

**From:** Board.Secretary

**Sent:** Monday, August 22, 2016 8:53 AM

**To:** VTA Board of Directors

**Subject:** VTA Correspondence: Letters of Support for AB 1889 (Mullin), AB 2196 (Low), SB 824 (Beall) and AB 2374 (Chiu)

**VTA Board of Directors:**

We are forwarding you the following:

<b>From</b>	<b>Topic</b>
Cindy Chavez, Chairperson	Letters of support for AB 1889 (Mullin), AB 2196 (Low), SB 824 (Beall) and AB 2374 (Chiu)

Thank you.

Office of the Board Secretary  
Santa Clara Valley Transportation Authority  
3331 N. First Street  
San Jose, CA 95134  
408.321.5680  
[board.secretary@vta.org](mailto:board.secretary@vta.org)

## MEMORANDUM

TO: Members of the California State Senate

FROM: Cindy Chavez, Chairperson  
Board of Directors  
Santa Clara Valley Transportation Authority

DATE: August 15, 2016

RE: Support for AB 1889 (Mullin)

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The Santa Clara Valley Transportation Authority (VTA) respectfully requests your support for AB 1889 (Mullin) when this bill comes before the Senate for a vote. AB 1889 facilitates the expenditure of \$1.1 billion in Proposition 1A bond proceeds previously appropriated to the California High-Speed Rail Authority for projects in the northern- and southern-most portions of the state's high-speed train system.

As you know, in July 2012, the Legislature passed and Gov. Jerry Brown signed SB 1029, which provided approximately \$8 billion in spending authority for California's high-speed train system. Of this amount, \$1.1 billion in Proposition 1A bond funding was appropriated to the High-Speed Rail Authority for early investments in the Bay Area's Peninsula Corridor and in the Los Angeles Basin, the so-called "bookends" of the high-speed train system, to prepare for "blended" operations between high-speed trains and the existing commuter rail services in those areas—Caltrain in the Bay Area and Metrolink in Southern California.

Proposition 1A includes a provision that requires the High-Speed Rail Authority to prepare a detailed funding plan for a specific corridor or usable segment prior to committing any appropriated bond proceeds to projects in that corridor or segment. Among other things, such a plan must certify that a corridor or usable segment is "suitable and ready" for high-speed train operations. This requirement applies to the investment of Proposition 1A bond funding for any "bookend" projects in the Peninsula Corridor and in the Los Angeles Basin. While these investments would benefit the existing Caltrain and Metrolink Commuter Rail Services immediately, high-speed trains are not expected to operate in the Peninsula Corridor or in the Los Angeles Basin until some point in the future.

AB 1889 clarifies that Proposition 1A bond proceeds expended for early investments in "bookend" projects that could be used by existing commuter/intercity rail services in the short term, but that facilitate high-speed train operations in the long term meet the "suitable and ready" test. This is consistent with the Legislature's intent when it appropriated \$1.1 billion for "bookend" projects in SB 1029, including electrification of the Peninsula Corridor.

We respectfully seek your support for AB 1889. Thank you for your consideration of our request.

## MEMORANDUM

TO: Members of the California State Assembly

FROM: Cindy Chavez, Chairperson  
Board of Directors  
Santa Clara Valley Transportation Authority

DATE: August 17, 2016

RE: Support for AB 2196 (Low)

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The Santa Clara Valley Transportation Authority (VTA) respectfully requests your support for AB 2196 (Low) when this bill comes before the Assembly for concurrence in Senate amendments. AB 2196 makes a number of technical, clean-up changes to VTA's enabling statutes.

As you may know, VTA is the product of a 1995 merger between two previously separate entities: the Santa Clara County Transit District and the Santa Clara County Congestion Management Agency. The primary goal of this merger was to have a single entity assume the responsible for making and implementing transportation policy in Santa Clara County.

In general, VTA is a statutorily created special district under the Public Utilities Code that is responsible for performing multimodal transportation functions in Santa Clara County. Among other things, VTA provides bus, light rail and paratransit services to the communities of Santa Clara County; develops, designs and constructs public transit capital improvement projects; integrates transportation and land-use planning through its congestion management program (CMP); prioritizes transportation capital improvement projects for state and federal funding; develops the long-range, countywide, multimodal transportation plan; imposes and implements local transportation sales tax measures that have been approved by the voters of Santa Clara County; and implements improvements to the state highway system in Santa Clara County in partnership with Caltrans.

A comprehensive clean-up of the underlying state statutes governing VTA has not been done since the merger occurred more than 20 years ago. Therefore, AB 2196 has been introduced to make a series of technical changes to VTA's enabling statutes that are intended to: (1) update provisions that are outdated; (2) delete provisions that are obsolete or inoperable; (3) modify provisions that are unclear or inconsistent; and (4) update certain bidding thresholds for materials, supplies and equipment contracts to match federal procurement thresholds.

We respectfully seek your support for AB 2196. Thank you for your consideration of our request.

## MEMORANDUM

TO: Members of the California State Assembly

FROM: Cindy Chavez, Chairperson  
Board of Directors  
Santa Clara Valley Transportation Authority

DATE: August 17, 2016

RE: Support for SB 824 (Beall)

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The Santa Clara Valley Transportation Authority (VTA) respectfully requests your support for SB 824 (Beall) when this bill comes before the Assembly for a vote. This legislation would provide a few more tools and a little more flexibility to enable public transit agencies to more effectively manage and utilize their formula shares under the Low Carbon Transit Operations Program (LCTOP). The modest changes to LCTOP proposed by SB 824 would put public transit agencies in a better position to maximize reductions in greenhouse gas emissions by allowing them to expend their formula shares in a way that makes the most sense for their individual systems and their unique set of circumstances.

SB 824 is the product of lessons learned from both the Proposition 1B Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) Program, and from the first rounds of programming of LCTOP funding. The bill includes suggestions offered by public transit agencies throughout California based on their experiences with those two programs. Some of the key provisions in SB 824 are as follows:

1. LONPs: Similar to provisions in current law relating to other state transportation funding programs, allows a public transit agency to obtain a Letter of No Prejudice (LONP) from Caltrans, which administers LCTOP. An LONP would enable the public transit agency to advance its project or begin operating its service enhancements immediately using local dollars, and then to be reimbursed with LCTOP funds when they become available. Without an LONP, a public transit agency would have to wait until it was allocated its LCTOP money by the Controller's Office before it could start implementing its project or service enhancements.
2. Operating Assistance: Provides that a public transit agency that has used its LCTOP formula share for any type of operating assistance in a previous fiscal year may use program funds to continue the same expenditure in any subsequent fiscal year, so long as the agency can demonstrate that greenhouse gas emissions reductions will be realized. Given that current law requires LCTOP dollars to be used for expenditures supporting new or expanded public transit service, operating assistance arguably may not be an eligible expenditure under the program after the first fiscal year of implementation because the service could be construed as no longer being new or expanded service, but rather existing service. Therefore, the public transit agency could find itself in the position of having to cut the service in the second year if it does not have the local funding in its operating budget to support it. SB 824 would fix this problem.

3. Zero-Emission Buses: Allows a public transit agency to use its LCTOP formula share to purchase zero-emission buses, including electric buses, to replace diesel buses currently in its fleet, and to install the necessary infrastructure to support the operation of clean vehicles. While these types of expenditures would result in immediate greenhouse gas emissions reductions once the buses are delivered and put into service, they are not eligible for LCTOP funding under current law, unless the public transit agency also increases service. Unfortunately, a public transit agency may not have the funding in its operating budget to be able to do so. SB 824 would fix this problem.
4. Loaning Funds: Allows a public transit agency that is not ready to move forward with an expenditure in a particular fiscal year to loan its LCTOP formula share to another eligible recipient within the same region that is trying to advance a project or implement new service, but cannot fully fund it with its own LCTOP share. This tool would help put LCTOP funds to use by facilitating partnerships between two public transit agencies that otherwise would be “forced” to make the decision to hold on to their formula shares.
5. Banking and Transferring: Codifies into law provisions in the LCTOP guidelines adopted by Caltrans that allow a public transit agency to: (1) “bank” its LCTOP formula share, so that it can save up and accumulate a sufficient amount of money to use for a more meritorious expenditure at some later date; or (2) transfer its formula share in a particular fiscal year to another eligible recipient within the same region if the agency does not intend to use its money. Banking and transferring proved to be valuable tools for public transit agencies under the Proposition 1B PTMISEA Program, and it may be worthwhile to codify them into statute for LCTOP to ensure that future versions of the program’s guidelines developed by Caltrans continue to include them.

The modest changes proposed by SB 824 would result in a more desirable outcome because they would help public transit agencies maximize the total amount of greenhouse gas emissions reductions that could be achieved with their LCTOP formula shares by increasing their options for how to expend these funds. Therefore, we respectfully seek your support for this bill. Thank you for your consideration of our request.

## MEMORANDUM

TO: Members of the California State Senate

FROM: Cindy Chavez, Chairperson  
Board of Directors  
Santa Clara Valley Transportation Authority

DATE: August 18, 2016

RE: Support for AB 2374 (Chiu)

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The Santa Clara Valley Transportation Authority (VTA) respectfully requests your support for AB 2374 (Chiu) when this bill comes before the Senate for a vote. AB 2374, among other things, deletes provisions in current law that limit the use of the Construction Manager/General Contractor (CMGC) delivery method for expressway projects to only those included in a voter-approved expenditure plan, thereby allowing VTA and other regional transportation agencies, as defined, to use CMGC for any expressway project, as long as it is not on the state highway system.

CMGC is an emerging procurement tool that combines elements of both design-bid-build and design-build to enhance project delivery. Under CMGC, a public agency engages a construction management firm to act as its consultant during pre-construction work and as the general contractor during construction. During the pre-construction phase, the construction management firm serves in an advisory role, providing constructability reviews, value engineering suggestions, construction cost estimates, and other construction-related recommendations. When project design has progressed to a sufficient point that construction may begin, the public agency and the construction management firm work out mutually agreeable terms and conditions for the construction contract. If the price and other terms of the contract are acceptable to both parties, the construction management firm then becomes the general contractor, and construction of the project commences before design is entirely completed.

There are a number of benefits to CMGC. For instance, it allows for continuity and collaboration between the design and construction phases of the project, provides earlier cost certainty and ensures project constructability. Moreover, under CMGC, the public agency does not sacrifice control over the design of the project. Finally, during the construction phase, the general contractor is very familiar with the project design, resulting in fewer disputes over design issues.

VTA is very interested in having the ability to take advantage of as many different and innovative tools as possible for delivering transportation projects. CMGC is one such tool that we believe has merit in terms of helping transportation agencies deliver their projects in a cost-effective and expeditious manner. Therefore, we respectfully seek your support for AB 2374 because it would remove an unnecessary restriction in current law and, thereby, allow regional transportation agencies to use CMGC for any expressway project that is not on the state highway system. Thank you for your consideration of our request.

**From:** Board.Secretary  
**Sent:** Tuesday, August 23, 2016 7:58 AM  
**To:** VTA Board of Directors  
**Subject:** FYI: VTA News: U.S. Secretary of Transportation Anthony Foxx Visiting San Jose and Santa Clara to Tour VTA's BART Silicon Valley Project

**For your information only.**



VTA Contact: Brandi Childress  
[Brandi.Childress@vta.org](mailto:Brandi.Childress@vta.org)  
408-464-7810



Office of Rep. Honda: Carmen Russell  
[Carmen.Russell@mail.house.gov](mailto:Carmen.Russell@mail.house.gov)  
202-308-4005

**U.S. Secretary of Transportation Anthony Foxx Visiting San Jose and Santa Clara to Tour VTA's BART Silicon Valley Project**

*Sec. Foxx accepted Rep. Honda's invitation to see new developments.*

**Silicon Valley, Calif.** – On Wednesday, August 24, United States Secretary of Transportation Anthony Foxx will tour VTA's BART Silicon Valley Project with Congressman Mike Honda and other influential leaders.

The Secretary will receive a brief tour of the nearly completed BART Phase I construction and the future BART Phase II project alignment before meeting with transportation, business and community leaders at Santa Clara University. Sec. Foxx and Rep. Honda will hold a joint press availability and be available for media interviews, along with other officials noted below.

**WHEN:**        **Wednesday, August 24, 2016**  
                  **11:30 a.m. – 12 p.m.**

**WHERE:**      Santa Clara Caltrain Station  
                  1001 Railroad Ave, Santa Clara

**WHO:**        **Anthony Foxx**, U.S. Secretary of Transportation  
                  **Mike Honda**, (D) U.S. Representative, District 17  
                  **Zoe Lofgren**, (D) U.S. Representative, District 19  
                  **Sam Liccardo**, Mayor, City of San Jose  
                  **Cindy Chavez**, VTA Board Chair and Santa Clara County Supervisor  
                  **Nuria Fernandez**, VTA General Manager/CEO  
                  **Pat Kolstad**, Council Member, City of Santa Clara  
                  **Carl Guardino**, President and CEO, Silicon Valley Leadership Group

**Jim Hartnett**, CEO, San Mateo County Transit District  
**Ben Field**, Executive Officer, South Bay Labor Council

During the BART Silicon Valley Phase I station site visit, Secretary Foxx along with U.S. Representative Mike Honda, will meet with the project managers, engineers and construction crews responsible for successful project delivery. They will see firsthand the near completion of a new vital regional transportation link, economic and development engine, and the significance of the Federal Transit Administration New Starts Program, state and local funding programs.

*About VTA* Santa Clara Valley Transportation Authority (VTA) is an independent special district that provides sustainable, accessible, community-focused transportation options that are innovative, environmentally responsible, and promote the vitality of our region. VTA is responsible for bus, light rail and paratransit operations and also serves as the county's congestion management agency.

*Congressman Mike Honda* is the Ranking Member of the Commerce, Justice and Science Appropriations subcommittee, and also sits on the Energy and Water subcommittee. Honda secured \$900 million in federal funding for the BART Silicon Valley Project. Working with Secretary Foxx, previous Secretaries, and his Silicon Valley colleagues, he brought the first \$703 million back home, launching the Berryessa Extension.

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**From:** Board.Secretary

**Sent:** Friday, August 26, 2016 2:19 PM

**To:** VTA Board of Directors

**Subject:** VTA Information: Board of Directors Agenda Packet Link - September 1, 2016 Regular Meeting

**Importance:** High

VTA Board of Directors,

You may access your VTA Board of Directors Agenda Packet for the **September 1, 2016, Regular Meeting** by clicking the link below:

[http://vtaorgcontent.s3-us-west-1.amazonaws.com/Site\\_Content/bod\\_090116\\_packet.pdf](http://vtaorgcontent.s3-us-west-1.amazonaws.com/Site_Content/bod_090116_packet.pdf)

Please note the meeting will be held at County Chambers.

We would like to thank you for your contribution in VTA's goal to **"GO GREEN"** by subscribing electronically to the packets. Members who have requested printed packets will receive them today.

Thank You,

Office of the Board Secretary  
Santa Clara Valley Transportation Authority  
3331 N. First Street  
San Jose, CA 95134  
[408.321.5680](tel:408.321.5680)  
[board.secretary@vta.org](mailto:board.secretary@vta.org)

**From:** Board.Secretary

**Sent:** Friday, August 26, 2016 3:02 PM

**To:** Board.Secretary

**Subject:** VTA Standing Committee Agenda Packets - September 1, 2016

**VTA Board of Directors:**

You may access your VTA Standing Committee Agenda Packet for the **September 1, 2016, Regular Meetings** by clicking on the links below:

- **Transit Planning and Operations (TPO) Committee** – [TPO Agenda Packet](#)
- **Governance and Audit (G&A) Committee** – [G&A Agenda Packet](#)

Please also find attached Work Plans for TPO and G&A for your reference.

We would like to thank you for your contribution in VTA's goal to **"GO GREEN"** by subscribing electronically to the packets.

Thank you.

Office of the Board Secretary

Santa Clara Valley Transportation Authority

3331 N. First Street

San Jose, CA 95134

408.321.5680

[board.secretary@vta.org](mailto:board.secretary@vta.org)

**From:** Board.Secretary

**Sent:** Monday, August 22, 2016 8:53 AM

**To:** VTA Board of Directors

**Subject:** VTA Correspondence: Letters of Support for AB 1889 (Mullin), AB 2196 (Low), SB 824 (Beall) and AB 2374 (Chiu)

**VTA Board of Directors:**

We are forwarding you the following:

<b>From</b>	<b>Topic</b>
Cindy Chavez, Chairperson	Letters of support for AB 1889 (Mullin), AB 2196 (Low), SB 824 (Beall) and AB 2374 (Chiu)

Thank you.

Office of the Board Secretary  
Santa Clara Valley Transportation Authority  
3331 N. First Street  
San Jose, CA 95134  
408.321.5680  
[board.secretary@vta.org](mailto:board.secretary@vta.org)



*Congress of the United States  
House of Representatives  
Washington, D.C. 20515*

*Anna G. Eshoo  
Eighteenth District  
California*

CONTRACT RECEIVED  
SEP0027-8172  
BOARD SECRETARY

August 2, 2016

The Honorable Cindy Chavez, Board Chairperson  
Santa Clara Valley Transportation Authority  
3331 North First Street  
San Jose, California 95134

Dear Cindy,

Congratulations to you and the Santa Clara Valley Transportation Authority on receiving a grant award of \$2,458,305 from the Federal Transit Administration's Low or No Emission Vehicle Deployment Program (LoNo) to deploy electric buses. I'm thrilled to have supported this effort and to see that it has received funding for clean transportation alternatives.

As always, whenever I can be of assistance to you and the VTA, just let me know.

All my best,

Anna G. Eshoo  
Member of Congress

cc: Members, Santa Clara Valley Transportation Authority Board of Directors  
Ms. Nuria Fernandez, General Manager & CEO, Santa Clara Valley  
Transportation Authority

## MEMORANDUM

TO: Members of the California State Senate

FROM: Cindy Chavez, Chairperson  
Board of Directors  
Santa Clara Valley Transportation Authority

DATE: August 22, 2016

RE: Support for SB 998 (Wieckowski)

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The Santa Clara Valley Transportation Authority (VTA) respectfully requests your support for SB 998 (Wieckowski) when this bill comes before the Senate for concurrence in Assembly amendments. SB 998 prohibits motorists from stopping, parking, leaving standing, or driving their vehicles in a roadway lane that has been designated for the exclusive use of public transit buses.

An increasing number of public transit agencies in California are currently operating, developing or constructing bus rapid transit (BRT) projects where either the entire corridor or a portion of the corridor has or will have lanes dedicated for the exclusive use of their buses. BRT is an emerging public transit bus service that is intended to more effectively accommodate longer-distance passenger trips occurring in transit-intensive corridors in urbanized areas. By constructing bus-only lanes along these corridors, thereby separating buses from the normal, congested flow of traffic, public transit agencies are able to decrease travel times, increase reliability, and make their service a more attractive mobility option for these longer-distance trips.

While the Vehicle Code prohibits motorists from parking, stopping or leaving standing their cars at a curbside bus stop, there are no comparable provisions in state law relating to roadway lanes that have been designated for the exclusive use of public transit buses. Therefore, public transit agencies have no enforcement authority to ticket motorists who are inappropriately using bus-only lanes and obstructing the operation of their BRT service. SB 998 would address this problem by merely listing in the Vehicle Code that stopping, parking, leaving standing, or driving a vehicle in a designated bus-only lane is a violation, thereby allowing enforcement officers to issue citations for these offenses.

As you know, California continues to encourage and support the expansion of public transit options to meet the mobility needs of our communities, as well as the state's air quality goals. Updating the state's traffic laws to match innovations in public transit service, such as BRT, is important to achieving success in this regard. Therefore, we respectfully seek your support for SB 998. Thank you for your consideration of our request.

## MEMORANDUM

TO: Members of the California State Assembly

FROM: Cindy Chavez, Chairperson  
Board of Directors  
Santa Clara Valley Transportation Authority

DATE: August 23, 2016

RE: Support for AB 2374 (Chiu)

---

The Santa Clara Valley Transportation Authority (VTA) respectfully requests your support for AB 2374 (Chiu) when this bill comes before the Assembly for concurrence in Senate amendments. AB 2374, among other things, deletes provisions in current law that limit the use of the Construction Manager/General Contractor (CMGC) delivery method for expressway projects to only those included in a voter-approved expenditure plan, thereby allowing VTA and other regional transportation agencies, as defined, to use CMGC for any expressway project, as long as it is not on the state highway system.

CMGC is an emerging procurement tool that combines elements of both design-bid-build and design-build to enhance project delivery. Under CMGC, a public agency engages a construction management firm to act as its consultant during pre-construction work and as the general contractor during construction. During the pre-construction phase, the construction management firm serves in an advisory role, providing constructability reviews, value engineering suggestions, construction cost estimates, and other construction-related recommendations. When project design has progressed to a sufficient point that construction may begin, the public agency and the construction management firm work out mutually agreeable terms and conditions for the construction contract. If the price and other terms of the contract are acceptable to both parties, the construction management firm then becomes the general contractor, and construction of the project commences before design is entirely completed.

There are a number of benefits to CMGC. For instance, it allows for continuity and collaboration between the design and construction phases of the project, provides earlier cost certainty and ensures project constructability. Moreover, under CMGC, the public agency does not sacrifice control over the design of the project. Finally, during the construction phase, the general contractor is very familiar with the project design, resulting in fewer disputes over design issues.

VTA is very interested in having the ability to take advantage of as many different and innovative tools as possible for delivering transportation projects. CMGC is one such tool that we believe has merit in terms of helping transportation agencies deliver their projects in a cost-effective and expeditious manner. We respectfully seek your support for AB 2374 because it would remove an unnecessary restriction in current law and, thus, allow regional transportation agencies to use CMGC for any expressway project that is not on the state highway system. Thank you for your consideration of our request.

August 25, 2016

The Honorable Edmund G. Brown Jr.  
Governor, State of California  
State Capitol  
Sacramento, CA 95814

Dear Governor Brown:

The Santa Clara Valley Transportation Authority (VTA) supports AB 2196 (Low) and respectfully requests that you sign this bill into law. AB 2196 makes a number of technical, clean-up changes to VTA's enabling statutes.

As you may know, VTA is the product of a 1995 merger between two previously separate entities: the Santa Clara County Transit District and the Santa Clara County Congestion Management Agency. The primary goal of this merger was to have a single entity assume the responsible for making and implementing transportation policy in Santa Clara County.

In general, VTA is a statutorily created special district under the Public Utilities Code that is responsible for performing multimodal transportation functions in Santa Clara County. Among other things, VTA provides bus, light rail and paratransit services to the communities of Santa Clara County; develops, designs and constructs public transit capital improvement projects; integrates transportation and land-use planning through our congestion management program (CMP); prioritizes transportation capital improvement projects for state and federal funding; develops the long-range, countywide, multimodal transportation plan; imposes and implements local transportation sales tax measures that have been approved by the voters of Santa Clara County; and implements improvements to the state highway system in Santa Clara County in partnership with Caltrans.

A comprehensive clean-up of the underlying state statutes governing VTA has not been done since the merger occurred more than 20 years ago. Therefore, AB 2196 makes a series of technical changes to VTA's enabling statutes that are intended to: (1) update provisions that are outdated; (2) delete provisions that are obsolete or inoperable; (3) modify provisions that are unclear or inconsistent; and (4) update certain bidding thresholds for materials, supplies and equipment contracts to match federal procurement thresholds.

We respectfully seek your support for AB 2196. Thank you for your consideration of our request.

Sincerely,

Cindy Chavez, Chairperson  
Board of Directors  
Santa Clara Valley Transportation Authority

-----Original Message-----

From: Curtis Knight

Sent: Monday, August 22, 2016 10:20 PM

To: Board.Secretary

Subject: El Camino BRT

Hi

I would like to let the board know that I oppose a dedicated bus lane on El Camino. If this is not closed by the election, I will need to vote no on your tax. The best option is to do nothing or fix the curb lane. I could fund that. I also think you need to redirect this money to something better like BART. You should design a replacement system to bus and light rail service that can run at high speeds and connect any to points in urban areas within 35 minutes using a combinations of bus, underground subway (BART or hyper loop), and VTA Flex. I think this would be a better use of all funds. Please think outside of the box.

Also, maybe get more high density housing and job in San Jose downtown and nearby and less in the outer areas to concentrate people to make it more cost effective.

Thanks

Curtis Knight

Santa Clara