Committee. VTA Position: None.

AB 497 (Block): This legislation 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. Status: Senate Transportation and Housing Committee. VTA Position: None.

AB 610 (Caballero): This measure calls for the Office of Planning and Research to assist local agencies interested in pursuing public-private partnerships for local infrastructure projects. Status: Assembly Local Government Committee. VTA Position: Support.

AB 670 (Berryhill): This is another piece of legislation that seeks to provide special privileges to certain categories of drivers with regard to HOV lanes. Specifically, AB 670 permits a vehicle driven by a veteran or active duty member of the U.S. Armed Forces to use HOV lanes regardless of the number of passengers in the vehicle. Status: Assembly Transportation Committee. VTA Position: None.

AB 744 (Torrico): Sponsored by the Metropolitan Transportation Commission (MTC), AB 744 is the legislative vehicle for authorizing the development and implementation of a regional express lane network on state highways within the nine-county Bay Area. Status: Senate Appropriations Committee. VTA Position: Support.

AB 1375 (Galgiani): This bill proposes to restructure the High-Speed Rail Authority. Specifically, AB 1375 calls for creating a new Department of High-Speed Rail within the Business, Transportation & Housing Agency (BTH) to manage and implement the state’s planned high-speed train system. Under the provisions of AB 1375, this new department would be overseen by the High-Speed Rail Authority. Status: Assembly Appropriations Committee. VTA Position: None.

AB 1405 (DeLeon): This measure requires the California Air Resources Board (CARB) to deposit a minimum of 30 percent of fee revenues generated under the Global Warming Solutions Act into a new Community Benefits Fund. Under the provisions of AB 1405, these revenues must be spent in the most impacted and disadvantaged communities in California in order to accelerate greenhouse gas emission reductions or mitigate the direct health impacts of climate change in those communities. Status: Senate Floor. VTA Position: None.

ACA 9 (Huffman): Broader in scope than ACA 15, this constitutional amendment would allow a local agency to impose, extend or increase any special tax if it is approved by the electorate by a 55 percent majority vote. Status: Assembly Floor. VTA Position: None.

ACA 15 (Arambula): ACA 15 calls for placing before the voters an amendment to the California
Constitution to change the voting requirement for local special taxes for transportation purposes from a two-thirds vote to a 55 percent majority vote. Status: Assembly Floor. VTA Position: Support.

**SB 31 (Pavley):** This legislation requires any fee revenues collected under the Global Warming Solutions Act to be used for the following three purposes: (1) renewable energy and energy efficiency programs that reduce greenhouse gas emissions, particularly those programs focusing on low-income consumers; (2) investments in technologies to reduce greenhouse gas emissions; and (3) green jobs development and training. Status: Senate Floor. VTA Position: None.

**SB 409 (Ducheny):** SB 409 consolidates all state programs and responsibilities related to intercity passenger rail, high-speed rail, rail goods movement, and railroad-highway grade crossings/separations into a newly created Department of Railroads. Status: Senate Floor. VTA Position: None.

**SB 425 (Simitian):** This legislation has two key provisions. First, SB 425 specifies that an employer subject to the requirement to implement a parking cash-out program may not deduct the cost of parking subsidies from its gross income unless it is in compliance with this requirement. This provision is intended to improve compliance with California’s existing parking cash-out law. Second, in order to provide a direct incentive for small businesses to implement measures designed to reduce solo driving to and from work, SB 425 provides a tax credit to small businesses for qualified alternative commute expenditures, such as subsidies for vanpools, carpools and public transit passes. Status: Senate Appropriations Committee. VTA Position: Support.

**SB 455 (Lowenthal):** This bill requires Senate confirmation for the Governor’s appointments to the High-Speed Rail Authority. It also establishes criteria for selecting high-speed rail projects and provides the High-Speed Rail Authority with eminent domain authority similar to that currently assigned to Caltrans. Status: Assembly Floor. VTA Position: None.

**SB 535 (Yee):** Unless pre-empted by federal law, SB 535 continues the authorization for electric, hydrogen fuel cell and compressed natural gas (CNG) cars to use HOV lanes regardless of the number of vehicle occupants for another four years. In addition, SB 535 extends the same privilege to plug-in hybrid vehicles, beginning in 2011. However, the bill retains the current sunset date for gasoline hybrids, meaning after January 1, 2011, these vehicles would no longer be able to use HOV lanes unless they are carrying the required number of passengers. Status: Assembly Floor. VTA Position: None.

Prepared By: Kurt Evans, Government Affairs Manager
Memo No. 1880
## State Assembly Bills

<table>
<thead>
<tr>
<th>State Assembly Bills</th>
<th>Subject</th>
<th>Last Amended</th>
<th>Status</th>
<th>VTA Position</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AB 118</strong> (Logue) Global Warming Solutions Act: Repeal</td>
<td>Repeals the California Global Warming Solutions Act of 2006.</td>
<td>As Introduced</td>
<td>Assembly Natural Resources Committee</td>
<td></td>
</tr>
<tr>
<td><strong>AB 153</strong> (Ma) California High-Speed Rail Authority</td>
<td>Specifies that the California High-Speed Rail Authority constitutes a “governing body” for the purpose of adopting a resolution of necessity pursuant to an eminent domain proceeding. Allows the authority to employ its own legal staff or contract with other state agencies for legal services.</td>
<td>As Introduced</td>
<td>Senate Transportation and Housing Committee</td>
<td></td>
</tr>
<tr>
<td><strong>AB 266</strong> (Carter) 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>
<td>Support</td>
</tr>
<tr>
<td><strong>AB 289</strong> (Galgiani) High-Speed Rail Bonds</td>
<td>Requires the California High-Speed Rail Authority, to the extent possible, to use bond proceeds from the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century to match federal economic stimulus funds made available under the American Recovery and Reinvestment Act of 2009.</td>
<td>8/17/09</td>
<td>Senate Rules Committee</td>
<td></td>
</tr>
<tr>
<td><strong>AB 497</strong> (Block) 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>
<td></td>
</tr>
<tr>
<td><strong>AB 522</strong> (Blumenfield) Federal Economic Stimulus Money: Proposition 1B Bond Projects</td>
<td>Requires the California Transportation Commission (CTC) to ensure that bond funds previously committed to Proposition 1B transportation projects remain available to the sponsoring agency for another qualifying project if money from any federal economic stimulus legislation enacted in 2009 is used to fund the project.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
<td></td>
</tr>
<tr>
<td>State Assembly Bills</td>
<td>Subject</td>
<td>Last Amended</td>
<td>Status</td>
<td>VTA Position</td>
</tr>
<tr>
<td>---------------------</td>
<td>---------</td>
<td>--------------</td>
<td>--------</td>
<td>--------------</td>
</tr>
<tr>
<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 or an employee in the security services industry if all of the following conditions are satisfied: (1) the employee is covered by a valid collective bargaining agreement; (2) the valid collective bargaining agreement expressly provides for the wages, hours of work, and working conditions of employees; and (c) the valid collective bargaining agreement expressly provides for meal periods, final and binding arbitration of disputes concerning the application of its meal period provisions, premium wage rates for all overtime hours worked, and a regular hourly rate of pay of not less than 30 percent more than the state minimum wage rate.</td>
<td>9/11/09</td>
<td>Senate Rules Committee</td>
<td>Support</td>
</tr>
<tr>
<td><strong>AB 610</strong>&lt;br&gt;(Caballero)&lt;br&gt;Local Infrastructure: Public-Private Partnerships</td>
<td>Requires the Office of Planning and Research to advise and educate local agencies and other interested stakeholders about the role that public-private partnerships can play in planning, studying, designing, financing, constructing, operating, maintaining, or managing local infrastructure projects. Requires the assistance provided by the Office of Planning and Research to include the following: (a) developing and disseminating information that would help a local governmental agency determine whether a local infrastructure project would benefit from a public-private partnership that provides an alternative financing and procurement approach; and (b) serving as a clearinghouse of information regarding the use of public-private partnerships in infrastructure projects in California and elsewhere.</td>
<td>As Introduced</td>
<td>Assembly Local Government Committee</td>
<td>Support</td>
</tr>
<tr>
<td><strong>AB 619</strong>&lt;br&gt;(Blumenfield)&lt;br&gt;Federally Funded Transportation Projects</td>
<td>Requires Caltrans to notify the Legislature within 30 days of making a determination that a project will be delayed beyond its scheduled completion date due to state cash flow or other funding issues, if the delay places at risk federal funds, including money earmarked for the project.</td>
<td>As Introduced</td>
<td>Senate Transportation and Housing Committee</td>
<td>Support</td>
</tr>
<tr>
<td><strong>AB 670</strong>&lt;br&gt;(Berryhill)&lt;br&gt;HOV Lanes: Veterans</td>
<td>Allows Caltrans and local transportation authorities to permit a vehicle driven by a veteran or active duty member of the U.S. Armed Forces to use high-occupancy vehicle (HOV) lanes regardless of the number of passengers in the vehicle, provided the vehicle displays an insignie approved by the Department of Motor Vehicles (DMV). 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>As Introduced</td>
<td>Assembly Transportation Committee</td>
<td>Support</td>
</tr>
<tr>
<td><strong>AB 726</strong>&lt;br&gt;(Nielsen)&lt;br&gt;Local Roadway Rehabilitation Projects</td>
<td>States that local roadway rehabilitation projects are eligible for funding under the State Transportation Improvement Program (STIP).</td>
<td>As Introduced</td>
<td>Senate Transportation and Housing Committee</td>
<td>Support</td>
</tr>
<tr>
<td><strong>AB 732</strong>&lt;br&gt;(Jeffries)&lt;br&gt;Design-Sequencing Contracts</td>
<td>Extends the authority for Caltrans to use the design-sequencing method of contracting for the design and construction of not more than nine transportation projects from January 1, 2010, to July 1, 2010.</td>
<td>6/16/09</td>
<td>Senate Appropriations Committee</td>
<td>Support</td>
</tr>
<tr>
<td>State Assembly Bills</td>
<td>Subject</td>
<td>Last Amended</td>
<td>Status</td>
<td>VTA Position</td>
</tr>
<tr>
<td>---------------------</td>
<td>---------</td>
<td>--------------</td>
<td>--------</td>
<td>--------------</td>
</tr>
<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>State Assembly Bills</td>
<td>Subject</td>
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<td><strong>AB 782</strong> (Jeffries) Sustainable Communities Strategies</td>
<td>Provides that upon the acceptance of the California Air Resources Board (CARB) that a sustainable communities strategy or alternative planning strategy, if implemented, will achieve the greenhouse gas emissions reduction targets established by CARB, that acceptance shall be final, and no person or entity may initiate a legal action to review the propriety of CARB’s acceptance. Provides that any local government agency participating in a sustainable communities strategy or alternative planning strategy that subsequently determines that a project proposed for approval within its jurisdiction is consistent with the applicable strategy, that project shall be deemed to be compliant with the California Global Warming Solutions Act of 2006 and SB 375 of 2008, and no person or entity may initiate a legal action to review the propriety of the local government agency’s determination that the project is consistent with the strategy. Requires a metropolitan planning organization (MPO) preparing a sustainable communities strategy or an alternative planning strategy to create a business advisory committee to provide input on the potential impacts of the proposed strategy on business activities and the economy. Exempts all projects funded through Proposition 1B transportation infrastructure bond revenues and the federal American Recovery and Reinvestment Act of 2009, as well as projects listed in local transportation sales tax measures prior to December 31, 2010, from the consistent requirements with regard to sustainable communities strategies.</td>
<td>As Introduced</td>
<td>Assembly Natural Resources Committee</td>
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<td><strong>AB 810</strong> (Caballero) General Plans: Circulation and Transportation Element</td>
<td>Renames the circulation element of local general plans the “circulation and transportation element.”</td>
<td>As Introduced</td>
<td>Senate Local Government Committee</td>
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<tr>
<td><strong>AB 878</strong> (Caballero) Infrastructure Financing</td>
<td>Authorizes a local governmental agency to enter into an agreement with a private entity for financing for specified types of revenue-generating infrastructure projects.</td>
<td>4/20/09</td>
<td>Assembly Local Government Committee</td>
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<tr>
<td><strong>AB 922</strong> (Miller) Biodiesel Fuel Tax Exemption</td>
<td>Until June 30, 2014, exempts biomass-based diesel fuel produced in the state with California feedstock from the diesel fuel excise tax.</td>
<td>As Introduced</td>
<td>Assembly Revenue and Taxation Committee</td>
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<tr>
<td><strong>AB 949</strong> (Logue) State-Local Partnership Program</td>
<td>Expands the definition of eligible local matching funds for purposes of the Proposition 1B State-Local Partnership Program to include: (a) developer fees; (b) mineral or resource extraction fees or taxes; and (c) local or regional fees or taxes solely dedicated to transportation improvements within a county or any part thereof by voter approval or by the county board of supervisors.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<td>AB 1030 (Blumenfield) Caltrans: Renewable Energy Projects</td>
<td>In consultation with Caltrans, authorizes the Institute of the Environment at the University of California-Los Angeles (UCLA) to undertake a project for mapping the renewable energy development potential of state-owned real property under the direction and control of Caltrans. Requires Caltrans to respond within 90 days to any proposal to develop a renewable energy project as to whether: (a) the property is available for sale, lease or encroachment permit; and (b) the project would be compatible with the current and projected use of that property.</td>
<td>7/13/09</td>
<td>Senate Appropriations Committee</td>
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<tr>
<td>AB 1091 (Ruskin) Climate Change Adaptation Strategy</td>
<td>Authorizes the Natural Resources Agency to develop a Climate Change Adaptation Strategy to assess California’s vulnerability to the impacts of climate change, including the impacts of projected sea-level rise, on the state’s physical and natural infrastructure. Requires the strategy to be subject to a multidisciplinary review process prior to adoption to ensure that ecosystems, sensitive species, or other environmentally sensitive resources or habitats are not inadvertently put at risk or adversely impacted.</td>
<td>5/6/09</td>
<td>Assembly Appropriations Committee</td>
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<tr>
<td>AB 1104 (Monning) Off-Highway Motor Vehicles</td>
<td>Expands the period of time during which a review of a parking violation may be requested.</td>
<td>4/14/09</td>
<td>Senate Transportation and Housing Committee</td>
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<tr>
<td>AB 1135 (Skinner) Odometer Readings</td>
<td>Requires California vehicle owners to report the current odometer reading of their vehicles at the time of vehicle registration.</td>
<td>4/13/09</td>
<td>Assembly Appropriations Committee</td>
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<tr>
<td>AB 1192 (Strickland) SILO/LILO Transactions</td>
<td>Prohibits a legislative body of a city from selling or leasing any existing public improvement to a private or public entity for the purposes of renting or leasing back, or repurchasing through installment payments that existing public improvement.</td>
<td>4/20/09</td>
<td>Assembly Local Government Committee</td>
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<td>State Assembly Bills</td>
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<tr>
<td>AB 1321 (Eng)</td>
<td>Establishes the Advance Infrastructure Mitigation Program to be administered and implemented by the California Natural Resources Agency. In this regard, authorizes the agency to: (a) prepare, approve and implement regional advance mitigation plans for planned infrastructure projects; (b) acquire, restore, manage, monitor, and preserve lands, waterways, aquatic resources, or fisheries in accordance with a regional advance mitigation plan; (c) establish mitigation or conservation banks; (d) purchase credits at mitigation or conservation banks if it determines that they would provide biologically appropriate mitigation for planned infrastructure projects; and (e) use, or allow infrastructure planning agencies to use, mitigation credits or values created or acquired under the Advance Infrastructure Mitigation Program to fulfill the mitigation requirements of planned infrastructure projects. Specifies that the purposes of a regional advance mitigation plan are to: (1) provide effective mitigation and conservation of natural resources and natural processes on a landscape, regional or statewide scale to expedite the environmental review of planned infrastructure projects; and (2) facilitate the implementation of measures to mitigate the impacts of those projects in advance of project approval. Allows an infrastructure planning agency to identify planned infrastructure projects for the purposes of including them in a regional advance mitigation plan or for other advance mitigation under the Advance Infrastructure Mitigation Program. Specifies that the Advance Infrastructure Mitigation Program is intended to improve the efficiency and efficacy of mitigation only and is not intended to supplant the requirements of the California Environmental Quality Act (CEQA) or any other environmental law.</td>
<td>5/6/09</td>
<td>Assembly Appropriations Committee</td>
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<td>State Assembly Bills</td>
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<td>AB 1375 (Galgiani) California High-Speed Rail Authority</td>
<td>Creates the Department of High-Speed Trains within the Business, Transportation and Housing Agency. Requires the California High-Speed Rail Authority to establish policies directing the development and implementation of high-speed train service that is fully integrated with the state’s existing intercity rail and bus network, consisting of interlinked conventional and high-speed train lines and associated feeder buses. Further specifies that the intercity network in turn shall be fully coordinated and connected with commuter train lines and urban transit systems developed by local agencies, through the use of common station facilities whenever possible. Requires the Department of High-Speed Trains to implement these policies. Requires the authority to do all of the following: (1) select the routes of the high-speed train system; (2) determine the priority of construction of the various segments of the high-speed train system; (3) serve as the governing body of the Department of High-Speed Trains; (4) adopt criteria for the awarding of franchises; and (5) set fares or establish guidelines for the setting of fares. By October 1 of each year, requires the authority to adopt and submit to the Governor and the Legislature a high-speed train program that would cover a period of six fiscal years. Requires the program to include a listing of all capital improvement projects that are expected to require an appropriation in the annual Budget Act, including federal, state, local, and private funds, during the following six fiscal years. Requires the director of the Department of High-Speed Trains to be appointed by the authority. Requires the department to do all of the following: (1) conduct engineering and other studies related to the selection and acquisition of rights-of-way, and the selection of a franchisee; (2) evaluate alternative high-speed train technologies, systems and operators, and select an appropriate high-speed train system; (3) award franchises consistent with criteria adopted by the authority; (4) select a proposed franchisee, a proposed route and proposed terminal sites; (5) prepare a detailed financing plan, including any necessary taxes, fees or bonds to pay for the construction of the high-speed train system; (6) enter into contracts for the design, construction and operation of the high-speed train system; (7) acquire rights-of-way through purchase or eminent domain; (8) enter into cooperative or joint development agreements with local governments or private entities; (9) subject to the approval of the authority, issue debt secured by pledges of state funds, federal grants or project revenues; (10) relocate highways and utilities; (11) plan, construct and operate the high-speed train system; (12) acquire, sell and lease passenger rail rolling stock, power units and associated equipment; and (13) acquire, lease, design, construct, and improve track lines and related facilities.</td>
<td>As Introduced</td>
<td>Assembly Appropriations Committee</td>
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<td>State Assembly Bills</td>
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<td><strong>AB 1405</strong></td>
<td>(De Leon)</td>
<td>9/1/09</td>
<td>Senate Floor</td>
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<td>Global Warming</td>
<td>Requires the California Air Resources Board (CARB) to deposit a minimum</td>
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<td>Solutions Act:</td>
<td>of 30 percent of the fee revenues generated under the California Global</td>
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<td>Community Benefits</td>
<td>Warming Solutions Act of 2006, other than revenues collected for</td>
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<td>Fund</td>
<td>administrative purposes, in the Community Benefits Fund. Requires the</td>
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<td>revenues in the fund to be used solely in the most impacted and</td>
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<td>disadvantaged communities in the state to accelerate greenhouse gas</td>
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<td>emission reductions or mitigate direct health impacts of climate</td>
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<td>change in those communities. Requires the revenues in the fund to</td>
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<td>provide competitive grants for projects that do any of the following:</td>
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<td>(a) reduce greenhouse gas emissions while achieving co-benefits, such</td>
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<td>as reductions in air pollution; (b) increase water and energy</td>
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<td>efficiency and conservation through retrofitting, replacing or</td>
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<td>weatherizing activities; (c) install clean distributed generation</td>
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<td>systems that utilize locally available renewable energy sources, such</td>
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<td>as solar, wind and geothermal energy; (d) initiate or enhance public</td>
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<td>mass transit, including fare subsidies to commuters; (e) incentive</td>
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<td>low-income, public mass transit-oriented housing development; (f)</td>
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<td>minimize the direct health impacts of climate change and prepare for</td>
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<td>emergencies from extreme weather events by taking actions such as the</td>
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<td>operation of air-conditioned cooling centers that are open to the public;</td>
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<td>or (g) provide community based greening, forestry or water-related</td>
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<td>projects, such as stormwater capture, tree planting, and water</td>
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<td>conservation and efficiency measures that have been recognized to</td>
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<td>reduce greenhouse gas emissions and produce co-benefits. Requires CARB</td>
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<td>to adopt a methodology to identify the most impacted and</td>
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<td>disadvantaged communities by June 30, 2010.</td>
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<td><strong>AB 1431</strong></td>
<td>(Hill)</td>
<td>4/14/09</td>
<td>Assembly</td>
<td>Assembly Transportation Committee</td>
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<td>Port of Oakland:</td>
<td>Requires the Port of Oakland and entities involved in goods movement</td>
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<td>Assembly Transportation Committee</td>
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<td>Emission Reduction</td>
<td>at that port to establish emission reduction strategies that are no</td>
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<td>Assembly Transportation Committee</td>
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<td>Strategies</td>
<td>less stringent than those employed at the Ports of Los Angeles and Long</td>
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<td>Assembly Transportation Committee</td>
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<td>Beach.</td>
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<td>Assembly Transportation Committee</td>
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<tr>
<td><strong>AB 1500</strong></td>
<td>(Lieu)</td>
<td>7/14/09</td>
<td>Senate Floor</td>
<td>Assembly Transportation Committee</td>
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<td>HOV Lanes: Low-</td>
<td>Unless pre-empted by federal law, extends the authorization for low-</td>
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<td>Assembly Transportation Committee</td>
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<td>Emission Vehicles</td>
<td>emission vehicles to use high-occupancy vehicle (HOV) lanes regardless</td>
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<td>Assembly Transportation Committee</td>
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<td>of the number of vehicle occupants from January 1, 2011, to January 1, 14</td>
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<td>Assembly Transportation Committee</td>
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<td>2014.</td>
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<td>Assembly Transportation Committee</td>
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<tr>
<td><strong>AB 1502</strong></td>
<td>(Eng)</td>
<td>As Introduced</td>
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<td>Assembly Transportation Committee</td>
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<td>HOV Lanes: Low-</td>
<td>Unless pre-empted by federal law, extends the authorization for certain</td>
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<td>Assembly Transportation Committee</td>
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<td>Emission and Hybrid</td>
<td>low-emission vehicles to use high-occupancy vehicle (HOV) lanes</td>
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<td>Assembly Transportation Committee</td>
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<td>Vehicles</td>
<td>regardless of the number of vehicle occupants from January 1, 2011, to</td>
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<td>Assembly Transportation Committee</td>
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<td>January 1, 2017. However, retains the January 1, 2011, sunset date for</td>
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<td>hybrid vehicles.</td>
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<td>Assembly Transportation Committee</td>
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<td><strong>ACA 3</strong></td>
<td>(Blakeslee)</td>
<td>6/16/09</td>
<td>Assembly Floor</td>
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<tr>
<td>State General</td>
<td>Calls for placing before the voters an amendment to the California</td>
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<td>Assembly Floor</td>
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<td>Obligation Bonds</td>
<td>Constitution to require an initiative measure authorizing the issuance</td>
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<td>of state general obligation bonds in a total amount exceeding $1 billion</td>
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<td>to either provide additional tax or fee revenues, eliminate existing</td>
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<td>programs or both as necessary to fully fund the bonds in order to</td>
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<td>be placed on the ballot.</td>
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<td>State Assembly Bills</td>
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<td>ACA 5 (Calderon)</td>
<td>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 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>ACA 9 (Huffman)</td>
<td>Local Governments: Special Taxes 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>
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<tr>
<td>ACA 13 (Hernandez)</td>
<td>Initiatives Calls for placing before the voters an amendment to the California Constitution regarding statewide initiative measures. Specifically, requires the Secretary of State’s Office to transmit an initiative measure to the Legislature prior to certification of the voter signatures that were collected to qualify the measure for the ballot. Allows the Legislature to amend an initiative measure that proposes to change the Constitution by concurrent resolution. If the proponents of the initiative measure accept the amendments of the Legislature, the Legislature may return the measure to the Secretary of State’s Office for possible placement on the ballot. Allows an initiative measure transmitted to the Legislature that only proposes a statute to be introduced in the Legislature as a bill. Provides that if such a bill is enacted and the proponents of the initiative measure accept any amendments of the Legislature, then the Secretary of State’s Office shall not submit the initiative measure to the voters. If the Legislature returns an initiative measure to the Secretary of State’s Office within 30 legislative session days after it has been transmitted to the Legislature and the measure is certified to have been signed by the requisite number of voters, requires the Secretary of State’s Office to place the measure, including any accepted amendments, on the ballot. If the Legislature does not return an initiative measure to the Secretary of State’s Office within 30 legislative session days after it has been transmitted to the Legislature, requires the Secretary of State’s Office to place the measure on the ballot if it is certified to have been signed by the requisite number of voters.</td>
<td>9/4/09</td>
<td>Assembly Floor</td>
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<tr>
<td>ACA 15 (Arambula)</td>
<td>Local Governments: Transportation Special Taxes Calls for placing before the voters an amendment to the California Constitution to allow a local agency to impose, extend or increase a special tax for the purpose of providing funding for local transportation projects if the tax is approved by its electorate by a 55 percent majority.</td>
<td>As Introduced</td>
<td>Assembly Floor</td>
<td>Support</td>
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<td>State Assembly Bills</td>
<td>Subject</td>
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<tr>
<td>ACA 16 (Nestande) 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>
<td></td>
</tr>
<tr>
<td>ACR 14 (Niello) Global Warming Solutions Act: Economic Analysis</td>
<td>Prior to any regulatory action being taken consistent with the scoping plan for the California Global Warming Solutions Act of 2006, requires the California Air Resources Board (CARB) to perform an economic analysis that would give the state a more complete and accurate picture of the costs and benefits of the act’s implementation. Calls upon the governor to use the authority granted by the act to adjust any applicable deadlines for regulations.</td>
<td>3/27/09</td>
<td>Assembly Natural Resources Committee</td>
<td></td>
</tr>
</tbody>
</table>
## State Senate Bills

<table>
<thead>
<tr>
<th>State Senate Bills</th>
<th>Subject</th>
<th>Last Amended</th>
<th>Status</th>
<th>VTA Position</th>
</tr>
</thead>
<tbody>
<tr>
<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 Appropriations Committee</td>
<td></td>
</tr>
<tr>
<td><strong>SB 31</strong> (Pavley) Global Warming Solutions Act: Compliance Revenues</td>
<td>Requires any revenues collected pursuant to the implementation of the California Global Warming Solutions Act of 2006 that are adopted by the California Air Resources Board (CARB) to be deposited in the Air Pollution Control Fund. Allows these revenues to be used for: (a) renewable energy and energy efficiency programs that reduce greenhouse gas emissions, particularly those programs focusing on low-income consumers; (b) investments in technologies to reduce greenhouse gas emissions, especially technologies that provide pollution reduction co-benefits; and (c) green jobs development and training that will reduce greenhouse gas emissions.</td>
<td>5/5/09</td>
<td>Senate Floor</td>
<td></td>
</tr>
<tr>
<td><strong>SB 128</strong> (Padilla) California Climate Change Institute</td>
<td>Creates the California Climate Change Institute to: (a) identify and support climate change research and education to be undertaken at academic and research institutions and laboratories throughout the state; (b) oversee, coordinate and manage a non-duplicative, targeted research and development program for the purposes of achieving the state’s targets for reducing greenhouse gas emissions and mitigating the effects of those emissions; (c) develop effective model education pathways, training, model curriculum, and professional development necessary for emerging green technologies and industries; and (d) ensure that its climate change research is conducted in a manner that is targeted and non-duplicative of other research programs. Specifies that the provisions of the bill would be implemented only to the extent that sufficient funds are appropriated by the Legislature for its purposes.</td>
<td>4/2/09</td>
<td>Senate Appropriations Committee</td>
<td></td>
</tr>
<tr>
<td><strong>SB 295</strong> (Dutton) Global Warming Solutions Act: Peer-Reviewed Study</td>
<td>Requires the California Air Resources Board (CARB) to complete a peer-reviewed study to re-evaluate the costs and benefits included in its scoping plan prepared pursuant to the California Global Warming Solutions Act of 2006. Requires this additional study to include all of the following: (1) estimates of the actual costs in every year and for every sector of the economy of the recommendations identified in the scoping plan; (2) estimates of overall costs and savings, as well as the cost-effectiveness of the reductions identified in the scoping plan; (3) estimates of the timing of capital investments, annual expenditures to repay those investments, and the resulting cost savings; (4) sensitivity of the results to changes in key inputs, including energy price forecasts, and estimates of measure costs and savings; (5) impacts on small businesses; (6) the current state of California’s economy; (7) the impact of increased federal funding for green technology as a result of the American Recovery and Reinvestment Act of 2009; (8) estimates of the greenhouse gas emission reductions, and annualized costs and savings that would result if the emission targets were raised and lowered for at least five measures in the scoping plan. Requires CARB to provide this study to the Legislature by October 1, 2009. Requires CARB to report to the Legislature by November 1, 2009, on whether the study will lead to changes to the scoping plan.</td>
<td>5/13/09</td>
<td>Senate Environmental Quality Committee</td>
<td></td>
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<tr>
<td>State Senate Bills</td>
<td>Subject</td>
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<td>Status</td>
<td>VTA Position</td>
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<tr>
<td>SB 409 (Ducheny)</td>
<td>Creates the Department of Railroads within the California Business, Transportation and Housing Agency. Specifies that the department would be overseen by a director to be appointed by the governor and confirmed by the Senate. Transfers to the department all state programs and responsibilities related to the following: (1) intercity passenger rail; (2) high-speed rail; (3) rail goods movement; and (4) rail-highway grade crossings and separations. Creates the Division of Railroad-Highway Grade Separation and Grade Crossing Protection within the department. Requires the department to conduct an analysis of the state’s freight rail transportation system every two years. Requires the department to coordinate regional planning efforts throughout the state relative to rail transportation. Specifies that the department shall be the only state agency eligible to apply for and receive grant and loan funds from the federal government or other sources for intercity rail, high-speed rail and freight rail purposes. Establishes the California High-Speed Rail Authority as a division of the department. Requires the chief of this division to be nominated by the director of the Department of Railroads and approved by the High-Speed Rail Authority. Requires one of the appointments to the High-Speed Rail Authority to be the director of the Department of Railroads. Requires the director of the Department of Railroads to serve as the chair of the High-Speed Rail Authority.</td>
<td>5/21/09</td>
<td>Senate Floor</td>
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<tr>
<td>SB 425 (Simitian)</td>
<td>Authorizes the Franchise Tax Board to deny a deduction for parking as a business expense if the employer is not in compliance with state parking cash-out requirements. Requires any revenues generated by disallowed deductions to be allocated as a tax credit to small business to help them implement and maintain qualified commute trip reduction measures.</td>
<td>7/23/09</td>
<td>Senate Appropriations Committee</td>
<td>Support</td>
</tr>
<tr>
<td>SB 455 (Lowenthal)</td>
<td>Requires the five gubernatorial appointments to the California High-Speed Rail Authority to be confirmed by the Senate. Exempts the High-Speed Rail Authority from the following: (a) various statutory provisions related to the acquisition and disposal of property requiring the approval of the Department of Finance; (b) securing the approval of the Department of Finance or the State Public Works Board when expending funds appropriated for capital outlay purposes; and (c) securing the approval of the Department of General Services when acquiring an easement or right-of-way. Prohibits the Department of General Services from: (a) granting easements across the property of the High-Speed Rail Authority; and (b) maintaining an inventory of the property owned by the authority. Authorizes the High-Speed Rail Authority to negotiate, in the name of the state, access to rights-of-way that it owns. Requires any capital investment made by the High-Speed Rail Authority for Phase I of the high-speed train project to be consistent with one or more of the following criteria: (a) enhances railroad access to stations and terminals, with priority being given to those stations and terminals that serve the largest employment centers; (b) improves travel times, service reliability, safety, and service frequency for existing commuter and intercity passenger train services; or (c) improves connections from the San Joaquin Valley to Southern California, or from the San Joaquin Valley to the Bay Area. Requires changes in contracts entered into by the High-Speed Rail Authority to be approved by its governing board. Requires the High-Speed Rail Authority to create an overall schedule with delivery milestones for all aspects of the high-speed train project.</td>
<td>4/16/09</td>
<td>Assembly Floor</td>
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<tr>
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<tr>
<td><strong>SB 474</strong></td>
<td>Requires the California Transportation Commission (CTC) to provide an annual consolidated report to the Legislature on the progress of the following pilot programs authorized under current law: (1) public-private partnerships; (2) design-build; and (3) design-sequencing. Within 90 days after the award of a contract or after entering into any agreement for a pilot program involving public-private partnerships, design-build or design-sequencing under current law, requires the lead agency for the project to make a finding that the use of the alternative contracting or financing method will provide any of the following benefits to the public when compared to a traditional contracting or financing method: (a) accelerates the project completion date; (b) produces savings in personnel or financial resources; (c) results in lower costs to the users of the facility developed under the method; or (d) brings financial resources to the project that would not otherwise be available. If the lead agency on a project is not the owner of the facility, requires the owner of the facility to concur with the finding.</td>
<td>8/24/09</td>
<td>Assembly Desk</td>
<td></td>
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<tr>
<td><strong>SB 476</strong></td>
<td>Clarifies provisions of the California Environmental Quality Act (CEQA) that prescribe when and how a person may bring an action or a proceeding against a project before a public entity.</td>
<td>4/30/09</td>
<td>Assembly Natural Resources Committee</td>
<td></td>
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<tr>
<td><strong>SB 485</strong></td>
<td>Enacts the State Highway Operation and Protection Program Emergency Funding Act. States the intent of the Legislature to provide adequate funding to meet the needs of the State Highway Operation and Protection Program (SHOPP) in FY 2010.</td>
<td>As Introduced</td>
<td>Senate Transportation and Housing Committee</td>
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<tr>
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</tbody>
</table>
| **SB 518**  
(Lowenthal)  
Parking | Beginning January 1, 2011, prohibits state funds from being used, directly or indirectly, to subsidize the construction or operations of parking. Establishes a menu of parking policy reforms with a point score for each reform. By January 1, 2012, authorizes cities and counties within a region covered by a metropolitan planning organization (MPO) to adopt and implement measures from the menu that achieve a total score of at least 20 points. Includes reforms relating to the following as part of the menu: (a) eliminating or reducing minimum parking requirements and/or establishing maximum parking requirements in local zoning ordinances; (b) allowing greater development potential on existing parking lots; (c) requiring that parking costs be unbundled from rent costs in residential or commercial leases; (d) requiring that all new employment contracts charge the full cost of employer-provided parking; (e) requiring employers to offer public transit passes to employees on a pre-tax basis; (f) setting parking meter rates at market rate; (g) installing meters in areas with parking shortages; (h) establishing parking benefit districts to direct new revenues from meters or meter rate increases to the community from which they come; (i) allowing commuters to use surplus spaces in residential permit areas for a price; and (j) dedicating parking revenues to programs that reduce parking demand, including public transit, transportation demand management, and bicycle and pedestrian infrastructure. Requires the California Air Resources Board (CARB) to consider making a city or county that adopts and implements measures that exceed a total score of 20 points eligible to receive carbon reduction credits through its cap-and-trade program for those measures that exceed the 20-point threshold if the granting of those credits does not result in increasing the overall cap on emissions. Requires a city or county that adopts at least 50 points of reforms to receive a 5 percent scoring bonus for any state competitive loan or grant program related to housing, transportation or economic development, or that is funded by a general obligation bond approved by the voters on or after January 1, 2010. Allows any funding apportioned to cities or counties from the Highway Users Tax Account to be expended for implementing transportation demand management measures. Authorizes a local entity to dedicate any portion of the revenues collected from parking meter zones to parking benefit districts or programs that reduce parking demand, including public transit, transportation demand management, or bicycle and pedestrian infrastructure improvements and promotion. | 5/28/09 | Senate Floor |
| **SB 526**  
(Ashburn)  
Intercity Rail:  
Altamont Pass  
Extension | Requires Caltrans to enter into negotiations with the relevant operating freight and passenger commuter railroads for the purpose of developing a service plan and an operating agreement for the extension of at least one San Joaquin Corridor intercity passenger train using the Altamont Corridor to and from San Francisco. | 4/2/09 | Senate Appropriations Committee |
| **SB 528**  
(Negrete McLeod)  
Public-Private  
Partnerships: Lessee  
Compensation | Prohibits a lease agreement related to a public-private partnership for a transportation facility that is entered into on or after January 1, 2010, from providing for compensation to the private entity for the adverse effects on toll revenues resulting from the development, operation or lease of competing transportation projects. | As Introduced | Senate Transportation and Housing Committee |
<table>
<thead>
<tr>
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<th>Status</th>
<th>VTA Position</th>
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</thead>
<tbody>
<tr>
<td>SB 535 (Yee)</td>
<td>HOV Lanes: Low-Emission and Fuel-Efficient Vehicles</td>
<td>9/4/09</td>
<td>Assembly Floor</td>
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<td>Unless pre-empted by federal law, indefinitely extends the authorization for vehicles that meet California’s super ultra-low exhaust emission standard and the federal inherently low-emission evaporative emission standard to use high-occupancy vehicle (HOV) lanes regardless of the number of vehicle occupants. In addition, allows certain highly fuel-efficient vehicles to travel in HOV lanes without the required number of passengers, beginning in 2011. However, retains the January 1, 2011, sunset date for hybrid vehicles.</td>
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<tr>
<td>SB 560 (Ashburn)</td>
<td>Sustainable Communities Strategies</td>
<td>As Introduced</td>
<td>Senate Environmental Quality Committee</td>
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<td>Provides that greenhouse gas emission credits for cities and counties that site and permit commercial wind, solar and biomass projects may be used as credit in the formation of a sustainable communities strategy or an alternative planning strategy. Provides that transportation trips outside of federal lands that are directly related to activities of a federal or state military installation shall not be included in the emissions inventory otherwise required to be considered to achieve any reductions in greenhouse gas emissions.</td>
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<tr>
<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>State Senate Bills</td>
<td>Subject</td>
<td>Last Amended</td>
<td>Status</td>
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<tr>
<td><strong>SB 721</strong></td>
<td>Creates the Climate Action Team consisting of the following representation: (a) secretary of the California Environmental Protection Agency; (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; and (i) secretary of the Labor and Workforce Development Agency. Consistent with the California Global Warming Solutions Act of 2006, requires the Climate Action Team to coordinate the state’s overall climate change policy. Requires the Climate Action Team to prepare and adopt a strategic research, development, demonstration, and deployment plan that identifies funds to be expended: (1) assist in bringing California clean technologies into the marketplace that provide quantifiable reductions in greenhouse gas emissions; (2) encourage behavior changes or changes in consumer preferences that assist California in meeting its climate change targets and requirements; and (3) identify and forecast the impacts of climate change, and identify and research methods to mitigate and adapt to those impacts. Requires the Climate Action Team to coordinate with the Natural Resources Agency to prepare and adopt a climate change impact mitigation and adaptation plan that includes all of the following: (1) an assessment of the current state of climate change impact analysis, and an identification of potential climate change impacts that should be included in decision-making related to the management of natural resources or investment in infrastructure; (2) a process for integrating climate change impact information into the planning and decision-making of state agencies as appropriate; (3) the identification of additional research and research priorities that could assist and improve state decision-making in future years; (4) an evaluation of each sector’s contribution toward meeting the greenhouse gas emission reduction targets established by the Global Warming Solutions Act of 2006; and (5) a review of the best available scientific information regarding projected climate change impacts, risk analysis and best management practices developed to date.</td>
<td>4/23/09</td>
<td>Senate Appropriations Committee</td>
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<tr>
<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>
<td></td>
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<tr>
<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>
<td></td>
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<tr>
<td>State Senate Bills</td>
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<tr>
<td><strong>SCA 10</strong> (Ducheny) &lt;br&gt; Constitutional Amendments</td>
<td>Calls for placing before the voters an amendment to the California Constitution regarding statewide initiative measures. Specifically, requires the Secretary of State’s Office to transmit a copy of an initiative measure certified for the ballot to both the Senate and Assembly no later than 176 days prior to the election at which the measure is to be considered by the electorate. Within 30 days, allows the Legislature to propose an amended form of the initiative measure by adopting a concurrent resolution. If the sponsors of the initiative measure accept the proposed amendments, requires the Legislature’s proposal to appear on the ballot in place of the certified initiative measure. If the amended form proposed by the Legislature is not accepted, requires information regarding the proposed amended form to be included in the ballot materials related to the initiative measure.</td>
<td>8/17/09</td>
<td>Senate Floor</td>
<td></td>
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<tr>
<td><strong>SCA 14</strong> (Ducheny) &lt;br&gt; Ballot Initiative Costs</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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<tr>
<td>DAY</td>
<td>JANUARY</td>
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<tr>
<td>1</td>
<td>Statutes signed into law in 2009 take effect.</td>
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<tr>
<td>4</td>
<td>Legislature reconvenes.</td>
<td></td>
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<tr>
<td>10</td>
<td>Budget must be submitted by the Governor to the Legislature on or before this date.</td>
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<tr>
<td>15</td>
<td>Last day for policy committees to hear and report fiscal bills introduced in their house of origin in 2009.</td>
<td></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.</td>
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<tr>
<td>22</td>
<td>Last day to submit bill requests to the Legislative Counsel’s Office.</td>
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<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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<thead>
<tr>
<th>DAY</th>
<th>JULY</th>
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<tbody>
<tr>
<td>2</td>
<td>Last day for policy committees to hear and report bills introduced in the other house.</td>
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<tr>
<td>9</td>
<td>Summer Recess begins upon adjournment, provided that the budget bill has been enacted.</td>
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</table>

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<tr>
<th>DAY</th>
<th>AUGUST</th>
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<tbody>
<tr>
<td>9</td>
<td>Legislature reconvenes from Summer Recess.</td>
</tr>
<tr>
<td>13</td>
<td>Last day for fiscal committees to hear and report to the floor bills introduced in the other house.</td>
</tr>
<tr>
<td>20</td>
<td>Last day to amend bills on the Assembly and Senate floors.</td>
</tr>
<tr>
<td>31</td>
<td>Last day for each house to pass bills. Final Recess begins at the end of this day’s session.</td>
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<tr>
<th>DAY</th>
<th>SEPTEMBER</th>
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<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>
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<thead>
<tr>
<th>DAY</th>
<th>NOVEMBER</th>
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<tbody>
<tr>
<td>2</td>
<td>General Election.</td>
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<tr>
<th>DAY</th>
<th>DECEMBER</th>
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<tbody>
<tr>
<td>6</td>
<td>The 2011-2012 regular legislative session convenes.</td>
</tr>
</tbody>
</table>
CALL TO ORDER

The Regular Meeting of the Administration and Finance Committee (A&F) was called to order at 12:03 p.m. by Chairperson Kniss in Room B-104, VTA River Oaks Campus, 3331 North First Street, San Jose, California.

1. ROLL CALL

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
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<tbody>
<tr>
<td>Don Gage</td>
<td>Board Member</td>
<td>Present</td>
</tr>
<tr>
<td>Liz Kniss</td>
<td>Board Member</td>
<td>Present</td>
</tr>
<tr>
<td>Chuck Reed</td>
<td>Board Member</td>
<td>Absent</td>
</tr>
<tr>
<td>David Casas</td>
<td>Board Member</td>
<td>Absent</td>
</tr>
<tr>
<td>Chris Moylan</td>
<td>Alternate Board 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

The memorandum for Agenda Item #11, BPAC Appointments, has been modified to reflect the term of the appointments and will be effective through June 30, 2010, the end of the fiscal year. In spring 2010, BPAC appointments will come back before the A&F and the Board for the full two-year term.

CONSENT AGENDA

4. Regular Meeting Minutes of October 15, 2009

M/S/C (Gage/Moylan) to approve the regular Meeting Minutes of October 15, 2009.

5. Regular Meeting Minutes of November 19, 2009

M/S/C (Gage/Moylan) to approve the regular Meeting Minutes of November 19, 2009.


M/S/C (Gage/Moylan) to receive the Report on Santa Clara Valley Transportation Authority Investments for the month of October 2009.
7. **Annual Swap Report for Period Ending June 30, 2009**

M/S/C (Gage/Moylan) to review the Annual Swap Report for the period ending June 30, 2009.

8. **Monthly Legislative History Matrix**

M/S/C (Gage/Moylan) to review the Monthly Legislative History Matrix.

9. **2009 Quarterly Attendance Report**

M/S/C (Gage/Moylan) to review the 2009 Quarterly Attendance Report.

10. **Citizens Advisory Committee Appointment**

M/S/C (Gage/Moylan) to ratify the nomination of Bruce Liedstrand to the Citizens Advisory Committee, representing the North County Cities.

11. **BPAC Member Appointments**

M/S/C (Gage/Moylan) amended to ratify the following new appointment and re-appointments to the Bicycle & Pedestrian Advisory Committee through June 30, 2010:

**New Appointment**

Ray Cosyn, City of Saratoga

**Re-appointment**

Thomas Muniz, City of Gilroy
John Sullivan, City of Santa Clara
Richard Swent, City of Palo Alto

**REGULAR AGENDA**

12. **2010 Administration and Finance (A&F) Committee Meeting Schedule**

M/S/C (Gage/Moylan) to approve the 2010 Administration and Finance (A&F) Committee Meeting Schedule.

13. **Silicon Valley Rapid Transit Program – SVBX Utility Relocation Agreements with Utility Owners**

Vice Chairperson Gage left his seat at 12:07 p.m., the quorum was lost, and a Committee of the Whole was declared.

Carolyn Gonot, Chief Silicon Valley Rapid Transit (SVRT) Program Officer, provided the staff report noting: 1) Substantial utility relocation has been performed in the corridor, primarily parallel to the railroad right-of-way; 2) Current focus is on station area utilities or cross the rail corridor; 3) The utility relocation right-of-way must be identified
prior to entering final design; 4) The utility company will perform the final design; and 5) Staff will bring required construction authorizations to the Board.

Alternate Member Moylan questioned whether state funds have been secured. Ms. Gonot confirmed the state allocation has been received.

On order of Chairperson Kniss and there being no objection, the Committee of the Whole deferred this item until a quorum was reestablished.

14. Federal Advocacy Consultant Services Contract

Kurt Evans, Government Affairs Manager, reviewed the recommendation for the proposed three year federal advocacy consultant services contract with Van Scoyoc Associates. He noted the importance of choosing the right firm to represent VTA’s current and future needs.

Vice Chairperson Gage took his seat at 12:11 p.m. and a quorum was declared.

Mr. Evans described the search process as follows: 1) VTA issued a Request For Proposal (RFP) for federal advocacy consultant services via newspapers, the VTA website, and through notices sent to more than 50 Washington, D.C. lobbying firms; 2) Proposals were received from nine firms; 3) A panel was convened to review and score the written proposals; 4) After an in-depth evaluation six firms were invited to give oral presentations and to answer a series of questions; and 5) The review panel ranked the five firms and concluded Van Scoyoc Associates was the best qualified to perform the work described in the RFP.

Mr. Evans reported Van Scoyoc Associates: 1) has a balanced approach to federal advocacy; 2) has established effective relationships with key members of the House and Senate from both political parties, as well as with key staff members for the various authorizing and appropriation committees that address transportation issues; 3) has worked with VTA’s House delegation and California’s two senators in the past on behalf of other clients and has established relationships with them; and 4) has access to key officials within the White House, the U.S. Department of Transportation, Federal Transit Administration (FTA), the Federal Highway Administration (FHWA), and other appropriate federal agencies.

Mr. Evans noted Van Scoyoc Associates: 1) proposed a staffing plan for the RFP that was superior to those presented by other firms; 2) demonstrated to the review panel that it has a proven track record of successfully advocating for the project and program interest of its transportation-related clients at a federal level; 3) submitted a comprehensive work plan in response to the work scope in the RFP; 4) would be able to provide a thoughtful, thorough and timely counsel on federal transportation initiatives that directly impact VTA; and 5) proposed the lowest price for performing the services outlined in the work scope for the RFP.

Mr. Evans stated the contract with Van Scoyoc Associates represents an approximate cost savings of 31 percent over VTA’s current contract with Akin Gump.

Chairperson Kniss referenced the change made in representation three-years ago. Mr. Evans noted VTA’s needs have changed and a different skill set is now required.
Michael T. Burns, General Manager, noted this is a fairly significant shift from a tactical approach to a much more strategic approach.

Alternate Member Moylan questioned how potential firms reflected achievable fund amounts. Mr. Evans noted multiple-client examples were provided listing work performed and outcome achieved.

M/S/C (Gage/Moylan) to authorize the General Manager to execute a contract with Van Scoyoc Associates for federal advocacy consultant services for a period of three years in the amount of $456,000. The term of the contract would be from January 1, 2010, to December 31, 2012. The fixed monthly retainer for this contract would be $12,500 for the first two years and $13,000 for the third year. Further authorize the General Manager, at his discretion, to extend this contract after December 31, 2012, for two additional one-year periods at a fixed retainer rate to be negotiated.

13. **Silicon Valley Rapid Transit Program – SVBX Utility Relocation Agreements with Utility Owners (continued)**

Chairperson Kniss called the Committee’s attention back to this item as a quorum was not previously present.

M/S/C (Gage/Moylan) to:
- Authorize the General Manager to execute master utility relocation agreements with utility owners in order to support the Silicon Valley Berryessa Extension Project (SVBX). These utilities include PG&E, San Jose Water Company, Santa Clara Valley Water District, Milpitas Public Works, Verizon, Air Products, Comcast, AT&T, and others. These agreements may include provisions for design and construction of utility relocation (e.g. determination of percentage cost share liability), but authorization for expenditure commitment is limited to design only.

- Authorize the General Manager’s expenditure commitment authority for SVBX utility relocation advanced design in an amount not to exceed $8.4 million for both preliminary and advanced design effort.

15. **2010 Legislative Program**

Kurt Evans, Government Affairs Manager, reported staff will be continuing with the approach initiated this past year, a consolidated program rather than separate programs. He noted the recommended 2010 Legislative Program is divided into three sections: 1) federal; 2) state; and 3) regional and local.

**Federal**

Mr. Evans noted the surface transportation authorization is VTA’s main focus in 2010. VTA will urge Congress to act on a longer term surface transportation authorization measure to replace The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) as quickly as possible to ensure that much-needed transportation capital investments are initiated and critical infrastructure improvement projects are advanced.
Mr. Evans recommended that VTA continue to endorse the California Consensus on Federal Transportation Authorization, the principles of which are intended to provide a unified California position on the future of the nation’s surface transportation policies.

Mr. Evans noted the Federal section also covers: 1) FY 2011 transportation appropriations; 2) climate change; 3) high-speed rail; 4) economic stimulus; 5) Sale In Lease Out / Lease In Lease Out (SILO/LILO) transactions; and 6) public transit security.

Mr. Evans stated the importance of ensuring investors cannot use technicalities in existing SILO/LILO agreements to go after the transit agencies for financial benefits they had been previously been denied by Congress and the Internal Revenue Service.

**State**

Mr. Evans noted language has been added in support of the California Transit Association’s efforts to reclaim public transportation account revenues for transit in light of the favorable court decision the association received in light of its lawsuit against the State. He also noted other key state policy issues are: 1) the structure of state transportation programs; 2) transportation and the environment; 3) transit-oriented development; 4) project delivery; and 5) high-speed rail.

**Regional and Local**

Scott Haywood, Policy and Community Relations Manager, reported VTA is working with the Metropolitan Transportation Commission (MTC) on programs within its Regional Transportation Plan (RTP) to address issues such as: 1) climate change; 2) express lanes; 3) bicycles; and 4) land use. Mr. Haywood noted a top priority for VTA will be to ensure that these programs are administered in a way that benefits Santa Clara County, as well as the region as a whole.

VTA is working with MTC on the implementation of Senate Bill (SB) 375 requiring the region to development a sustainable community strategy as part of the RTP.

The Governor signed SB83, which will allow VTA to place a vehicle registration surcharge on the ballot, subject to majority vote, which could bring in as much as $14M annually to be spent on various VTA transportation projects. VTA will research the potential opportunities this bill presents and explore putting it on the ballot.

VTA will continue to work on regional services to ensure they are providing cost-effective benefits to the residents of Santa Clara County.

In light of VTA’s current financial situation, VTA will be working with its partners to look at alternative delivery models and ways in which these services are operating.

Alternate Member Moylan referenced Page 20 of the report and requested that language be included in the legislative program to expand VTA’s advocacy beyond the Capital Corridor to improve the operational efficiencies of Amtrak long-haul services, such as the Coast Starlight.

Chairperson Kniss acknowledged staff’s efforts.
M/S/C (Gage/Moylan) to recommend that the Board of Directors approve the 2010 Legislative Program for the Santa Clara Valley Transportation Authority (VTA) with the addition to include language in the legislative program that would reflect that VTA would work to improve the operational efficiencies of Amtrak long-haul services, such as the Coast Starlight.

16. **Advisory Committee Enhancement (ACE) Process Recommendations**

Greta Helm, Chief External Affairs Officer and Staff Liaison, introduced four of the ACE Task Force members seated in the audience: David Simons, Herman Wadler, Emma Eljas, and Katie Heatley.

Ms. Helm noted an update on the ACE process was presented to the A&F at its October meeting at which time it was determined staff would once again meet with the Task Force. The recommendations before the A&F are a result of the two additional ACE Task Force meetings.

Ms. Helm provided an overview of the ACE recommendations noting: 1) the Citizens Advisory Committee (CAC), the Policy Advisory Committee (PAC) and the Technical Advisory Committee (TAC) will continue to meet on a monthly basis; 2) if an agenda does not warrant a full meeting, every effort will be made by the advisory committees to cancel the meeting or to hold a workshop for discussion without action; 3) the Committee for Transit Accessibility (CTA) will reduce their meeting schedule from twelve (12) to four (4) regular meetings, not necessarily held on a quarterly basis; 4) the Bicycle & Pedestrian Advisory Committee (BPAC) will reduce its meeting schedule from twelve (12) to a maximum of six (6) regular meetings per year; 5) BPAC will have the option to hold four (4) workshops/study sessions per year for discussion without action. The workshops will be noticed in compliance with the Brown Act; and 5) the CAC will allow CTA and BPAC to recommend members of their committee fill two existing vacant CAC seats that represent bicyclists and the disabled community. The CTA and BPAC nominees will need to meet the established CAC membership requirements and are subject to approval by the Board of Directors.

Ms. Helm expressed her appreciation to the Advisory Committees for making these adjustments.

Emma Eljas, ACE Committee Task Force Member, introduced herself. Ms. Eljas noted, in addition to be an ACE member, she is also a member of VTA’s Committee for Transit Accessibility (CTA), and the City of San Jose’s Disability Advisory Commission.

Alternate Member Moylan noted his belief that this recommendation is a good start in using fewer resources and streamlining the advisory committee process, as recommended by the Hay Group Report. He expressed his opinion that the recommendation should be approved, but noted there is still more work to be done in order for the advisory committees to reach their maximum potential.

Chairperson Kniss stated this is a good start and recommended moving the item forward, but noted it is not a totally finished product. She suggested a Committee of the Board might better address this item.
Michael T. Burns, General Manager, noted with these recommended changes, not only will there be a resource-savings benefit, future committee meetings will have greater importance and be more relevant to the needs of the Board.

Member Gage noted when combining committees of varied interests there is a division of relevancy among the membership. Over the next year the focus needs to be on streamlining the committee process, achieving cost savings, and ensuring the committee meetings are more relevant to the needs of the Board. Member Gage suggested staff should determine relevancy by targeting specific items for specific committees.

Member Gage recommended the Board review work plans to determine relevancy.

Chairperson Kniss confirmed with staff that this is a one-year plan.

M/S/C (Moylan/Gage) to approve the indicated modifications to the advisory committee process.

OTHER ITEMS

17. Items of Concern and Referral to Administration

There were no Items of Concern and Referral to Administration.

18. Review Committee Work Plan

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

19. Committee Staff Report

There was no Staff Report.

20. Chairperson’s Report

There was no Chairperson’s Report.

21. Determine Consent Agenda for the January 7, 2010, Board of Directors Meeting

CONSENT: Agenda Item #8. Review the Monthly Legislative History Matrix;

Agenda Item #10. Ratify the nomination of Bruce Liedstrand to the Citizens Advisory Committee;

Agenda Item #11. Ratify the following new appointment and re-appointments to the Bicycle & Pedestrian Advisory Committee to a two-year term starting January 2010:

New Appointment

• Ray Cosyn, City of Saratoga
Re-appointment

- Thomas Muniz, City of Gilroy
- John Sullivan, City of Santa Clara
- Richard Swent, City of Palo Alto

Agenda Item #13.

- Authorize the General Manager to execute master utility relocation agreements with utility owners in order to support the Silicon Valley Berryessa Extension Project (SVBX). These utilities include PG&E, San Jose Water Company, Santa Clara Valley Water District, Milpitas Public Works, Verizon, Air Products, Comcast, AT&T, and others. These agreements may include provisions for design and construction of utility relocation (e.g. determination of percentage cost share liability), but authorization for expenditure commitment is limited to design only.

- Authorize the General Manager’s expenditure commitment authority for SVBX utility relocation advanced design in an amount not to exceed $8.4 million for both preliminary and advanced design effort.

Agenda Item #14. Authorize the General Manager to execute a contract with Van Scoyoc Associates for federal advocacy consultant services for a period of three years in the amount of $456,000. The term of the contract would be from January 1, 2010, to December 31, 2012. The fixed monthly retainer for this contract would be $12,500 for the first two years and $13,000 for the third year. Further authorize the General Manager, at his discretion, to extend this contract after December 31, 2012, for two additional one-year periods at a fixed retainer rate to be negotiated.

Agenda Item #15. Recommend that the Board of Directors approve the 2010 Legislative Program for the Santa Clara Valley Transportation Authority (VTA); and

Agenda Item #16. Approve the indicated modifications to the advisory committee process.

22. Announcements

There were no announcements.

23. ADJOURNMENT

On order of Chairperson Kniss and there being no objection, the meeting was adjourned at 12:49 p.m.

Respectfully submitted,

Susan E. Garcia, Board Assistant
VTA Office of the Board Secretary
CONGESTION MANAGEMENT PROGRAM AND PLANNING COMMITTEE

Thursday, December 17, 2009

NOTICE OF CANCELLATION

NOTICE IS HEREBY GIVEN that the Santa Clara Valley Transportation Authority Congestion Management Program and Planning Committee Meeting scheduled for Thursday, December 17, 2009 at 10:00 a.m. has been cancelled.

The next meeting of the Santa Clara Valley Transportation Authority Congestion Management Program and Planning Committee is scheduled for Thursday, January 21, 2010, at 10:00 a.m. at Conference Room B-104, Building B, 3331 North First Street, San Jose, California.

Elaine F. Baltao, Board Assistant
VTA Board of Directors
Transit Planning and Operations Committee

Thursday, December 17, 2009

NOTICE OF CANCELLATION

NOTICE IS HEREBY GIVEN that the Santa Clara Valley Transportation Authority Transit Planning and Operations Committee meeting scheduled for Thursday, December 17, 2009, at 4:30 p.m. has been cancelled.

The next regular meeting of the Santa Clara Valley Transportation Authority Transit Planning and Operations Committee is scheduled for Thursday, January 21, 2010 at 4:30 p.m., in Room B-104, Valley Transportation Authority (VTA), 3331 North First Street, San Jose, California.

Menominee L. McCarter, Board Assistant
Office of the Board Secretary
NOTICE OF CANCELLATION

NOTICE IS HEREBY GIVEN that the Santa Clara Valley Transportation Authority Audit Committee Meeting scheduled for Thursday, December 10, 2009, at 12:00 p.m. or immediately following the Board of Directors Workshop/Regular Meeting has been cancelled.

The next meeting of the Santa Clara Valley Transportation Authority Audit Committee is scheduled for Thursday, March 4, 2010, at 4:00 p.m. at County Government Center, Conference Room 157, 70 West Hedding Street, San Jose, California.

Michelle M. Garza, Board Assistant
VTA Office of the Board Secretary
COMMITTEE FOR TRANSIT ACCESSIBILITY

Wednesday, December 9, 2009

NOTICE OF CANCELLATION

NOTICE IS HEREBY GIVEN that the Santa Clara Valley Transportation Authority Committee for Transit Accessibility meeting scheduled for Wednesday, December 9, 2009, at 1:00 p.m. has been cancelled.

The next regular meeting of the Santa Clara Valley Transportation Authority Committee for Transit Accessibility is scheduled for Wednesday, January 13, 2010 at 1:00 p.m., Auditorium, Building A, Valley Transportation Authority (VTA), 3331 North First Street, San Jose, California.

Menominee L. McCarter, Board Assistant
VTA Office of the Board Secretary
CALL TO ORDER

The Regular Meeting of the Citizens Advisory Committee (CAC) was called to order at 4:35 p.m., by Chairperson Tebo, in Conference Room B-104, VTA River Oaks Campus, 3331 North First Street, San Jose, California.

1. ROLL CALL

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
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<tbody>
<tr>
<td>Member Blaylock</td>
<td>CAC Member</td>
<td>Present</td>
</tr>
<tr>
<td>Member Elias</td>
<td>CAC Member</td>
<td>Present</td>
</tr>
<tr>
<td>Member Hashimoto</td>
<td>CAC Member</td>
<td>Present</td>
</tr>
<tr>
<td>Member Hughan</td>
<td>CAC Member</td>
<td>Present</td>
</tr>
<tr>
<td>Member Larsen</td>
<td>CAC Member</td>
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<tr>
<td>Member Morando</td>
<td>CAC Member</td>
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<tr>
<td>Member Powers</td>
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<td>Present</td>
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<tr>
<td>Member Probst</td>
<td>CAC Member</td>
<td>Present</td>
</tr>
<tr>
<td>Member Rogers</td>
<td>CAC Member</td>
<td>Present</td>
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<tr>
<td>Member Schulte</td>
<td>CAC Member</td>
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<tr>
<td>Member Skinner</td>
<td>CAC Member</td>
<td>Present</td>
</tr>
<tr>
<td>Vice Chairperson Jacobvitz</td>
<td>CAC Vice Chairperson</td>
<td>Present</td>
</tr>
<tr>
<td>Chairperson Tebo</td>
<td>CAC Chairperson</td>
<td>Present</td>
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</table>

A quorum was present.

2. ORDERS OF THE DAY

There were no orders of the day.

3. PUBLIC PRESENTATIONS

There were no public presentations.

4. Report from the General Manager

Michael T. Burns, General Manager, met with the CAC/CWC to discuss VTA’s additional $70M budget shortfall. He noted the shortfall remains even after implementation of the: 1) fare increase; 2) service reductions; 3) deferrals; 4) salary reductions through furlough days; and 5) other staff-accumulated savings.
Mr. Burns noted VTA has used three basic tenets to address this current problem: 1) transit service preservation; 2) continued commitment toward infrastructure investment; and 3) job preservation.

Mr. Burns, addressing his remarks specifically to the CWC, discussed a request going before the Board at its meeting on December 10, 2009, wherein the Board will be asked to reduce appropriation in the Measure A Transit Improvement Program budget for the procurement of 40 articulated hybrid diesel electric buses by $25.0 million from $43.25 million to $18.25 million and increase appropriation to direct such funds to support VTA operations.

Mr. Burns also noted a request for the Board to appoint an Ad-hoc Committee to develop recommendations for consideration at a future board meeting that will address VTA’s structural deficit beyond FY 2011 to insure the continued sustainability of transit services in Santa Clara County.

5. Chairperson’s Report

Chairperson Tebo presented a plaque of commendation from the Citizens Advisory Committee to former, long-time CAC member Ellen Fletcher. He praised Ms. Fletcher for her commitment, advocacy and her near-perfect attendance record.

Michael T. Burns, General Manager, presented Ms. Fletcher with a plaque of commendation from the VTA Board of Directors. Mr. Burns expressed VTA’s gratitude to Ms. Fletcher for her many years of dedicated service.

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

COMBINED CAC AND CWC CONSENT AGENDAS

6. Minutes of November 10, 2009

M/S/C (Powers/Hashimoto) to approve the Minutes of the November 10, 2009, Citizens Advisory Committee.

7. Monthly Legislative History Matrix

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

8. Fiscal Year to Date 2010 First Quarter Transit Operations Performance Report

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


On order of Chairperson Tebo and there being no objection, the Committee received the VTP Highway Program Semi-Annual Report – October 2009.

NOTE: M/S/C MEANS MOTION SECONDED AND CARRIED AND, UNLESS OTHERWISE INDICATED, THE MOTION PASSED UNANIMOUSLY.
CITIZENS ADVISORY COMMITTEE (CAC) REGULAR AGENDA

10. **Elections for CAC Chairperson and Vice Chairperson for 2010**

   Nominating Subcommittee Member Hashimoto confirmed the nominees for CAC’s 2010 Chairperson and Vice Chairperson as:

   Chairperson: Member Powers and Member Larsen

   Vice Chairperson: Vice Chairperson Jacobvitz, Member Larsen, and Member Skinner

   Nominating Subcommittee Member Hashimoto noted both Member Larsen and Member Skinner had removed their names from consideration.

   There were no nominations from the floor.

   **M/S/C (Rogers/Hashimoto)** to close the nominations and elect Charlotte Powers as Citizens Advisory Committee Chairperson for calendar year 2010.

   **M/S/C (Rogers/Powers)** to close the nominations and elect Robert Jacobvitz as Citizens Advisory Committee Vice Chairperson for calendar year 2010.


    Robert Swierk, Senior Transportation Planner, presented the staff report.

    **On order of Chairperson Tebo** and there being no objection, the Committee received a presentation on the Proactive CMP Quarterly Report for July through September 2009.

    Member Hashimoto left the meeting at 6:00 p.m.

12. **Light Rail System Analysis - Cost Benefit Overview**

    Andrew Ittigson, Senior Transportation Planner, presented the staff report.

    Chairperson Tebo and Vice Chairperson Jacobvitz expressed concern that the light rail/bus system studies did not fully evaluate connections with destinations that they believe will generate significant ridership. Vice Chairperson Jacobvitz requested an item be added to the CAC/CWC Work Plan to discuss this further.

    **On order of Chairperson Tebo** and there being no objection, the Committee received a presentation on the Light Rail System Analysis – Cost Benefit Overview.

    Member Skinner left the meeting at 6:15 p.m.
13. **Advisory Committee Enhancement Process Recommendations**

Greta Helm, Chief External Affairs Officer and Staff Liaison, discussed the newly revised Advisory Committee Enhancement Process Recommendations.

VTA’s Bicycle & Pedestrian Advisory Committee (BPAC) members Herman Wadler and David Simons addressed the CAC with regard to BPAC’s meeting schedule.

Messrs. Simons and Wadler confirmed that BPAC will reduce its meeting schedule from twelve (12) to a maximum of six (6) regular Board Office supported meetings per year. BPAC will have the option to hold four (4) workshops/study sessions per year, which do not require full Board Office support, as there will be no action taken at the meeting. A minimum of two meetings per year will be cancelled. If any of the six regular meetings do not require action, there is the option to either cancel or convert the meeting to a workshop/study session. Workshops and meeting cancellations will be publicly noticed in compliance with the Brown Act.

M/S/C (Powers/Larsen) to recommend that the Board of Directors approve modifications to the advisory committee process.

14. **2010 Legislative Program**

Kurt Evans, Government Affairs Manager, provided the staff report.

M/S/C (Powers/Rogers) to recommend that the Board of Directors approve the 2010 Legislative Program for the Santa Clara Valley Transportation Authority (VTA).

**COMBINED CAC AND CWC ITEMS**

15. **CAC and CWC Work Plans**

On order of Chairperson Tebo and there being no objection, the Committee reviewed the Citizens Advisory Committee and Citizens Watchdog Committee Work Plans.

**OTHER**

16. **ANNOUNCEMENTS**

17. **ADJOURNMENT**

On order of Chairperson Tebo and there being no objection, the meeting was adjourned at 6:40 p.m.

Respectfully submitted,

Susan E. Garcia, Board Assistant
Office of the Board Secretary
NOTICE OF CANCELATION

NOTICE IS HEREBY GIVEN that the Santa Clara Valley Transportation Authority Bicycle and Pedestrian Advisory Committee meeting scheduled for Wednesday, December 9, 2009 at 6:00 p.m. has been canceled.

The next regular meeting of the Santa Clara Valley Transportation Authority Bicycle and Pedestrian Advisory Committee is scheduled for Wednesday, January 13, 2009 at 6:00 p.m., Auditorium, Building A, 3331 North First Street, San Jose, California.

Elaine F. Baltao, Board Assistant
VTA Board of Directors
Technical Advisory Committee

Thursday, December 10, 2009

MINUTES

CALL TO ORDER

The Regular Meeting of the Technical Advisory Committee (TAC) was called to order at 1:37 p.m. by Chairperson Witthaus 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>
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<tbody>
<tr>
<td>Greg Armendariz</td>
<td>City of Milpitas</td>
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<tr>
<td>Rajeev Batra</td>
<td>City of Santa Clara</td>
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<tr>
<td>Shahla Yazdy, Alternate</td>
<td>City of Palo Alto</td>
<td>Present</td>
</tr>
<tr>
<td>Todd Capurso</td>
<td>Town of Los Gatos</td>
<td>Present</td>
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<tr>
<td>John Cherbone</td>
<td>City of Saratoga</td>
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<tr>
<td>Richard Chiu</td>
<td>Town of Los Altos Hills</td>
<td>Absent</td>
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<tr>
<td>Dan Collen, Alternate</td>
<td>County of Santa Clara</td>
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<tr>
<td>Kevin Connolly, Alt. Ex-Officio</td>
<td>VTA</td>
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<tr>
<td>Don Dey</td>
<td>City of Gilroy</td>
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<tr>
<td>Sylvia Fung, Alt. Ex-Officio</td>
<td>Dept. of Transportation (Caltrans)</td>
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<tr>
<td>Glenn Goepfert</td>
<td>City of Cupertino</td>
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<tr>
<td>Joan Jenkins</td>
<td>City of Mountain View</td>
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<tr>
<td>Robert Kass</td>
<td>City of Campbell</td>
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<tr>
<td>Larry Lind</td>
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<tr>
<td>Kathleen Molloy Previsich</td>
<td>City of Morgan Hill</td>
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<tr>
<td>Mo Sharma</td>
<td>City of Monte Sereno</td>
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<tr>
<td>Ben Tripousis</td>
<td>City of San Jose</td>
<td>Present</td>
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<tr>
<td>Jack Witthaus, Chairperson</td>
<td>City of Sunnyvale</td>
<td>Present</td>
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</table>

A quorum was not present and a Committee of the Whole was declared.

2. PUBLIC PRESENTATIONS

There were no Public Presentations.

3. ORDERS OF THE DAY

Chairperson Witthaus noted the addendum to the Agenda, Agenda Item #12.X, Receive information on the Light Rail System Analysis.
On order of Chairperson Witthaus and there being no objection, the Orders of the Day were received.

4. **Committee Staff Report**

John Ristow, Chief CMA Officer and Staff Liaison, announced that he has been meeting with different cities to discuss topics of interest.

Jim Unites, Deputy Director for Operations, provided a report about the Request for Proposals (RFP) for the Transit Shelter Advertising Program. His report highlighted the following: 1) proposed implementation agreement; 2) scope of the work; 3) transit shelter quality and design; and 4) program timeline.

Vice Chairperson Batra requested to receive information on the revenue share received by each city.

Member Kass suggested that replacement of transit shelters be done on an optional basis so each city could maintain or increase its level of revenue share.

Member Tripousis took his seat at 1:46 p.m.

Alternate Ex-Officio Member Connolly took his seat at 1:49 p.m.

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

5. **Chairperson’s Report**

There was no report from the Chairperson.

6. **Reports from TAC Working Groups**

- **Capital Improvement Program (CIP)**

  There was no report from the Capital Improvement Program.

- **Systems Operations and Management (SOM) Working Group**

  There was no report from the Systems Operations and Management Working Group.

7. **High Speed Rail/Caltrain Project**

Steven Fisher, Senior Transportation Planner, provided a report highlighting the following: 1) status of the Altamont Corridor Rail Project Environmental Impact Report (EIR)/Environmental Impact Statement (EIS); 2) status of the decertified EIR on the southern part of the area; and 3) Federal Railroad Administration’s (FRA) direction on the San Jose to Merced section.
On order of Chairperson Witthaus and there being no objection, a verbal report on the High Speed Rail/Caltrain Project was received.

The Agenda was taken out of order.

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

REGULAR AGENDA

10. TAC Nomination Committee Report

Chairperson Witthaus provided the following report from the TAC Nomination Committee:

1) Nomination of Vice Chairperson Batra as TAC Chairperson for calendar year 2010; and
2) Nomination of Member Capurso as TAC Vice Chairperson for calendar year 2010.

On order of Chairperson Witthaus and there being no objection, the TAC Nomination Committee report was received.

12.X LR System Analysis – Cost Benefit Overview

Kevin Connolly, Transportation Planning Manager and Alternate Ex-Officio Member, provided a PowerPoint presentation highlighting the following: 1) Project context; 2) Outreach and involvement; 3) Association of Bay Area Governments (ABAG) population & jobs growth drives LRT growth; 4) Light Rail 2009 and 2035 ridership; 5) Market analysis - transit competitiveness; 6) How do we improve the LRT system?; 7) Existing LRT network; 8) LRT core – existing; 9) LRT network segments; 10) Downtown rebuild; 11) Southern segment – express service; 12) Vasona line – downtown loop; 13) Vasona line – 4th Street; 14) Vasona line – 11th Street; 15) North segment – short T; 16) North segment – long T; 17) Light Rail extensions; 18) Capital cost estimates; and 19) Summary and next steps.

Member Capurso took his seat at 2:12 p.m. and a quorum was declared.

Members of the Committee expressed concern regarding parking and suggested including a parking study in the investment plan.

Member Tripousis stated a disbursed model of parking that would encourage the use of transit is being studied.

Mr. Connolly noted access and parking would be included in staff’s next steps.

On order of Chairperson Witthaus and there being no objection, the Committee received the LR System Analysis – Cost Benefit Overview.
CONSENT AGENDA

8. Minutes of November 12, 2009

M/S/C (Tripousis/Dey) to approve the Minutes of November 12, 2009.

9. Fiscal Year to Date 2010 First Quarter Transit Operations Performance Report

M/S/C (Tripousis/Dey) to receive the Fiscal Year to Date 2010 First Quarter Transit Operations Performance Report.

REGULAR AGENDA

11. Conduct TAC Elections for 2010

Chairperson Witthaus confirmed the nominees for TAC’s 2010 Chairperson and Vice Chairperson as:

Chairperson - Vice Chairperson Batra

Vice Chairperson - Member Capurso

There were no nominations from the floor.

M/S/C (Tripousis/Dey) to close the nominations and elect Rajeev Batra as Technical Advisory Committee Chairperson, and elect Todd Capurso as Technical Advisory Committee Vice Chairperson for calendar year 2010.

12. Senate Bill 83 – Implementation Actions

John Ristow, Chief CMA Officer and Staff Liaison, provided a report highlighting:
1) Subcommittee of the TAC would help develop the investment plan; 2) recommended three-step process to evaluate the new funding opportunity; and 3) identified Bay Area Counties moving toward the same direction.

Members of the Committee suggested the subcommittee of the TAC should be involved in identifying projects and providing input to the polling process.

Alternate Member Collen suggested retaining flexibility on the expenditure plan.

Mr. Ristow noted information regarding the scope of work for SB 83 would be presented to the Committee at a future meeting.

NOTE: M/S/C MEANS MOTION SECONDED AND CARRIED AND, UNLESS OTHERWISE INDICATED, THE MOTION PASSED UNANIMOUSLY.
M/S/C (Dey/Tripousis) to recommend the VTA Board of Directors approve the following tasks relating to SB 83: 1) Authorize up to $30,000 to contract with a polling firm to determine the feasibility of placing a $10 vehicle registration fee on the ballot for residents of Santa Clara County; 2) Direct staff to develop an expenditure plan to detail the programs and projects that would be developed through the potential vehicle registration fee; and further, 3) Return to the Board in mid 2010 with the draft expenditure plan and the polling results to determine whether or not to place the vehicle registration fee on the November 2010 ballot.


   On order of Chairperson Witthaus and there being no objection, the Committee received the VTP Highway Program Semi-Annual Report – October 2009.

15. **Litter Control Program Update**

   Tom Fitzwater, Environmental Planning Manager, provided an updated on the litter control program. He noted that a region wide effort to address the litter problem is underway due to the cooperation of the following: 1) Santa Clara Valley Zero Litter Initiative Group; 2) Santa Clara Valley Urban Runoff Pollution Prevention Program; 3) Caltrans; 4) local cities; and 5) VTA.

   Member Kass suggested increasing the requirement for Caltrans to include a regional responsibility for litter when they renew their State permit.

   Members of the Committee suggested that a collaborative effort between transportation agencies, local agencies, and litter initiative groups should be established to address the State Board regarding regional litter issues.

   On order of Chairperson Witthaus and there being no objection, the Committee received the Litter Control Program Update.


   Eugene Maeda, Senior Transportation Planner, and Joe Guerre, Cambridge Systematics, Inc., provided an overview of the staff report.

   Members of the Committee suggested establishing a range for the program based on the categorized figures from local agencies and the State.

   Alternate Member Collen left his seat at 3:25 p.m. and the quorum was lost.

   Alternate Member Yazdy left her seat at 3:27 p.m.

   On order of Chairperson Witthaus and there being no objection, the Committee received the Transportation System Monitoring Program Progress report – December 2009.
16. **Regional Land Use-Related Initiatives**

Ying Smith, Transportation Planning Manager, provided an overview of the staff report.

Chairperson Witthaus suggested staff to inform local agencies that funding for infrastructure programs have a direct relation to the success of the initiatives.

**On order of Chairperson Witthaus** and there being no objection, the Committee received Regional Land Use-Related Initiatives report.

**OTHER**

17. **Metropolitan Transportation Commission (MTC) Activities and Initiatives**

John Ristow, Chief CMA Officer and Staff Liaison, reported that Federal program approval has been rescheduled to December by MTC.

Vice Chairperson Batra requested for a report about the application submitted by VTA to receive funding from the federal American Recovery and Reinvestment Act of 2009 (ARRA).

**On order of Chairperson Witthaus** and there being no objection, the Committee received an update on MTC Activities and Initiatives.

18. **Technical Advisory Committee (TAC) Subcommittee Report**

There was no report from the TAC Subcommittee.

19. **Committee Work Plan**

Chairperson Witthaus requested to agendize the Transit Shelter Advertising Program at the January 14, 2010 TAC meeting.

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

20. **Announcements**

There were no Announcements.

21. **ADJOURNMENT**

**On order of Chairperson Witthaus** and there being no objection, the meeting was adjourned at 3:43 p.m.

Respectfully submitted,

Michael Diareisco, Board Assistant
Office of the Board Secretary
CALL TO ORDER

The Regular Meeting of the Valley Transportation Authority (VTA) Policy Advisory Committee (PAC) was called to order at 4:04 p.m. by Chairperson Abe-Koga 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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<tbody>
<tr>
<td>Chris Moylan</td>
<td>City of Sunnyvale</td>
<td>Present</td>
</tr>
<tr>
<td>David Whittum (Alternate)</td>
<td>City of Sunnyvale</td>
<td>NA</td>
</tr>
<tr>
<td>Chuck Page</td>
<td>City of Saratoga</td>
<td>Absent</td>
</tr>
<tr>
<td>Kathleen King (Alt)</td>
<td>City of Saratoga</td>
<td>Absent</td>
</tr>
<tr>
<td>Dave Cortese</td>
<td>SCC Board of Supervisors</td>
<td>Absent</td>
</tr>
<tr>
<td>Michael F. Kotowski</td>
<td>City of Campbell</td>
<td>Present</td>
</tr>
<tr>
<td>Jason Baker (Alt)</td>
<td>City of Campbell</td>
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</tr>
<tr>
<td>Kris Wang</td>
<td>City of Cupertino</td>
<td>Absent</td>
</tr>
<tr>
<td>Gilbert Wong (Alt)</td>
<td>City of Cupertino</td>
<td>Absent</td>
</tr>
<tr>
<td>Perry Woodward</td>
<td>City of Gilroy</td>
<td>Absent</td>
</tr>
<tr>
<td>Cat Tucker (Alt)</td>
<td>City of Gilroy</td>
<td>Absent</td>
</tr>
<tr>
<td>Megan Satterlee</td>
<td>City of Los Altos</td>
<td>Present</td>
</tr>
<tr>
<td>Val Carpenter (Alt)</td>
<td>City of Los Altos</td>
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</tr>
<tr>
<td>Joe Pirzynski</td>
<td>Town of Los Gatos</td>
<td>Present</td>
</tr>
<tr>
<td>Diane McNutt (Alt)</td>
<td>Town of Los Gatos</td>
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<tr>
<td>Pete McHugh</td>
<td>City of Milpitas</td>
<td>Absent</td>
</tr>
<tr>
<td>Vacant (Alt)</td>
<td>City of Milpitas</td>
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<tr>
<td>Marshall Anstandig</td>
<td>City of Monte Sereno</td>
<td>Present</td>
</tr>
<tr>
<td>Curtis Wright (Alt)</td>
<td>City of Monte Sereno</td>
<td>NA</td>
</tr>
<tr>
<td>Marby Lee</td>
<td>City of Morgan Hill</td>
<td>Absent</td>
</tr>
<tr>
<td>Steve Tate (Alt)</td>
<td>City of Morgan Hill</td>
<td>Absent</td>
</tr>
<tr>
<td>Margaret Abe-Koga</td>
<td>City of Mountain View</td>
<td>Present</td>
</tr>
<tr>
<td>Laura Macias (Alt)</td>
<td>City of Mountain View</td>
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<tr>
<td>Pat Burt</td>
<td>City of Palo Alto</td>
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</tr>
<tr>
<td>Larry Klein (Alt)</td>
<td>City of Palo Alto</td>
<td>Absent</td>
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<tr>
<td>Kansen Chu</td>
<td>City of San Jose</td>
<td>Absent</td>
</tr>
<tr>
<td>Jamie Matthews</td>
<td>City of Santa Clara</td>
<td>Present</td>
</tr>
<tr>
<td>Jamie McLeod (Alt)</td>
<td>City of Santa Clara</td>
<td>NA</td>
</tr>
<tr>
<td>Rich Larsen</td>
<td>Town of Los Altos Hills</td>
<td>Present</td>
</tr>
</tbody>
</table>

A quorum was present.
2. ORDERS OF THE DAY
There were no Orders of the Day.

3. PUBLIC PRESENTATIONS
There were no Public Presentations.

4. General Manager’s Report

Michael T. Burns, General Manager, reported that at the December 10, 2009 Board of Director’s meeting he provided an update on the FY2010 and FY2011 operating budgets. He noted actual sales tax revenues for the last two quarters of FY009 resulted in $22 million below budget projections. He further stated due to continued sales tax declines, forecasts indicate VTA will face an additional combined $70 million budget shortfall in FY210 and FY2011.

Mr. Burns commented that through the economic downturn, VTA has remained committed to the missions and principles that are guiding the budget planning reflect that commitment. He reported as evaluation strategies are sought to solve the deficit, VTA has looked for options consistent with the goals of maintaining jobs, preserving service, and investing in capital projects.

Mr. Burns reported a number of strategies have been identified to address the shortfall in the short term. He stated approximately $40 million in savings could be achieved in the next two years through continued cost containment measures including hardening the hiring freeze, rescheduling the purchase of the Bus Rapid Transit (BRT) to 2012, and reducing contracted services.

Mr. Burns announced the Board approved formation of an ad-hoc committee of the Board to determine long-term strategies beyond FY2011. The appointments to the ad-hoc committee will be selected January 2010.

Mr. Burns stated the Supreme Court ruled that the State Transit Assistance funds were wrongfully diverted by the Governor and Legislature. He commented it is uncertain when VTA would receive some level of funding over the next two years. He further stated the amount of the funding share to VTA has not been determined.

The Committee members expressed concern with the budget shortfall predictions.

5. Committee Staff Report

Jim Lawson, Senior Policy Advisor, introduced the new Board Secretary, Sandra Weymouth.

Mr. Lawson provided an overview of the Board of Director’s December 10, 2009 meeting.

Mr. Lawson announced VTA would again participate in the Annual Toys for Tots Drive, and partner with the United States Marine Corps and 94.5 KBAY radio.
The toy drive will be held at Christmas in the Park in Downtown San Jose on Sunday, December 12, 2009 from 8 a.m. to 6 p.m.

Tom Fitzwater, Environmental Manager, provided an overview of VTA’s Litter Control Program.

Members of the Committee recommended VTA pressure Caltrans to continue their efforts to clean up the litter on the highway.

The Committee expressed concern with the litter problem in Santa Clara County and recommended adding this item to the Agenda for a future meeting.

6. **Chairperson’s Report**

Chairperson Abe-Koga welcomed Howard Miller from the City of Saratoga.

7. **City Grouping Report**

There was no City Grouping Report.

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

**CONSENT AGENDA**

8. **Minutes of November 12, 2009**

M/S/C (Kotowski/Pirzynski) to approve the Minutes of November 12, 2009.

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

On order of Chairperson Abe-Koga and there being no objection, the Committee reviewed the Programmed Project Monitoring – Quarterly Report.

10. **Fiscal Year to Date 2010 First Quarter Transit Operations Performance Report**

On order of Chairperson Abe-Koga and there being no objection, the Committee reviewed the Fiscal Year to Date 2010 First Quarter Transit Operations Performance Report.


On order of Chairperson Abe-Koga and there being no objection, the Committee reviewed the VTP Highway Program Semi-Annual Report – October 2009.

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

12. Election Process for 2010 Chairperson and Vice Chairperson

Chairperson Abe-Koga stated that she will serve on the nominating committee with Members Anstandig, and Satterlee

(Kotowski/Matthews) to appoint a nominating subcommittee to identify Committee members interested in serving as the Chairperson and Vice Chairperson for 2010.

13. Senate Bill 83 – Implementation Actions

Scott Haywood, Policy and Communications Manager, provided an overview of the staff report.

Member Pirzynski expressed his support of the implementation actions.

Some members of the Committee inquired about the potential accuracy of the polling data. They expressed concern whether polls conducted during a down economy would provide accurate data. Other members stated that conducting the poll would help determine the likelihood of success on the ballot. Members commented that the 2010 ballot may be lengthy. They stated VTA must consider many issues when deciding the most opportune time to bring this item before the voters.

Members requested staff report back to PAC when the polling would be conducted and with the analysis data once it is completed.

M/S/C (Matthews/Pirzynski) to recommend that the VTA Board of Directors approve the following tasks relating to SB 83:

1. Authorize up to $30,000 to contract with a polling firm to determine the feasibility of placing a $10 vehicle registration fee on the ballot for residents of Santa Clara County.
2. Direct staff to develop an expenditure plan to detail the programs and projects that would be developed through the potential vehicle registration fee.
3. Return to the Board in mid 2010 with the draft expenditure plan and the polling results to determine whether or not to place the vehicle registration fee on the November 2010 ballot.

14. Silicon Valley Rapid Transit Project Update

Leyla Hedayat, Silicon Valley Rapid Transit (SVRT) Planning Manager, provided an overview of the staff report.

Member Pirzynski expressed his appreciation to staff for their diligence and hard work to move the SVRT project forward. He expressed his support of the
project’s acceptance and re-entry into the Federal Transportation Administration (FTA) New Starts Program.

On order of Chairperson Abe-Koga and there being no objection, the Committee reviewed the Silicon Valley Rapid Transit Project Update.

15. Regional Land Use-Related Initiatives

Ying Smith provided an overview of the staff report.

On order of Chairperson Abe-Koga and there being no objection, the Committee reviewed the Regional Land Use-Related Initiatives.


Eugene Maeda, Senior Transportation Planner, and Joseph Guerre, P.E., PMP, Principal with Cambridge Systematics, Inc., provided an overview of the staff report.

Member Moylan expressed concern the Program did not contain more measuring rather than monitoring data.

On order of Chairperson Abe-Koga and there being no objection, the Committee reviewed the Transportation System Monitoring Program Progress Report – December 2009.

OTHER

17. Committee Work Plan

The Committee reviewed the Work Plan.

Member Moylan recommended the Committee continue the Local Transportation Needs and Priorities Presentations provided by each city in the coming year.

On order of Chairperson Abe-Koga and there being no objection, the Committee reviewed the Work Plan.

18. Announcements

Chairperson Abe-Koga thanked the Committee for their support and hard work during the past year.

Member Moylan stated he has enjoyed his four years on the PAC.

On behalf of VTA staff, Scott Haywood thanked all PAC members who may be leaving the Committee and wished them well in their future endeavors.
19. **ADJOURNMENT**

*On order of Chairperson Abe-Koga and there being no objection, the meeting was adjourned at 5:59 p.m.*

Respectfully submitted,

Jacqueline Golzio, Board Assistant
Office of the Board Secretary
Downtown East Valley Policy Advisory Board

Thursday, December 17, 2009

MINUTES

1. CALL TO ORDER/ROLL CALL

The Regular Meeting of the Downtown East Valley Policy Advisory Board (PAB) was called to order at 1:05 p.m. by Chairperson Campos in the East Wing, Lower Level Conference Room, Santa Clara County Government Center, 70 West Hedding Street, San Jose, California.

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dave Cortese</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Rose Herrera</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>George Shirakawa</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Sam Liccardo</td>
<td>Vice Chairperson</td>
<td>Present</td>
</tr>
<tr>
<td>Nora Campos</td>
<td>Chairperson</td>
<td>Present</td>
</tr>
</tbody>
</table>

A quorum was not present and a Committee of the Whole was declared.

The Agenda was taken out of order.

5. Status of the Santa Clara-Alum Rock BRT Project

Kevin Connolly, Transportation Planning Manager and Staff Liaison, provided a report highlighting: 1) Bus Rapid Transit (BRT) project schedule; 2) Request for Proposals from on-call BRT planning list for preliminary engineering; 3) State Route 130 relinquishment; and 4) final conceptual plans for Alum Rock Avenue.

Mr. Connolly noted the Board’s action to defer vehicle procurement has no effect to the project schedule.

Member Herrera took her seat at 1:07 p.m. and a quorum was declared.

Ray Salvano, Department of Transportation, City of San Jose, provided an update about the relinquishment of State Route 130 and 82. He noted that City of San Jose staff is currently working with legislative representatives in Sacramento to set up a bill and proceed with the State Route relinquishment. He stated that a detailed report would be presented to the San Jose City Council on February 2010.

Member Cortese took his seat at 1:12 p.m.

Vice Chairperson Liccardo took his seat at 1:14 p.m.
Member Herrera inquired about the plan for the Ocala Avenue Station.

Mr. Connolly responded the ultimate configuration for the Ocala Avenue Station is to have both Light Rail and BRT stations. The interim configuration is to have a BRT station that could be utilized temporarily or permanently, depending on the status of the Light Rail project.

Vice Chairperson Liccardo expressed concern about the changes made to the BRT project schedule.

Mr. Connolly responded that no major change was made to the BRT project schedule. BRT would start operation fall of 2013, as scheduled. He noted the Board’s action to defer procurement of vehicles have no impact to the project schedule.

Chairperson Campos requested City of San Jose staff provide an update to the Committee on the status of the State Route relinquishments.

Mr. Salvano stated that a detailed report would be provided at the March 4, 2010 DTEV meeting.

On order of Chairperson Campos and there being no objection, the Committee received a report on the status of the Santa Clara-Alum Rock BRT Project.

2. PUBLIC PRESENTATIONS

There were no Public Presentations.

3. Minutes of September 3, 2009

M/S/C (Liccardo/Herrera) to approve Minutes of September 3, 2009.

4. Santa Clara-Alum Rock Bus Rapid Transit Project Agreement

Kevin Connolly, Transportation Planning Manager and Staff Liaison, provided an overview of the agreement. His report highlighted the following: 1) purpose of the agreement; 2) process of the agreement; and 3) outstanding issue.

Mr. Connolly stated staff would come back to the Committee at the March 4, 2010 meeting and provide a recommendation to address the issue of the station with two possible locations. He added the agreement represents the hard work between the staff of the City of San Jose and VTA.

Member Herrera inquired on the impacts of the financial crisis to the BRT project.

John Ristow, Chief CMA Officer, responded that funding for the preliminary engineering and design phase of the BRT project is included under the current two year budget. He noted additional approvals will be required for the next phases of the project.

NOTE: M/S/C MEANS MOTION SECONDED AND CARRIED AND, UNLESS OTHERWISE INDICATED, THE MOTION PASSED UNANIMOUSLY.
Member Herrera inquired about VTA’s cost saving policy. She recommended that cost savings for the project be used for related projects or projects within the same area.

Mr. Ristow responded VTA does not have a cost saving policy. He stated cost savings for the project will not be identified until it reaches the construction phase where bids are received from contractors. He added it is the Board’s discretion to allocate which project would receive unused Measure A funds.

Mr. Connolly explained two thirds of the BRT project would be funded by State grants, and one third through Measure A. Staff anticipates that all of the State grants would be consumed for the project.

**M/S/C (Herrera/Liccardo)** to recommend approval of the Santa Clara-Alum Rock Bus Rapid Transit Draft Project Agreement between the City of San Jose and VTA establishing a project description and vision statement for the project; and to recommend reinvesting any cost savings to projects within the same area, as amended.

6. **Status of the Eastridge Transit Center Access & Improvement Plan**

Jody Littlehales, Transportation Planner, provided a report highlighting: 1) findings from the feedback forms; 2) presented the study to different community groups and solicited input; and 3) conducted a Community Open House where the community’s feedback and the analysis of the urban design consultant were presented.

Ms. Littlehales noted staff is incorporating the feedbacks received into the draft report that would be presented to the Committee at its March 4, 2010 meeting.

Member Herrera expressed appreciation for the outreach work conducted by staff. She inquired about the following: 1) process of prioritizing list of improvements identified by the public; and 2) meet with Eastridge management.

Ms. Littlehales noted staff would look for more input from the community when the draft report is circulated. Based from the input received, staff would prioritize the list of improvements.

Kenneth Ronsse, Deputy Director of Construction, stated the conceptual evaluation for the Eastridge Transit Center will be conducted early next year. Staff would refer to the list of improvements and incorporate them on a phased approach.

Ms. Littlehales stated staff met with John Peterson, Eastridge General Manager, and his staff to present recommended improvements for the transit center. She noted that Eastridge management was open to the improvements. More meetings would be conducted with Eastridge management early next year.

**On order of Chairperson Campos** and there being no objection, the Committee received a report on the status of the Eastridge Transit Center Access & Improvement Plan.
7. **Capitol Expressway Improvements Status Report**

Kenneth Ronsse, Deputy Director of Construction, provided a report highlighting: 1) status of the Federal Environmental Document; 2) prepared the conceptual layout of the pedestrian improvements; 3) process of the Expressway relinquishment; and 4) phased approach for the transit center design.

Member Cortese requested staff to provide referral documents needed to move the project forward.

Mr. Ronsse responded the following needs to happen: 1) City of San Jose and County agreeing to City standards on pedestrian improvements; 2) agreement from the County and City of San Jose regarding maintenance of the improvements; 3) County to issue encroachment and utility relocation permits; and 4) agreement for eminent domain requirements. He noted a report would be created highlighting staff’s needs.

Member Cortese inquired on the status of the Environmental Impact Statement (EIS).

Mr. Ronsse responded the target date of the EIS, with Federal Transportation Administration (FTA) support, is early to mid 2011. He noted the milestones that lead up to the study and draft documents would be available by mid 2010.

Member Cortese requested to continuously receive updates on the following: 1) Federal Environment Document, and 2) availability of Federal Stimulus funds.

Member Herrera expressed her appreciation for all the work done by Member Cortese on moving transportation projects forward and his advocacy on Metropolitan Transportation Commission (MTC).

Mr. Ronsse provided a presentation describing the improvements to the Capitol Expressway. He noted the improvements to Capitol Expressway are all compatible with the construction of Light Rail.

Member Cortese recommended staff work with the group that maintains the landscape of Cunningham Park to resolve irrigation issues.

John Ristow, Chief CMA Officer, announced the Capitol Expressway Corridor was listed as a Grand Boulevard section by the Envision 2040 Task Force where Vice Chairperson Liccardo is a member.

Vice Chairperson Liccardo noted the concept of the Grand Boulevard would bring a lot of attention to the city and its major corridors.

Member Cortese commented the concept of the Grand Boulevard is consistent with the findings of the County Expressway Study.

Chairperson Campos stressed the importance of improving the Capitol Expressway. She expressed her appreciation for all the work done by the staff of the City of San Jose and VTA, and the members of the DTEV PAB.
On order of Chairperson Campos and there being no objection, the Committee received the Capitol Expressway Improvements Status Report.

8. **ADJOURNMENT**

On order of Chairperson Campos and there being no objection, the Committee adjourned the meeting at 1:57 p.m.

Respectfully submitted,

Michael Di resources, Board Assistant
Office of the Board Secretary