

BOARD OF DIRECTORS MEETING

Thursday, August 3, 2017

Board of Supervisors' Chambers
County Government Center
70 West Hedding Street
San Jose, California

ADDENDUM TO AGENDA

- 8.1.B.X** INFORMATION ITEM - Receive Silicon Valley Rapid Transit (SVRT) Program Update. (Verbal Report)

BOARD OF DIRECTORS MEETING

Thursday, August 3, 2017

5:30 PM

Board of Supervisors' Chambers

County Government Center
70 West Hedding Street
San Jose, CA 95110

AGENDA

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


- Persons wishing to address the Board of Directors on any item on the agenda or not on the agenda are requested to 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. The Board may also move regular agenda items on the consent agenda during Orders of the Day. If you wish to discuss any of these items, please request the item be removed from the Consent Agenda by notifying the Board Secretary staff or completing a blue card at the public information table 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 accordance with the Americans with Disabilities Act (ADA) and Title VI of the Civil Rights Act of 1964, VTA will make reasonable arrangements to ensure meaningful access to its meetings for persons who have disabilities and for persons with limited English proficiency who need translation and interpretation services. Individuals requiring ADA accommodations should notify the Board Secretary's Office at least 48-hours prior to the meeting. Individuals requiring language assistance should notify the Board Secretary's Office at least 72-hours prior to the meeting. The Board Secretary may be contacted at (408) 321-5680 or *e-mail: board.secretary@vta.org or (408) 321-2330 (TTY only). VTA's home page is on the web at: www.vta.org or visit us on  Facebook at: www.facebook.com/scvta. (408) 321-2300: 中文 / Español / 日本語 / 한국어 / tiếng Việt / Tagalog.

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

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

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

1. CALL TO ORDER AND ROLL CALL

1.1. ROLL CALL

1.2. Orders of the Day

2. AWARDS AND COMMENDATION

- 2.1. INFORMATION ITEM** - Recognize Juanita Gaillard, Office and Timekeeping Technician, Chaboya Division; Eric King, Coach Operator, Cerone Operations; and Robert Torres, Parts Clerk, Materials Management Department; as Employees of the Third (3rd) Quarter of 2017.

3. PUBLIC COMMENT

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

4. PUBLIC HEARINGS

4.1 HEARING - NOTICE OF INTENTION TO ADOPT RESOLUTIONS OF NECESSITY

ACTION ITEM - Close Hearing and adopt Resolutions of Necessity determining that the public interest and necessity requires the acquisition of property interests from three properties owned by: (1) Central Concrete Supply Co., Inc. (property located at 790 Stockton Avenue, San Jose, California, 95126); (2) Vinh Ngoc Phan and Lien Nguyen (property located at 60 Stockton Avenue, San Jose, California, 95126); and (3) Alves Alongi Properties, LLC (property located at 1025 Stockton Avenue, San Jose, California, 95110) for the Caltrain Peninsula Corridor Electrification Project.

Property ID/Assessor's Parcel Number/Owner

JPB-SCL4-0089 (APN# 259-09-029) owned by Central Concrete Supply Co., Inc.

Property ID/Assessor's Parcel Number/Owner

JPB-SC4-0098 (APN# 259-28-002) owned by Vinh Ngoc Phan and Lien Nguyen

Property ID/Assessor's Parcel Number/Owner

JPB-SC4-0112 (APN# 230-41-001) owned by Alves Alongi Properties, LLC.

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

5. COMMITTEE REPORTS

- 5.1. Citizens Advisory Committee (CAC) Chairperson's Report. (No Report)
- 5.2. Policy Advisory Committee (PAC) Chairperson's Report. (No Report)
- 5.3. Policy Advisory Board Chairperson's Report. (No Report)

6. CONSENT AGENDA

- 6.1. ACTION ITEM - Approve the Board of Directors Regular Meeting Minutes of June 1, 2017.
- 6.2. ACTION ITEM - Authorize the General Manager to execute a contract with Ojo Technology, Inc., the lowest responsible bidder, in the amount of \$660,461 for the installation of Closed Circuit Television (CCTV) at Various Locations, Phase 9 (C17020F) contract.
- 6.3. ACTION ITEM - Authorize the General Manager to execute a contract with St. Francis Electric, LLC., the responsive and responsible bidder, in the amount of \$740,160 for the construction of Capitol Expressway Pedestrian Connection to Eastridge ssTransit Center.
- 6.4. INFORMATION ITEM - Receive the report on One Bay Area Grant Cycle 2 funding.
- 6.5. ACTION ITEM - Approve a program of projects for the Vehicle Emissions Reductions Based at Schools (VERBS) Program.
- 6.6. ACTION ITEM - Adopt the 2016 Monitoring and Conformance Findings in Compliance with State Congestion Management Legislation.
- 6.7. ACTION ITEM - Review and receive the Auditor General's report on the Inventory and Assets Held at Outreach.
- 6.8. ACTION ITEM - Review and receive the Auditor General's report on the Interagency Agreement Risk Assessment.
- 6.9. ACTION ITEM - Review and receive the Auditor General's follow-up report on the implementation status of management's action plans contained in the Trapeze OPS Pre-Implementation Review performed during Fiscal Year 2014.
- 6.10. ACTION ITEM - Review and receive the Auditor General's follow-up report on the implementation status of management's action plans contained in the Public Safety Process Assessment performed during Fiscal Year 2014.
- 6.11. ACTION ITEM - Review and receive the Auditor General's follow-up report on the implementation status of management's action plans contained in the Operator Scheduling Assessment performed during Fiscal Year 2015.

- 6.12.** ACTION ITEM - Review and receive the Auditor General's follow-up report on the implementation status of management's action plans contained in the Sheriff's Office Contract Compliance Internal Audit performed during Fiscal Year 2013.
- 6.13.** INFORMATION ITEM - Receive the Programmed Projects Quarterly Monitoring Report for January - March 2017.
- 6.14.** INFORMATION ITEM - Review the Legislative Update Matrix.

7. REGULAR AGENDA

- 7.1.** ACTION ITEM - Approve "Berryessa/North San José" as the official name of VTA's BART station in the City of San José, and "Milpitas" as the official name for the Milpitas BART station in the City of Milpitas.
- 7.2.** ACTION ITEM - Adopt a support position for SB 797 (Hill) which authorizes the Peninsula Corridor Joint Powers Board (Caltrain) to place on the ballot a regional measure enacting a sales and use tax (not to exceed 0.125%) in the City and County of San Francisco and the Counties of San Mateo and Santa Clara. The net revenues to be used by Caltrain for operating and capital purposes. This regional measure requires a 2/3 voter approval.

8. OTHER ITEMS

- 8.1.** General Manager Report. (Verbal Report)
 - 8.1.A.** Receive Government Affairs Update.
 - 8.1.B.** Receive Security Update. (Verbal Report)
- 8.2.** Chairperson's Report. (Verbal Report)
 - 8.2.A.** Receive an update on Caltrain. (Verbal Report) (Caltrain Staff)
- 8.3.** ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION
- 8.4.** Unapproved Minutes/Summary Reports from VTA Committees, Joint Powers Boards (JPB), and Regional Commissions
 - 8.4.A.** VTA Standing Committees
 - 8.4.B.** VTA Advisory Committees
 - 8.4.C.** VTA Policy Advisory Boards (PAB)
 - 8.4.D.** Joint Powers Boards and Regional Commissions
- 8.5.** Announcements

9. CLOSED SESSION

9.1. Recess to Closed Session

- A.** Conference with Legal Counsel - Existing Litigation
[Government Code Section 54956.9(d)(1)]

Name of Case: Kim Keith vs. Santa Clara Valley Transportation Authority
(Workers Compensation Appeals Board ADJ 279122)

- B.** Conference with Legal Counsel - Existing Litigation
[Government Code Section 54956.9(d)(1)]

Name of Case: Joseph Ryan v. Santa Clara Valley Transportation Authority, *et al.* (United States District Court, Northern District of California, Case No.: 16-CV-04032 LHK)

- C.** Conference with Legal Counsel - Existing Litigation
[Government Code Section 54956.9(d)(1)]

Name of Case: City of Saratoga; City of Cupertino; Town of Los Gatos v. California Department of Transportation [Santa Clara Valley Transportation Authority, Real Parties in Interest] (Santa Clara County Superior Court Case No.: 115CV281214)

- D.** Conference with Legal Counsel - Existing Litigation
[Government Code Section 54956.9(d)(1)]

Name of Case: Santa Clara Valley Transportation Authority v. Outreach and Escort, Inc.
(Santa Clara County Superior Court Case No.: 16CV299209)

- E.** Conference with Legal Counsel - Anticipated Litigation
[Government Code Section 54956.9(d)(2) and Government Code Section 54956.9(d)(4)]

Significant exposure to litigation and/or Initiation of Litigation

Number of Potential Cases: 1

9.2. Reconvene to Open Session

9.3. Closed Session Report

10. ADJOURN



Date: July 19, 2017
 Current Meeting: August 3, 2017
 Board Meeting: August 3, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Director of Business Services, Alberto Lara

SUBJECT: Employees and Supervisor of the Quarter for the Third (3rd) Quarter of 2017

FOR INFORMATION ONLY

BACKGROUND:

Employees and Supervisor of the 3rd Quarter:

Juanita Gaillard, Office and Timekeeping Technician at the Chaboya Division, is the Administration Award Winner for the 3rd Quarter. This October marks Ms. Gaillard's third year anniversary working for VTA. Throughout her time working for VTA, she has done whatever is needed to ensure her job is done well and exhibits great customer service skills. She takes it upon herself to assist her coworkers at her yard, as well as training her new counterparts. Her coworkers believe she deserves recognition for going above and beyond and for always having a great attitude that brings happiness to the office. Congratulations to Juanita Gaillard, Administration Employee of the 3rd Quarter.

Eric King, Coach Operator at Cerone Operations, is the Operations Award Winner for the 3rd Quarter. Mr. King surpassed his five year milestone working for VTA this past February. Since he began working for VTA, Mr. King has consistently displayed an incredible work ethic. He is a true role model for other operators and represents VTA in the most positive light. Mr. King holds himself to high standards when completing his work, and it is evident to anyone who observes his exemplary performance. The Operations team at Cerone is proud to have him as part of their staff and truly enjoy working with him on a daily basis. Congratulations to Eric King, Operations Employee of the 3rd Quarter.

Robert Torres, Parts Clerk in the Materials Management Department, is the Maintenance Award Winner for the 3rd Quarter. This November will mark Mr. Torres' 16 year anniversary working for VTA. Throughout his tenure with VTA, he has shown commitment to delivering efficient and professional customer service to everyone he works with. Mr. Torres has proven countless times

that he is willing to deliver what's asked of him in any way he can. Whenever he is given an assignment, management is confident that it will be completed correctly. Many people appreciate being able to rely on Mr. Torres to do his job well. Congratulations to Robert Torres, Maintenance Employee of the 3rd Quarter.

Prepared By: Office of Diversity and Inclusion
Memo No. 5946



Date: July 28, 2017
 Current Meeting: August 3, 2017
 Board Meeting: August 3, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Chief Financial Officer, Raj Srinath

SUBJECT: Resolution of Necessity, Caltrain Peninsula Corridor Electrification Project: (1) JPB-SC4-0089 (Central Concrete Supply Co., Inc.); (2) JPB-SC4-0098 (Vinh Ngoc Phan and Lien Nguyen); (3) JPB-SC4-0112 (Alves Alongi Properties, LLC)

Policy-Related Action: No

Government Code Section 84308 Applies: No

Resolution

ACTION ITEM

RECOMMENDATION:

Adopt Resolutions of Necessity determining that the public interest and necessity require the acquisitions of property interests in three properties for the Caltrain Peninsula Corridor Electrification Project.

BACKGROUND:

The Peninsula Corridor Electrification Project (“PCEP”) is being undertaken by the Peninsula Corridor Joint Powers Board (the “JPB” or “Caltrain”) to convert Caltrain's operation from diesel-hauled to Electric Multiple Unit trains for service between the Fourth and King Street terminus station in San Francisco and the Tamien Station in San Jose. Operating speed would be up to 79 miles per hour, which would match the existing maximum speed.

The Project will require the installation of 130 to 140 single-track miles of overhead contact system (“OCS”) wires for the distribution of electrical power to the new electric rolling stock. The OCS will be powered from a 25 kilovolt (kV), 60 Hertz (Hz), single-phase, alternating current traction power system consisting of two traction power substations, one switching station and seven paralleling stations.

In most cases, the OCS poles will be placed with the Caltrain right-of-way (ROW). However, in

certain locations, there is insufficient clearance from the railway track centerlines and the JPB needs to acquire ROW for placement of poles and wires. Partial property acquisitions are required from approximately 50 property owners in order to construct the PCEP for placement of poles and wires. These acquisitions are being pursued in accordance with state and federal law, and diligent efforts are being made to acquire them through negotiated settlements. However, negotiated settlements may not be achievable in all instances and some of the acquisitions may need to be acquired through a timely condemnation process, particularly to ensure that the project can stay on schedule.

VTA is a member of the JPB. The JPB does not have the power of eminent domain. Therefore, the JPB has requested VTA, as a member of the joint powers authority, to perform that function under VTA's statutory authority for properties located in Santa Clara County. VTA has previously performed this service for prior JPB projects in the County.

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

DISCUSSION:

Among the approximately 50 property acquisitions required for the Project, staff is recommending that Resolutions of Necessity be adopted for the following three properties:

1. Central Concrete Supply Co., Inc. Property

This property is located at the northwest corner of Stockton Avenue and Asbury Street in the City of San Jose. The parcel consists of approximately 1.20 acres and features a concrete batch plant, which includes several enclosed bunkers, two grizzley's, a reclamation facility, an underground and aboveground conveyance system, associated equipment as well as an office building.

The proposed acquisition consists of:

- (1) a 332± Railroad Easement (JPB-SC4-0089-1A); and
- (2) an 863± sq. ft Electrical Safety Zone Easement (JPB-SC4-0089-2A)

The subject property was appraised by a California licensed appraiser. A second appraiser completed an independent review of the report and concurred with the conclusions. The JPB and VTA staff reviewed the appraisal report and set just compensation. An offer based on the approved appraisal and just compensation appraisal was made on January 31, 2017.

2. Vinh Ngoc Phan and Lien Nguyen Property

The subject property is currently owned by Vinh Ngoc Phan and Lien Nguyen, and is located near the corner of Stockton Avenue and West Santa Clara Street in the City of San Jose. The

larger parcel consists of approximately 0.45 acres and is improved with approximately 13,000 square feet of industrial building area.

The proposed acquisition consists of:

- (1) a 348± sq. ft. Fee Simple Interest (JPB-SC4-0098-1A); and
- (2) a 339± sq. ft Electrical Safety Zone Easement (JPB-SC4-0098-2A)

The subject property was appraised by a California licensed appraiser. A second appraiser completed an independent review of the report and concurred with the conclusions. The JPB and VTA staff reviewed the appraisal report and set just compensation. An offer based on the approved appraisal and just compensation appraisal was made on August 3, 2016.

3. Alves Alongi Properties LLC

This property is located near the intersection of Stockton Avenue and Vermont Street in the City of San Jose. The parcel abuts the Nimitz Freeway and Caltrain right-of-way. The parcel consists of approximately 1.70 acres and is improved with approximately 7,200 square feet of industrial warehouse building area and 1,368 square feet of office space.

The proposed acquisition consists of the entire 1.70 acre parcel (JPB-SC4-0112).

The subject property was appraised and reviewed by a review appraiser, and JPB and VTA staff set just compensation. An offer based on the recommended appraisal was made on or about July 19, 2016. To date, negotiations with the owner to acquire the property have been unsuccessful even though JPB Real Estate has diligently worked to acquire the property through negotiated settlement with the property owner.

To date, negotiations with the three property owners to acquire the properties have been unsuccessful. JPB Real Estate has diligently worked to acquire the properties through negotiated settlement with the property owners and will continue to work towards mutually acceptable agreements. VTA must take action to assure that the project can proceed to construction on time while JPB works with the owners to reach settlements through negotiations or legal actions.

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

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

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

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

ALTERNATIVES:

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

FISCAL IMPACT:

The costs associated with acquisition of the properties are being paid by the JPB.

Prepared by: Ron Golem
Memo No. 6176

Peninsula Corridor Electrification Project Property Acquisition Staff Report

INTRODUCTION

This staff report is submitted for review by the Board of Directors prior to the recommended adoption of a resolution of necessity for the acquisition of property for the Peninsula Corridor Electrification Project (“PCEP” or “Project”).

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

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

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

(Code of Civil Procedure Section 1245.230.)

Further, insofar as any of the property to be acquired has heretofore been dedicated to public use, the resolution of necessity will find that the acquisition of such property by VTA for the Project is for a more necessary public use to which the property has already been appropriated or is a compatible public use pursuant to Code of Civil Procedure Sections 1240.510 and 1240.610.

This report provides data and information addressing each of these items. Section 1 generally describes the public use for which the property is to be taken and sets forth the statutory authority for VTA’s exercise of eminent domain. Sections 3, 4, and 5 provide facts pertinent to public interest and necessity (Finding #1) and the planning and location of the PCEP (Finding #2). Section 6 also contains a property data sheet and other material discussing the necessity for acquiring the specific property interests that are the subject of the resolutions of necessity

(Finding #3). Section 2 provides information concerning the offers made to the property owners pursuant to Government Code Section 7267.2 (Finding #4).

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

SECTION 1

GENERAL STATEMENT OF PUBLIC USE

Each of the parcels of property that are the subject of the recommended resolutions of necessity is to be acquired for the construction of the Caltrain Peninsula Corridor Electrification Project.

STATUTORY AUTHORIZATION FOR EXERCISE OF EMINENT DOMAIN

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

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

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

SECTION 2

GOVERNMENT CODE OFFERS

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

- (a) (1) Prior to adopting a resolution of necessity pursuant to Section 1245.230 of the Code of Civil Procedure and initiating negotiations for the acquisition of real property, the public entity shall establish an amount that it believes to be just compensation therefor, and shall make an offer to the owner or owners of record to acquire the property for the full amount so established, unless the owner cannot be located with reasonable diligence. The offer may be conditioned upon the legislative body's ratification of the offer by execution of a contract of acquisition or adoption of a resolution of necessity or both. The amount shall not be less than the public entity's approved appraisal of the fair market value of the property. Any increase or decrease in the fair market value of real property to be acquired prior to the date of valuation caused by the public improvement for which the property is acquired, or by the likelihood that the property would be acquired for the improvement, other than that due to physical deterioration within the reasonable control of the owner or occupant, shall be disregarded in determining the compensation for the real property.
- (2) At the time of making the offer described in paragraph (1), the public entity shall provide the property owner with an informational pamphlet detailing the process of eminent domain and the property owner's rights under the Eminent Domain Law.
- (b) The public entity shall provide the owner of real property to be acquired with a written statement of, and summary of the basis for, the amount it established as just compensation. The written statement summary shall contain detail sufficient to indicate clearly the basis for the offer, including, but not limited to, all of the following information:
- (1) The date of valuation, highest and best use, and applicable zoning of property.
 - (2) The principal transactions, reproduction or replacement cost analysis, or capitalization analysis, supporting the determination of value.
 - (3) If appropriate, the just compensation for the real property acquired and for damages to remaining real property shall be separately stated and shall include the calculations and narrative explanation supporting the compensation, including any offsetting benefits.

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

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

SECTION 3

PENINSULA CORRIDOR ELECTRIFICATION PROJECT OVERVIEW, PURPOSE AND NEED

Project Overview

The Peninsula Corridor Electrification Project consists of converting Caltrain from diesel-hauled to Electric Multiple Unit (“EMU”) trains for service between the Fourth and King Street terminus station in San Francisco and the Tamien Station in San Jose. Operating speed will be up to 79 miles per hour (mph), which would match the existing maximum speed. By 2020/2021, approximately 75 percent of the service between San Jose and San Francisco will be electrified, with the remaining 25 percent being diesel-powered.

The Project will require the installation of 130 to 140 single-track miles of overhead contact system (“OCS”) for the distribution of electrical power to the new electric rolling stock. The OCS would be powered from a 25 kilovolt (kV), 60 Hertz (Hz), single-phase, alternating current traction power system consisting of two traction power substations, one switching station and seven paralleling stations.

Purpose

The primary purposes of the Project are to improve train performance and reduce fuel costs, reduce long-term environmental impacts by reducing noise and vibration, improve regional air

quality and reduce greenhouse gas emissions, and provide electrical infrastructure that would be compatible with separate later use for Blended Service. An electrified Caltrain system would address Peninsula commuters' vision of an environmentally friendly and reliable service. Electrification also is expected to help accommodate increased system ridership through improved system operations.

Electrification will modernize Caltrain and support increased service levels and offers several advantages in comparison with existing diesel power use. These benefits serve the primary purposes of the Project.

- Improve train performance, increase ridership and increase service: The Project envisions the use of EMU trains, which are self-propelled electric rail vehicles that can accelerate and decelerate at faster rates than diesel-powered trains, even with trains of greater length. With EMUs, Caltrain will run longer trains without degrading speeds, thus increasing peak-period capacity. A substantial portion of a Caltrain trip is spent accelerating and decelerating between stations because of Caltrain's close-set station stops. For the same service profile of stops, EMUs can provide travel time reductions. Alternatively, due to the time savings, additional stops could be added without increasing existing total transit time from San Jose to San Francisco. Travel time savings and/or additional stops are expected to stimulate additional Caltrain ridership. By providing electric trains, Caltrain will also be able to use the planned Downtown Extension (DTX) to reach the Transbay Transit Center (TTC) and serve Downtown San Francisco, which will also increase ridership.
- Increase revenue and reduce fuel costs: Anticipated increased ridership would increase fare revenues, and conversion from diesel to electricity would reduce fuel costs.
- Reduce environmental impact by reducing noise emanating from trains: Noise emanating from the passage of electrified train sets is measurably less than diesel operations. With the increases in peak and off-peak Caltrain service that are either under way or planned for implementation during the next decades, electrification would be an important consideration for reducing noise of train passersby and maintaining Peninsula quality of life. Train horns would continue to be sounded at at-grade crossings, consistent with Federal Railroad Administration (FRA) and California Public Utilities Commission safety regulations, whether or not electrification is pursued.
- Reduce environmental impact by improving regional air quality and reducing greenhouse gas emissions: Electric operations will produce substantial reductions in corridor air pollution emissions when compared with diesel locomotives, even when the indirect emissions from electrical power generation are included in the analysis. In addition, the increased ridership allowed by the Project would reduce automobile usage, thereby resulting in additional air quality benefits. Electrically powered trains are more energy efficient than diesel-electric trains. Reduced energy use also translates into reduced air emissions. Reductions in air pollutant emissions represent long-term health benefits for

Caltrain riders, and for residents and employees along the Caltrain corridor. In addition, reduction of greenhouse gas emissions with electrification will help California meet its goals under AB 32, the 2006 Global Warming Solutions Act, as well as post-2020 state greenhouse gas emission reductions goals.

- Provide electrical infrastructure compatible with high-speed rail (HSR): An electrified Caltrain system would set the stage for an expanded modern regional electric express service and for Blended Service. While the Project would not include all infrastructure necessary to implement HSR service in the corridor (such as HSR maintenance facilities, station platform improvements, or passing tracks), the electrical infrastructure (such as overhead wire systems) would accommodate future Blended Service and the Project would not preclude HSR.

Need for the Project

The needs addressed by the Project consist of the following: meeting current and future transportation demand between San Jose and San Francisco; offsetting existing and future worsening roadway congestion; addressing continuing regional air quality issues; reducing greenhouse gas emissions because of their effect on climate change; and modernizing the Caltrain service.

Current and Future Transportation Demand in the Caltrain Service Area

The population of the Bay Area is increasing and, with it, traffic congestion. Commute traffic between major employment centers in San Francisco, the San Francisco Peninsula, and the South Bay is growing, and there has been a substantial increase in “reverse commute” trips from San Francisco to Peninsula and South Bay locations over the past decade. Off-peak travel between San Francisco and Peninsula and South Bay locations is also on the rise. Caltrain has experienced increases in ridership as people seek alternate ways to meet these travel needs. Caltrain anticipates continued increases in demand for its rail services over time.

The long-term rise in gas prices has contributed to increased use of public transportation. Commuting to work by automobile has decreased approximately 4 percent in Santa Clara and San Mateo Counties from 2000 to 2010 in part due to increases in gas prices as well as traffic congestion and other factors. Regional commuter transportation systems, including Caltrain, would be the logical beneficiaries of a shift from private autos to public transportation, because these systems accommodate the home-work trip. Home-work trips constitute the largest share of person trips and they are the easiest trips to shift modes, assuming convenient origin-destination pairs. Should gasoline prices remain at high levels over the long-term or increase further, increased Caltrain ridership from this source would be reasonable to expect.

Current and Future Congestion in the Caltrain Corridor

Economic growth and the corresponding demand for transportation services in the San Francisco Bay Area have exceeded the region's ability to provide the needed roadway capacity. Existing demand for north-south travel along the Peninsula via U.S. Highway 101 (US 101) and Interstate 280 (I-280) regularly exceeds existing highway capacities and results in congestion that is increasing in both frequency and duration. US 101 is the most severely congested freeway through the corridor.¹ Between San Francisco and San Jose, many roadway segments are at or over capacity during the peak commute hour.

Without future roadway improvements, congestion on corridor freeways is bound to worsen to the point at which travel would partially divert to surface routes and the peak periods would spread both into the midday and to later in the evening. Bottlenecks would continue to constrain movement through the corridor. Job growth in the Bay Area is expected to increase approximately 33 percent between 2010 and 2040.² The resultant new transportation demand will lead to high levels of congestion that will take a toll on economic development by constraining goods and people movements.

Opportunities to improve highway capacity are constrained by a number of factors, including funding availability, the need for extensive and costly ROW acquisitions, and potentially adverse environmental impacts, such as displacements of residences and businesses, and impacts on natural resources and redesign of local roadways beyond the interchanges. For these reasons, substantial capacity improvements to US 101 and I-280 cannot be relied upon to fully address long-term travel demands in the corridor.

Corridor Air Quality and Greenhouse Gas Emissions

High rates of auto ownership and increasing vehicle miles of travel (VMT) have contributed to air quality problems throughout California. Pollutants of concern include ozone (O₃); nitrogen oxides (NO_x) and sulfur dioxides (SO₂) (precursors of smog); carbon monoxide (CO); and particulate matter (PM). Greenhouse gases (including carbon dioxide, nitrous oxide and methane) are now a focus of environmental planning in California because of their role in global climate change. Motor vehicles are substantial contributors to the production of all of these pollutants.

The San Francisco Bay Area's air quality has improved in recent years, largely in response to technological improvements in motor vehicles and fuels that are less polluting, but is still designated as in a nonattainment area under state and federal standards for certain pollutants.

¹ Metropolitan Transportation Commission. 2009. *Transportation 2035 Plan for the San Francisco Bay Area*. Available: <http://www.mtc.ca.gov/planning/2035_plan/>. Accessed: November 18, 2013.

² Association of Bay Area Governments and Metropolitan Transportation Commission (ABAG and MTC). 2013. *Plan Bay Area: Strategy for a Sustainable Region*. Adopted July 18. Available: <<http://www.onebayarea.org/regional-initiatives/plan-bay-area/final-plan-bay-area.html>>.

Because transportation is the major contributor to ozone precursors, increasing auto travel threatens the area's improvement in air quality. Growing congestion will add to the potential problems because of increased emissions of vehicles operating in stop-and-go traffic.

California also has ambitious goals to reduce greenhouse gas emissions throughout the state in order to help face the challenge posed by climate change. Most of the communities in the Peninsula Corridor have also adopted climate action plans to lower their community contributions of greenhouse gas emissions, with all seeking to lower transportation emissions given that transportation is usually the largest source of such emissions in most areas.

Modernizing the Caltrain Service

Improving the appearance and attractiveness of Caltrain to potential consumers has long been suggested as a means of increasing ridership. Caltrain put new diesel locomotives and bi-level passenger cars into service as part of the "Baby Bullet" express service program in 2004. Rider response to this service has demonstrated the benefits of modernizing image, improving passenger comfort, and reducing travel times between major origins and destinations. The increase in ridership associated with the introduction of the Baby Bullet and new passenger cars suggests that there is an unmet demand for rapid transit along the Peninsula corridor. With the Project, additional stops could be added (optimized stops) without loss of travel times or travel times could be reduced.

SECTION 4

PROJECT PLANNING AND IMPLEMENTATION

Project Planning

The Project is part of a program to modernize operation of the Caltrain rail corridor between San Jose and San Francisco. There is a lengthy history of planning for modernization of the Caltrain Peninsula Corridor. The Project dates back to 1999 when the electrification of Caltrain was included as part of the JPB adopted *Caltrain Rapid Rail Plan*. The Project has continued to be reaffirmed as a JPB and Regional priority through the inclusion and adoption of the Project in numerous policy documents. The documents that have included the Project are JPB's 2004, 2006, 2008, 2009 and 2015 short-and-long range transit plans as well as inclusion in the Regional Transportation Plan between 2001 and 2015.

The conceptual design for the Project began in 2002. As a result of extensive planning efforts and collaborative design process, a revised conceptual design involves pole placement to minimize impacts to historic and cultural resources. The pole and traction power facility design was optimized to avoid impacts to wetlands and areas for suitable habitat of endangered or threatened species. The Project has completed extensive public outreach and has completed all environmental review and clearances. Additionally, the Project has had significant coordination

with local, state and federal resource and regulatory agencies and has obtained all required approvals.

Project Funding

The total Project capital cost is estimated at approximately \$1.98 billion based on the most current estimate of capital costs including rolling stock and fixed facilities. Funding for the Project comes through State Proposition 1A and 1B, JPB, Regional (Bay Area Air Quality Management District, Tolls), and Federal (Federal Transit Administration) funding sources.

Engineering Design

The engineering and design of the Project is developed in conjunction with the environmental process. The engineering phases include Preliminary Engineering (35% design) and Final Engineering (65%, 95%, and Issued for Construction Design).

Preliminary Engineering occurs during the development of the environmental documents and is the basis of the final environmental documents. The Final Engineering will be a part of the Design Build (DB) contract for the Project to further refine and advance the design of the facilities and systems.

The final 35% design documents used for the issuance of the DB contract were completed in 2014. Final engineering is expected to take place from 2016 through 2018.

SECTION 5

ENVIRONMENTAL REVIEW PROCESSES AND ENVIRONMENTAL CLEARANCES

The PCEP will receive State and Federal funds or permits and therefore required the implementation of the state (CEQA) and Federal (NEPA) environmental review processes.

CEQA Review Process and Clearance

In order to support the environmental review process, a series of environmental technical reports were prepared addressing biological resources, cultural resources, noise and vibration, air quality and traffic. The technical reports were used to prepare an Environmental Impact Report (EIR).

The Draft EIR for the Project was circulated for a 60-day public review period from February 28 to April 29, 2014. A Notice of Availability (NOA) was sent to the State Clearinghouse, the City and County of San Francisco Clerk, the San Mateo County Clerk, and the Santa Clara County Clerk. The JPB held four public comment meetings in San Carlos (March 18, 2014), Redwood City (April 2, 2014), San Jose (April 7, 2014), and San Francisco (April 9, 2014). The meetings were appropriately noticed, including notices mailed to all property owners within 300 feet of the

Project's corridor, as well as individuals who requested information of the project. The NOA was published in local newspapers, sent to Community Based Organizations (CBOs), and all cities and counties adjacent to the corridor. An NOA and a CD of the Draft EIR was sent to the JPB Board Members, the JPB Citizens Advisory Committee (CAC), and the Bike Advisory Committee (BAC), federal and local elected officials, the Peninsula Corridor Working Group (PCWG), Local Policy-Makers Group (LPMG), City/County Staff Coordinating Group (CSCG), Agency Partners, Federal Agencies, Tenant Railroads, and responsible parties. An e-mail notice was sent to the JPB, CAC, LPMG, CSCG, and PCWG. Hard copies of the Draft EIR were sent to over 17 cities' local libraries and the Draft EIR was available for printing at local reproduction stores in each county.

Public and agency comments on the Draft EIR included concerns with respect to segmentation and independent utility, alternatives, use of Proposition 1A funding, ridership and capacity, environmental benefits, visual aesthetics, air quality and greenhouse gas emissions, train noise, bikes on board, traffic, and freight. To address public and agency comments on the Draft EIR, a Final EIR consisting of a Revised Draft EIR, Comments on the Draft EIR and Responses to Comments, and Appendices was prepared and released on December 4, 2014. An NOA and announcement of a public meeting for the Final EIR was sent to the State Clearinghouse, the City and County of San Francisco, the County of San Mateo, and the Santa Clara County Clerks, and electronic copies of the Final EIR were made available to all commenters on the Draft EIR. The noticing process for the Final EIR was similar to that of the Draft EIR. The Project was approved and the Final EIR was certified by the JPB Board of Directors on January 8, 2015. This process secured the CEQA environmental clearance. The Final EIR is incorporated herein by reference.

NEPA Process and Clearance

The FTA approved the Caltrain Peninsula Corridor Electrification Project Environmental Assessment (EA) and issued a Finding of No Significant Impact (FONSI) in December 2009. Since issuance of the FONSI, the JPB revised the Project and the circumstances in which the Project would be implemented changed. As such, the JPB prepared an Environmental Re-Evaluation for Proposed Project Changes After Finding of No Significant Impact in February 2016, based on the analysis and mitigation measures described in the 2015 Final EIR. On February 11, 2016, the FTA issued a letter finding that the changes described in the re-evaluation materials are not substantial and the changes will not cause significant environmental impacts that were not previously evaluated. The Environmental Assessment, the FONSI, the Environmental Re-Evaluation for Proposed Project Changes After Finding of No Significant Impact, and the FTA letter are all incorporated herein by reference.

The Project will or has the potential to affect waters of the United States/State, federally protected species, riparian habitats, and historic resources. As the federal lead agency, the FTA was responsible for consultation related to endangered species and historic resources. The JPB is

the permit holder, which is incorporated herein by reference, for anticipated impacts to waters of the United States/State regulated under the Clean Water Act (CWA) as well as resources regulated by the California Department of Fish and Wildlife and the San Francisco Bay Conservation and Development Commission. The Project has also received the following authorizations, which are incorporated herein by reference:

- U.S. Army Corps of Engineers (USACE)— CWA Section 404 Nationwide Permit 14 (*Linear Transportation Projects*) (File Number 2015-00279S; issued February 26, 2016)
- U.S. Fish and Wildlife Service (USFWS)—Informal Consultation pursuant to Section 7 of the Endangered Species Act (ESA) (08ESMF00-2015-I-1003-1; issued September 15, 2015)
- National Marine Fisheries Service (NMFS)—Endangered Species Act (ESA) Section 7 Consultation (WCR-2015-3096; issued November 12, 2015)
- State Historic Preservation Office (SHPO)—National Historic Preservation Act (NHPA) Section 106 Consultation (Reply to FTA021021A; issued October 19, 2015 and Programmatic Agreement between the JPB, the FTA, and SHPO executed December 2009)
- San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) – Clean Water Act Section 401 Water Quality Certification (CIWQS Place ID 816852; issued August 23, 2016)
- California Department of Fish and Wildlife (CDFW) – Streambed Alteration Agreement per Section 1600 of the California Fish and Game Code (Notification No. 1600-2015-0254-R3; issued August 30, 2016)
- San Francisco Bay Conservation and Development Commission (BCDC) – Regionwide Permit (No. NOI2015.013.00; issued September 12, 2016)

SECTION 6

SPECIFIC PROPERTY ACQUISITIONS

Detailed property fact sheets and aerial photographs of the parcels required for this Project, and are the subject of the Resolution(s) of Necessity, follow. Overall property requirements and project related costs have been minimized as much as possible. Offers were made to the property owners. The offer packages are incorporated herein by reference. Notices of Intention to Adopt Resolution of Necessity, which are incorporated herein by reference, were sent to the owners of the property via first class and overnight mail on July 18, 2017.

PENINSULA CORRIDOR ELECTRIFICATION PROJECT

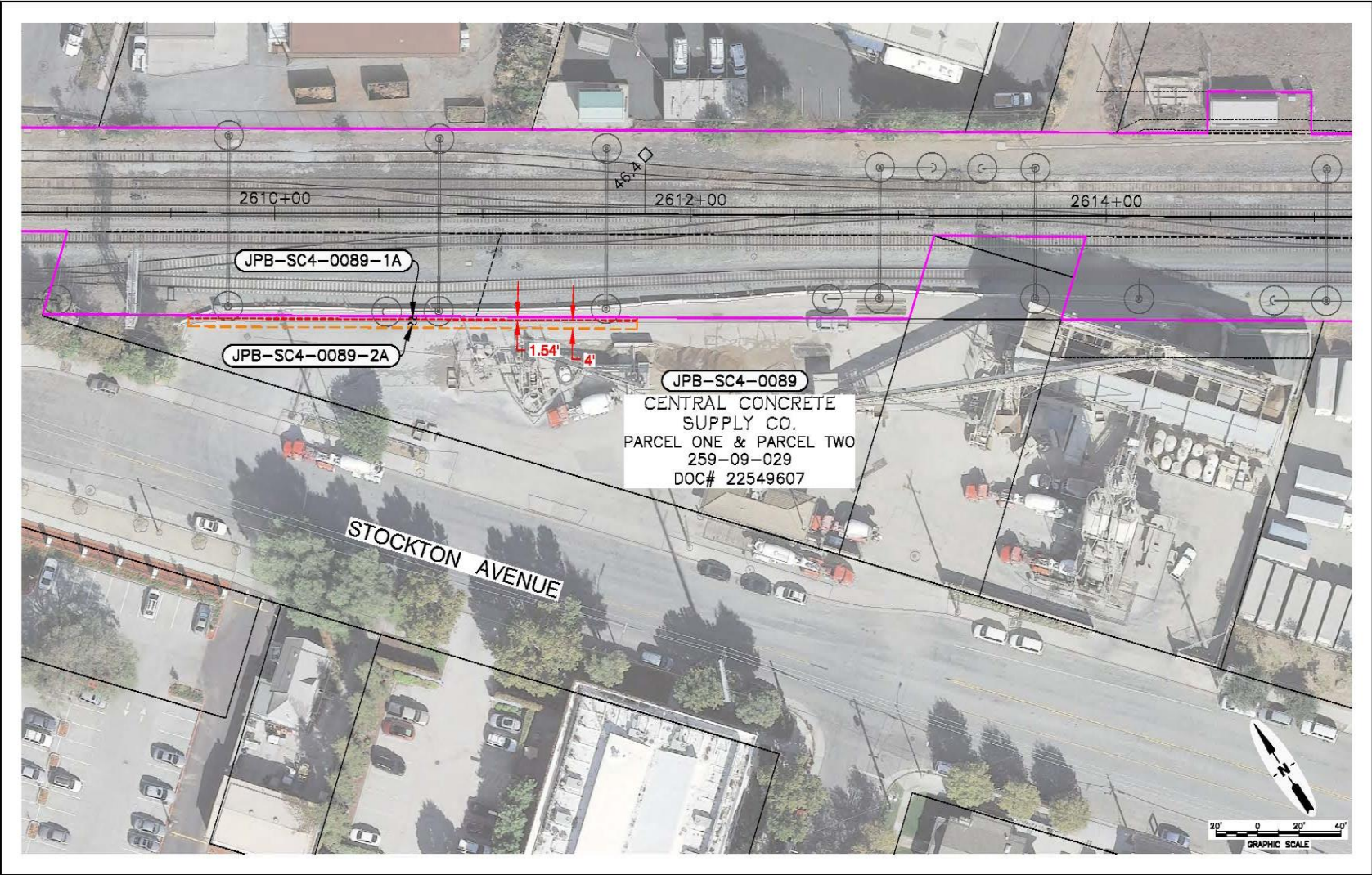
PROPERTY FACT SHEET – JPB-SC4-0089

Owner:	Central Concrete Supply Company, a California corporation
Property Address:	790 Stockton Avenue
Locale:	San Jose, CA
Present Use:	The subject property consists of 1.20 acres of land improved with a concrete batch plant.
Total Property Area:	1.20 acres.
Areas to be Acquired:	(1) Railroad Easement (JPB-SC4-0089-1A) 332± sq. ft. (2) Electrical Safety Zone Easement (JPB-SC4-0089-2A) 863± sq. ft.
Date of Offer:	January 23, 2017

The subject property is currently owned by Central Concrete Supply Company, a California corporation and is located near the corner of Stockton Avenue and West Santa Clara Street in the City of San Jose. The larger parcel consists of approximately 1.20 acres and is improved with a concrete batch plant.

The proposed acquisition consists of: (1) a 332± sq. ft.. (JPB-SC4-0089-1A) Railroad Easement and (2) a 863± sq. ft. (JPB-SC4-0089-2A) Electrical Safety Zone Easement to provide safe clearances from the overhead electrical lines being installed for the project. An aerial photograph depicting the property is attached herein as Exhibit A.

Exhibit A



PENINSULA CORRIDOR ELECTRIFICATION PROJECT

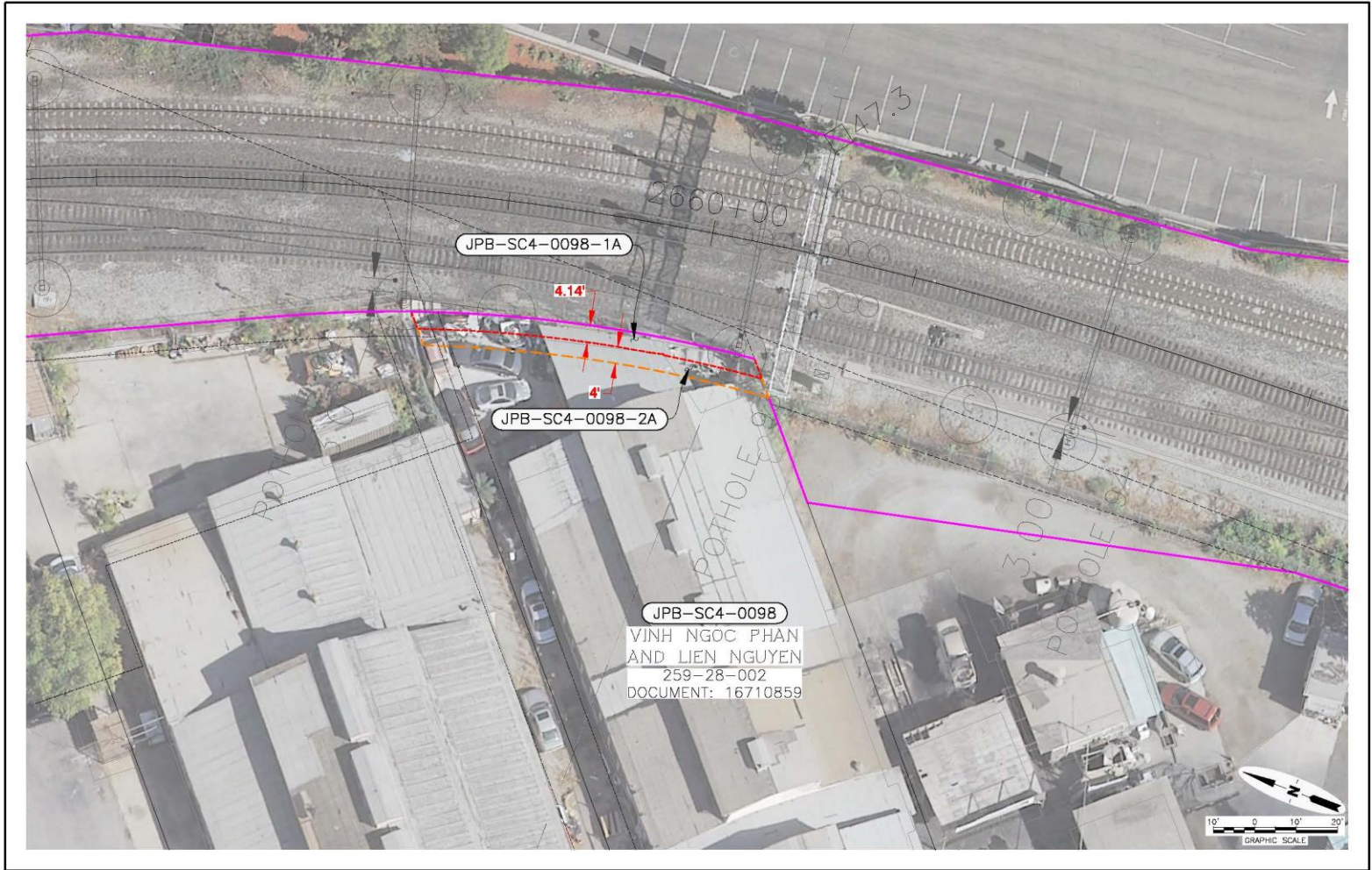
PROPERTY FACT SHEET – JPB-SC4-0098

Owner:	Vinh Ngoc Phan and Lien Nguyen, husband and wife
Property Address:	60 Stockton Avenue
Locale:	San Jose, CA
Present Use:	The subject property consists of 0.49± acres of land improved with approximately 13,000 sq. ft. of industrial building area.
Total Property Area:	0.49± acres.
Areas to be Acquired:	(1) Fee Simple Interest (JPB-SC4-0098-1A) 348± sq. ft. (2) Electrical Safety Zone Easement (JPB-SC4-0098-2A) 339± sq. ft.
Date of Offer:	July 27, 2016

The subject property is currently owned by Vinh Ngoc Phan and Lien Nguyen, and is located near the corner of Stockton Avenue and West Santa Clara Street in the City of San Jose. The larger parcel consists of approximately 0.49 acres and is improved with approximately 13,000 square feet of industrial building area.

The proposed acquisition consists of: (1) a 348± sq. ft. (JPB-SC4-0098-1A) Fee Simple parcel and (2) a 339± sq. ft. (JPB-SC4-0098-2A) Electrical Safety Zone Easement to provide safe clearances from the overhead electrical lines being installed. An aerial photograph depicting the property is attached herein as Exhibit A.

Exhibit A



PENINSULA CORRIDOR ELECTRIFICATION PROJECT
PROPERTY FACT SHEET – JPB-SCL-4-0112

RE: Property Identification No. **JPB-SC4-0112 (APN: 230-41-001)**

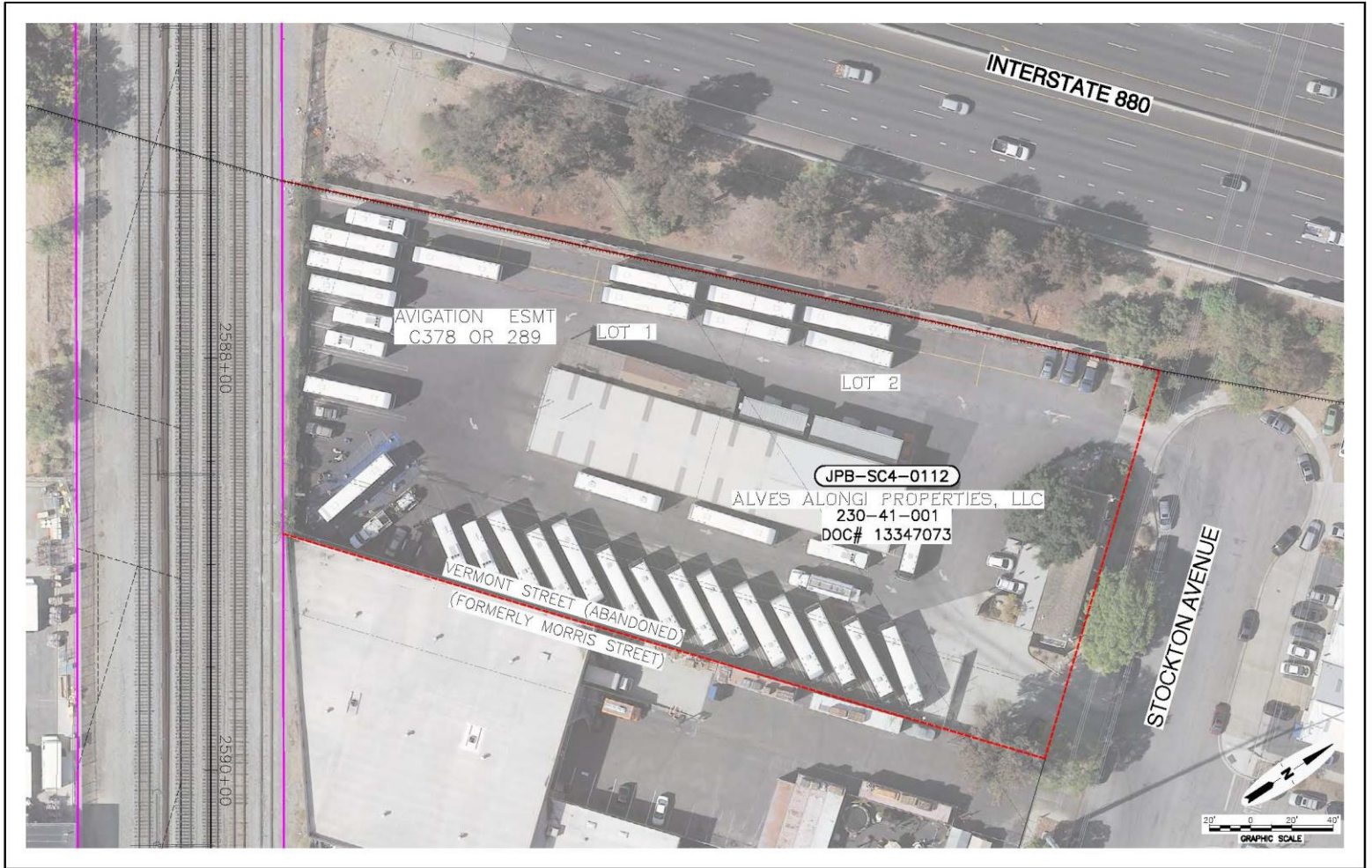
Owner:	Alves Alongi Properties, LLC
Property Address:	1025 Stockton Avenue
Locale:	San Jose, CA
Present Use:	The subject property consists of 1.70 acres of land improved with approximately 7,200 sq. ft. of industrial warehouse and 1,368 sq. ft. of office space.
Total Property Area:	1.70 acres.
Areas to be Acquired:	1.70 acres.
Date of Offer:	July 14, 2016

The subject property is currently owned by Alves Alongi Properties, LLC, and is located near the intersection of Stockton Avenue and Vermont Street in the City of San Jose. The parcel abuts the Nimitz Freeway and Caltrain right-of-way. The parcel consists of approximately 1.70 acres and is improved with approximately 7,200 square feet of industrial warehouse building area and 1,368 square feet of office space.

The proposed acquisition consists of the entire 1.70 acre parcel (JPB-SC4-0112) (“**Required Project Property**”), attached herein as Exhibit A.

The proposed acquisition is required for the construction of a Traction Power Substation (TPS). Two of these facilities are required to provide the electrical service that is fed to the Overhead Contact System to power the new trains. The TPS must be located near power facilities with sufficient capacity (115kV) to serve the Project, as well as being in close proximity to the railroad right-of-way.

Exhibit A





July 18, 2017

Via Overnight Mail

Central Concrete Supply Co., Inc.
 Attention: Herb Burton, Vice President & General Manager
 790 Stockton Avenue
 San Jose CA 95126

RE: Property Identification No. **JPB-SCL-4-0089** (APN: 259-09-029)

NOTICE OF INTENTION TO ADOPT RESOLUTION OF NECESSITY

NOTICE IS HEREBY GIVEN, pursuant to California Code of Civil Procedure Section 1245.235, that it is the intent of the Santa Clara Valley Transportation Authority to adopt a Resolution of Necessity pursuant to Article 2 (commencing with Section 1245.210) of Chapter 4 of Title 7 of Part 3 of the Code of Civil Procedure of the State of California for the acquisition of certain property in connection with the construction of the Caltrain Peninsula Corridor Electrification Project, herein referred to as the "Project." A description of the property being considered for acquisition is set forth in the proposed Resolution of Necessity attached to this Notice. The described property is to be acquired for the purpose of constructing and operating the Project.

NOTICE IS FURTHER GIVEN that on **Thursday, August 3, 2017, at the hour of 5:30 p.m.**, or as soon thereafter as the matter can be heard, in the regular meeting place of the Board of Directors of the Santa Clara Valley Transportation Authority, at the Board of Supervisors Chambers, County Government Center, 70 West Hedding Street, San Jose, California, the Board of Directors intends to hold a hearing prior to considering the adoption of the proposed Resolution of Necessity, regarding the following matters:

- (a) Whether the public interest and necessity require the Project;
- (b) Whether the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (c) Whether the property sought to be acquired is necessary for the Project;
- (d) Whether acquisition of a portion of the property is authorized pursuant to California Code of Procedure Section 1240.410 *et seq.*

- (e) Whether the offer to purchase the property required by Section 7267.2 of the Government Code (attached), together with the accompanying statement of the amount established as just compensation, has been made to the owner or owners of record, and whether the offer and statement were in a form and contained the information required by Government Code Section 7267.2, or the offer has not been made because the owner cannot be located with reasonable diligence;
- (f) Whether insofar as the property or the larger parcel of which it is a part has heretofore been appropriated for public use, the proposed use set forth herein will not unreasonably interfere with or impair the continuation of the public use as it exists or may reasonably be expected to exist in the future, and is therefore a compatible public use pursuant to Code of Civil Procedure Section 1240.510, or, as applicable, constitutes a more necessary public use than the use to which the property is appropriated pursuant to Code of Civil Procedure Section 1240.610;
- (g) Whether the Santa Clara Valley Transportation Authority has complied with all conditions and statutory requirements necessary to exercise the power of eminent domain (the "right to take") to acquire the property herein, as well as any other matter regarding the right to take the property by eminent domain.

NOTICE IS FURTHER GIVEN that you have the right to file a written request to appear and be heard at the Santa Clara Valley Transportation Authority Board of Directors Meeting scheduled for August 3, 2017 concerning the above referenced matters. The written request to appear and be heard shall be filed with the Board Secretary of the Santa Clara Valley Transportation Authority, 3331 North First Street, Building B, Second Floor, San Jose, CA 95134-1906, within 15 days after the mailing of this Notice.

NOTICE IS FURTHER GIVEN that the failure to file such a written request to appear and be heard within 15 days after the mailing of this Notice will result in waiver of your right to appear and be heard on the matters referred to above. If you elect not to appear and be heard, your failure to appear will result in a waiver of your right to challenge the right of the Santa Clara Valley Transportation Authority to take this property by eminent domain.

PLEASE NOTE THAT THE PRICE TO BE PAID FOR THE PROPERTY WILL NOT BE CONSIDERED BY THE BOARD AT THIS PROCEEDING, AND IF YOU ELECT NOT TO APPEAR AND BE HEARD, YOUR NON-APPEARANCE WILL *NOT* BE A WAIVER OF YOUR RIGHT TO CLAIM GREATER COMPENSATION IN A COURT OF LAW.

SANTA CLARA VALLEY TRANSPORTATION AUTHORITY

By: Elaine Baltao
 ELAINE BALTAO, Secretary
 Board of Directors

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

WHEREAS, the Peninsula Corridor Electrification Project (the "Project") is being undertaken by the Peninsula Corridor Joint Powers Board (the "JPB" or "Caltrain") to convert Caltrain's operation from diesel-hauled to Electric Multiple Unit trains for service between the Fourth and King Street terminus station in San Francisco and the Tamien Station in San Jose; and

WHEREAS, it is desirable and necessary for the Santa Clara Valley Transportation Authority ("VTA") to acquire certain property, namely a Railroad Easement in that property more particularly described in Exhibit "1" attached hereto and made a part hereof by this reference; and an Electrical Safety Zone Easement more particularly described in Exhibit "2" attached hereto and made a part hereof by this reference, as right of way for the Project and the construction thereof; and

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

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

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

1. The recitals contained herein are true and correct.
2. Upon examination of the alternatives, VTA requires the Property for the Project.
3. VTA is authorized to acquire the Property and exercise the power of eminent domain pursuant to and in accordance with Article 1, Section 19 of the California Constitution, the California Eminent Domain Law, Code of Civil Procedure Sections 1230.010 *et seq.*, and Sections 100130 and 100131 of the Public Utilities Code.
4. The public interest and necessity require the Project.
5. The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

6. The Railroad Easement interest in property described in Exhibit "1" and the Electrical Safety Zone Easement interest in property described in Exhibit "2" are necessary for the Project.
7. The offer required by Section 7267.2(a) of the Government Code, together with the accompanying statement of the amount established as just compensation, was made to the owner or owners of record, which offer and statement were in a format and contained the information required by Government Code Section 7267.2(a).
8. VTA has complied with all conditions and statutory requirements, including those prescribed by CEQA, NEPA, and that are necessary for approval and adoption of the Project.
9. All conditions and statutory requirements necessary to exercise the power of eminent domain ("the right to take") to acquire the property described herein have been complied with.
10. Insofar as the property or the larger parcel of which it is a part has heretofore been appropriated for public use, the proposed use set forth herein will not unreasonably interfere with or impair the continuation of the public use as it exists or may reasonably be expected to exist in the future, and is therefore a compatible public use pursuant to Code of Civil Procedure Section 1240.510, or, as applicable, constitutes a more necessary public use to than the use to which the property is currently appropriated pursuant to Code of Civil Procedure Section 1240.610.
11. The General Counsel or the General Counsel's duly authorized designee is hereby authorized and directed to institute and conduct to conclusion eminent domain proceedings to acquire the property described in Exhibits "A" and "B" and to take such actions that counsel deems advisable or necessary in connection therewith, and may deposit the probable amount of compensation and obtain an order for prejudgment possession of the subject property.

PASSED AND ADOPTED by the Santa Clara Valley Transportation Authority Board of Directors on August 3, 2017 by the following vote:

AYES: DIRECTORS

NOES: DIRECTORS

ABSENT: DIRECTORS

JEANNIE BRUINS, Chairperson
Board of Directors

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

Dated: _____

ELAINE BALTAO, Secretary
Board of Directors

APPROVED AS TO FORM:

ROBERT FABELA
Legal Counsel

EXHIBIT 1**RAILROAD EASEMENT**

JPB-SCL-4-0089-1A

A perpetual, exclusive Railroad Easement for all railroad, transportation and communications operations, including, but not limited to, the right of JP, its member agencies and their respective contractors, contractor operators, lessees, sublessees, licensees, successors and assigns to construct, reconstruct, maintain, repair, operate, use, relocate and/or remove existing and/or future railroad, communications and transportation equipment, facilities, and systems, in, on, over, under and through all that real property described as Parcel JPB-SCL-0089-1A in this Exhibit A.

Parcel JPB-SC4-0089

Page 9 of 14

Exhibit A

NUMBER: JPB-SC4-0089-1A Rev F

**EXHIBIT A
LEGAL DESCRIPTION**

A portion of land located in the City of San Jose, County of Santa Clara, State of California, described as follows;

Being a portion of Lots 1 and 4 in Block 30, as delineated upon that Map entitled "Map of University Grounds", recorded August 25, 1966 in Book 'A' of Maps, at Pages 80 and 81 in the Office of the Santa Clara County Recorder being more particularly described as follows:


PARCEL JPB-SC4-0089-1A

COMMENCING at the intersection of the parcel as described in the Grant Deed to Peninsula Corridor Joint Powers Board (PCJPB), recorded December 27, 1991 in Book L984, Page 854 (Document: 11181648, Page A-124), Official Records of said County, and the southeast line of Emory Street as shown upon said Map; thence coincident with the southwest line of said PCJPB parcel South $56^{\circ}40'55''$ East, a distance of 70.59 feet to the point of **BEGINNING**;

- Thence (1) Coincident with southwest line of said PCJPB parcel South $56^{\circ}40'55''$ East, a distance of 215.00 feet;
- Thence (2) Perpendicular to the southwest line of said PCJPB parcel South $33^{\circ}19'05''$ West, a distance of 1.54 feet;
- Thence (3) Parallel to the southwest line of said PCJPB parcel North $56^{\circ}40'55''$ West, a distance of 215.00 feet;
- Thence (4) Perpendicular to the southwest line of said PCJPB parcel North $33^{\circ}19'05''$ East, a distance of 1.54 feet to the point of **BEGINNING**;

Contains 332 square feet, more or less.

The bearings and distances used in the above description are based on the California Coordinate System 1983, Zone 3. Multiply distances shown above by 1.0000554 to obtain ground level distances.


 Daniel S. Cronquist, RLS Date 4/6/2016



Page 1 of 1

12875429.1

EXHIBIT 2**ELECTRICAL SAFETY ZONE EASEMENT**

JPB-SCL-4-0089-2A

An Electrical Safety Zone Easement in gross, including the right to restrict uses and control vegetation within the area described in the described Exhibit A ("Easement Area"), as required for the safe operation of the electrical traction power system and overhead contact system (consisting of energized wires that transmit electrical power) in, on, over, under and across all that real property described as Parcel JPB-SCL-0089-2A in this Exhibit A. The rights shall be for the benefit of the adjacent railroad and are located on, along and in all of the Easement Area.

JPB shall have the right to enter onto and over the Easement Area for the purpose of removing any and all trees over 6 feet tall, as well as branches, and other vegetation that conflict with the exercise of JPB's full enjoyment of the rights granted hereby. In the event that fences are damaged or removed to accomplish such access, they will be replaced or repaired by JPB at its cost. JPB shall provide at least 72 hours' notice prior to entering into the Easement Area, but may perform work above the Easement Area from the adjacent property as necessary to conduct vegetation maintenance without notice.

Owner reserves the right to use the Easement Area for purposes which will not interfere with JPB's full enjoyment of the rights hereby granted which shall include, but not be limited to:

- Maintenance and use of at-grade walkways, driveways, and at-grade playing fields.
- Maintenance and use of ground cover, grass, trees, shrubs and other vegetation, provided that:
 - No tree or shrub taller than 6 feet shall be allowed within the Easement Area.
 - JPB shall be allowed to remove braches and other vegetation that are located within ten feet of the nearest energized electrical wire.
 - No planting of any kind shall impede JPB's ability to conduct required vegetation maintenance
- Maintenance and use of existing buildings and structures
- Maintenance and use of fences.
- Parking of vehicles

Owner shall not:

- Erect or construct any above-ground electrical transmission wires.
- Maintain, drill or operate any well, or construct or maintain any reservoir, swimming pool, spa, or other water feature within the Easement Area.

JPB hereby covenants and agrees to indemnify Owner against any loss and damage which shall be caused by any wrongful or negligent act or omission of JPB or of its agents or employees in the course of their employment, provided, however, that this indemnity shall not extend to that portion of such loss or damage that shall have been caused by Owner's comparative negligence or willful misconduct.

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

Parcel JPB-SC4-0089

Exhibit A

NUMBER: JPB-SC4-0089-2A Rev F

**EXHIBIT A
LEGAL DESCRIPTION**

A portion of land located in the City of San Jose, County of Santa Clara, State of California, described as follows;

Being a portion of Lots 1 and 4 in Block 30, as delineated upon that Map entitled "Map of University Grounds", recorded August 25, 1966 in Book 'A' of Maps, at Pages 80 and 81 in the Office of the Santa Clara County Recorder being more particularly described as follows:

PARCEL JPB-SC4-0089-2A

COMMENCING at the intersection of the parcel as described in the Grant Deed to Peninsula Corridor Joint Powers Board (PCJPB), recorded December 27, 1991 in Book L984, Page 854 (Document: 11181648, Page A-124), Official Records of said County, and the southeast line of Emory Street as shown upon said Map; thence coincident with the southwest line of said PCJPB parcel South $56^{\circ}40'55''$ East, a distance of 70.59 feet; thence perpendicular to the southwest line of said PCJPB parcel South $33^{\circ}19'05''$ West, a distance of 1.54 feet to the point of BEGINNING;

- Thence (1) Parallel with southwest line of said PCJPB parcel South $56^{\circ}40'55''$ East, a distance of 215.80 feet;
- Thence (2) Perpendicular to the southwest line of said PCJPB parcel South $33^{\circ}19'05''$ West, a distance of 4.00 feet;
- Thence (3) Parallel to the southwest line of said PCJPB parcel North $56^{\circ}40'55''$ West, a distance of 215.80 feet;
- Thence (4) Perpendicular to the southwest line of said PCJPB parcel North $33^{\circ}19'05''$ East, a distance of 4.00 feet to the point of BEGINNING;

Contains 863 square feet, more or less.

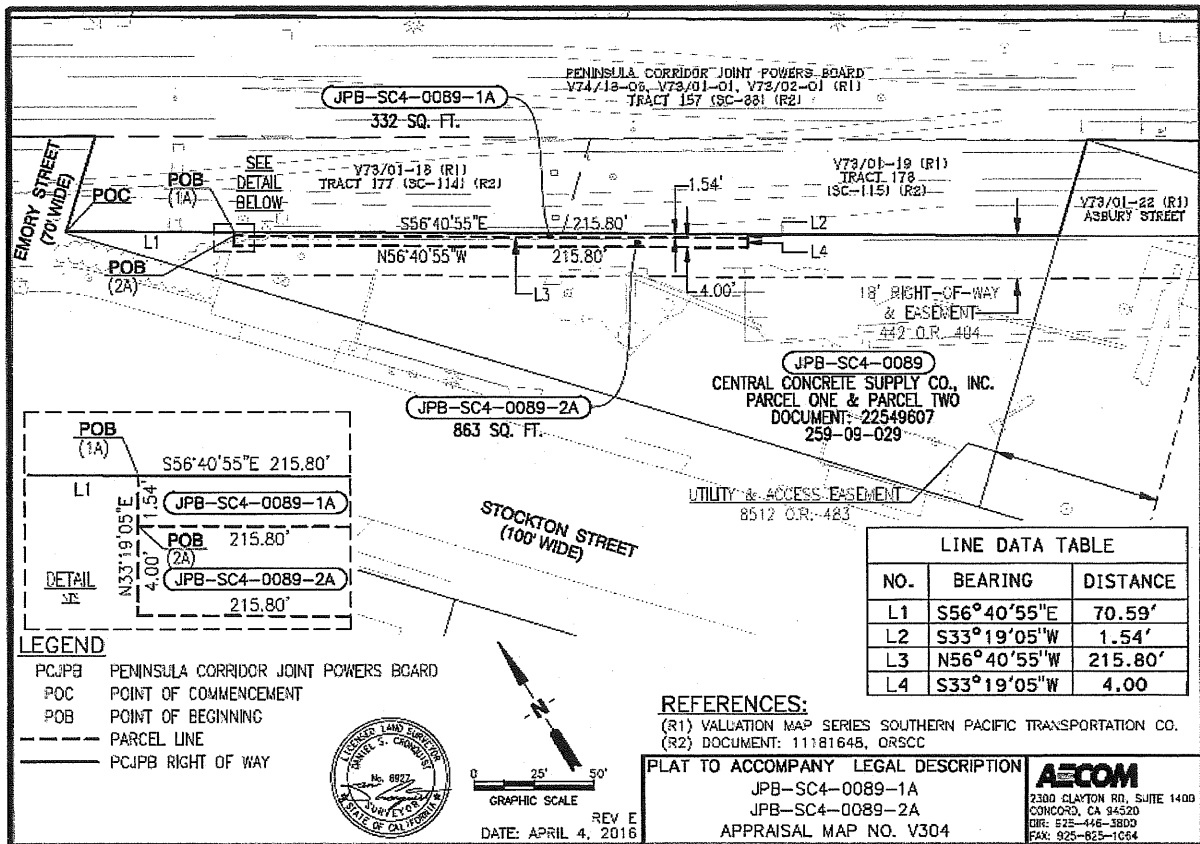
The bearings and distances used in the above description are based on the California Coordinate System 1983, Zone 3. Multiply distances shown above by 1.0000554 to obtain ground level distances.

Daniel S. Cronquist 4/6/2016
Daniel S. Cronquist, PLS Date



Page 1 of 1

12835870.1



12807825.1

Government Code Section 7267.2:

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

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

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

(1) The date of valuation, highest and best use, and applicable zoning of property.

(2) The principal transactions, reproduction or replacement cost analysis, or capitalization analysis, supporting the determination of value.

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

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

(d) Notwithstanding subdivision (a), a public entity may make an offer to the owner or owners of record to acquire real property for less than an amount that it believes to be just compensation therefor if (1) the real property is offered for sale by the owner at a specified price less than the amount the public entity believes to be just compensation therefor, (2) the public entity offers a price that is equal to the specified price for which the property is being offered by the landowner, and (3) no federal funds are involved in the acquisition, construction, or project development.

e) As used in subdivision (d), "offered for sale" means any of the following:

(1) Directly offered by the landowner to the public entity for a specified price in advance of negotiations by the public entity.

(2) Offered for sale to the general public at an advertised or published specified price, set no more than six months prior to, and still available at, the time the public entity initiates contact with the landowner regarding the public entity's possible acquisition of the property.

PROOF OF SERVICE (C.C.P. §§ 1013a)

I, Angelica Bonifacio, declare as follows:

I am employed in the County of Santa Clara and am over the age of eighteen years. My business address is Santa Clara Valley Transportation Authority, 3331 North First Street, Building A, San Jose, CA 95134.

On July 18, 2017, I served the following document(s):

Notice of Intention to Adopt Resolution of Necessity

by placing a true copy of the document(s) listed above for collection and mailing following the Santa Clara Valley Transportation Authority's ordinary business practice in a sealed envelope for deposit in the Golden State Overnight delivery box, 3331 North First Street, San Jose, California, addressed as set forth below.

Central Concrete Supply Co., Inc
Attention: Herb Burton, Vice President & General Manager
790 Stockton Avenue
San Jose, CA 95126

I am readily familiar with the Santa Clara Valley Transportation Authority's practice for collection and processing correspondence for overnight delivery service via Golden State Overnight. Under that practice, envelopes placed for collection at designated locations during designated hours are picked up by Golden State Overnight on the same day with fees thereon fully prepaid or provided for, for next day delivery.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on July 18, 2017 at San Jose, California.



Angelica Bonifacio, Executive Secretary



July 18, 2017

Via Overnight Mail

Vinh Ngoc Phan and Lien Nguyen
60 Stockton Avenue
San Jose CA 95126

RE: Property Identification No. **JPB-SCL-4-0098** (APN: 259-28-002)

NOTICE OF INTENTION TO ADOPT RESOLUTION OF NECESSITY

NOTICE IS HEREBY GIVEN, pursuant to California Code of Civil Procedure Section 1245.235, that it is the intent of the Santa Clara Valley Transportation Authority to adopt a Resolution of Necessity pursuant to Article 2 (commencing with Section 1245.210) of Chapter 4 of Title 7 of Part 3 of the Code of Civil Procedure of the State of California for the acquisition of certain property in connection with the construction of the Caltrain Peninsula Corridor Electrification Project, herein referred to as the "Project." A description of the property being considered for acquisition is set forth in the proposed Resolution of Necessity attached to this Notice. The described property is to be acquired for the purpose of constructing and operating the Project.

NOTICE IS FURTHER GIVEN that on **Thursday, August 3, 2017, at the hour of 5:30 p.m.**, or as soon thereafter as the matter can be heard, in the regular meeting place of the Board of Directors of the Santa Clara Valley Transportation Authority, at the Board of Supervisors Chambers, County Government Center, 70 West Hedding Street, San Jose, California, the Board of Directors intends to hold a hearing prior to considering the adoption of the proposed Resolution of Necessity, regarding the following matters:

- (a) Whether the public interest and necessity require the Project;
- (b) Whether the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (c) Whether the property sought to be acquired is necessary for the Project;
- (d) Whether acquisition of a portion of the property is authorized pursuant to California Code of Procedure Section 1240.410 *et seq.*

- (e) Whether the offer to purchase the property required by Section 7267.2 of the Government Code (attached), together with the accompanying statement of the amount established as just compensation, has been made to the owner or owners of record, and whether the offer and statement were in a form and contained the information required by Government Code Section 7267.2, or the offer has not been made because the owner cannot be located with reasonable diligence;
- (f) Whether insofar as the property or the larger parcel of which it is a part has heretofore been appropriated for public use, the proposed use set forth herein will not unreasonably interfere with or impair the continuation of the public use as it exists or may reasonably be expected to exist in the future, and is therefore a compatible public use pursuant to Code of Civil Procedure Section 1240.510, or, as applicable, constitutes a more necessary public use than the use to which the property is appropriated pursuant to Code of Civil Procedure Section 1240.610;
- (g) Whether the Santa Clara Valley Transportation Authority has complied with all conditions and statutory requirements necessary to exercise the power of eminent domain (the "right to take") to acquire the property herein, as well as any other matter regarding the right to take the property by eminent domain.

NOTICE IS FURTHER GIVEN that you have the right to file a written request to appear and be heard at the Santa Clara Valley Transportation Authority Board of Directors Meeting scheduled for August 3, 2017 concerning the above referenced matters. The written request to appear and be heard shall be filed with the Board Secretary of the Santa Clara Valley Transportation Authority, 3331 North First Street, Building B, Second Floor, San Jose, CA 95134-1906, within 15 days after the mailing of this Notice.

NOTICE IS FURTHER GIVEN that the failure to file such a written request to appear and be heard within 15 days after the mailing of this Notice will result in waiver of your right to appear and be heard on the matters referred to above. If you elect not to appear and be heard, your failure to appear will result in a waiver of your right to challenge the right of the Santa Clara Valley Transportation Authority to take this property by eminent domain.

PLEASE NOTE THAT THE PRICE TO BE PAID FOR THE PROPERTY WILL NOT BE CONSIDERED BY THE BOARD AT THIS PROCEEDING, AND IF YOU ELECT NOT TO APPEAR AND BE HEARD, YOUR NON-APPEARANCE WILL *NOT* BE A WAIVER OF YOUR RIGHT TO CLAIM GREATER COMPENSATION IN A COURT OF LAW.

SANTA CLARA VALLEY TRANSPORTATION AUTHORITY

By: Elaine Baltao
 ELAINE BALTAO, Secretary
 Board of Directors

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

WHEREAS, the Peninsula Corridor Electrification Project (the "Project") is being undertaken by the Peninsula Corridor Joint Powers Board (the "JPB" or "Caltrain") to convert Caltrain's operation from diesel-hauled to Electric Multiple Unit trains for service between the Fourth and King Street terminus station in San Francisco and the Tamien Station in San Jose; and

WHEREAS, it is desirable and necessary for the Santa Clara Valley Transportation Authority ("VTA") to acquire certain property, namely a fee simple interest in the property more particularly described in Exhibit "1" attached hereto and made a part hereof by this reference; and an Electrical Safety Zone Easement more particularly described in Exhibit "2" attached hereto and made a part hereof by this reference, as right of way for the Project and the construction thereof; and

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

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

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

1. The recitals contained herein are true and correct.
2. Upon examination of the alternatives, VTA requires the Property for the Project.
3. VTA is authorized to acquire the Property and exercise the power of eminent domain pursuant to and in accordance with Article 1, Section 19 of the California Constitution, the California Eminent Domain Law, Code of Civil Procedure Sections 1230.010 *et seq.*, and Sections 100130 and 100131 of the Public Utilities Code.
4. The public interest and necessity require the Project.

5. The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
6. The fee simple interest in property described in Exhibit "1" and the Electrical Safety Zone Easement interest in property described in Exhibit "2" are necessary for the Project.
7. The offer required by Section 7267.2(a) of the Government Code, together with the accompanying statement of the amount established as just compensation, was made to the owner or owners of record, which offer and statement were in a format and contained the information required by Government Code Section 7267.2(a).
8. VTA has complied with all conditions and statutory requirements, including those prescribed by CEQA, NEPA, and that are necessary for approval and adoption of the Project.
9. All conditions and statutory requirements necessary to exercise the power of eminent domain ("the right to take") to acquire the property described herein have been complied with.
10. Insofar as the property or the larger parcel of which it is a part has heretofore been appropriated for public use, the proposed use set forth herein will not unreasonably interfere with or impair the continuation of the public use as it exists or may reasonably be expected to exist in the future, and is therefore a compatible public use pursuant to Code of Civil Procedure Section 1240.510, or, as applicable, constitutes a more necessary public use to than the use to which the property is currently appropriated pursuant to Code of Civil Procedure Section 1240.610.
11. The General Counsel or the General Counsel's duly authorized designee is hereby authorized and directed to institute and conduct to conclusion eminent domain proceedings to acquire the property described in Exhibits "A" and "B" and to take such actions that counsel deems advisable or necessary in connection therewith, and may deposit the probable amount of compensation and obtain an order for prejudgment possession of the subject property.

PASSED AND ADOPTED by the Santa Clara Valley Transportation Authority Board of Directors on August 3, 2017 by the following vote:

AYES: DIRECTORS

NOES: DIRECTORS

ABSENT: DIRECTORS

JEANNIE BRUINS, Chairperson

Board of Directors

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

Dated: _____

ELAINE BALTAO, Secretary
Board of Directors

APPROVED AS TO FORM:

ROBERT FABELA
Legal Counsel

EXHIBIT 1

JPB-SCL-4-0098-1A

A fee simple interest in all that real property described as Parcel JPB-SCL-0098-1A in this Exhibit A.

NUMBER: JPB-SC4-0098-1A Rev E

EXHIBIT A
LEGAL DESCRIPTION

A portion of land located in the City of San Jose, County of Santa Clara, State of California, described as follows;

Being a portion of Parcel 1 as described in the grant deed to Vinh Ngoc Phan and Lien Nguyen, recorded December 27, 2002 as Document: 16710859, Official Records of said County, said portion being more particularly described as follows:

PARCEL JPB-SC4-0098-1A

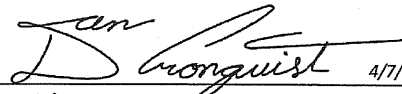
BEGINNING at the east most corner of said Parcel 1, also being on the west line of the parcel as described in the Grant Deed to Peninsula Corridor Joint Powers Board (PCJPB), recorded December 27, 1991 in Book L984, Page 854 (Document: 11181648, Page A-142), Official Records of said County;

- Thence (1) Coincident with southeast line of said Parcel 1, South 48°45'19" West, a distance of 5.08 feet to the beginning of a non-tangent curve concave southwesterly having a radius of 333.48 feet from which the radius point bears South 84°28'18" West;
- Thence (2) Parallel with the west line of said PCJPB parcel northwesterly along said curve through a central angle of 04°10'13", an arc distance of 24.27 feet to the eave of a building as it existed in February 2015;
- Thence (3) Along said eave North 36°41'11" East, a distance of 0.32 feet;
- Thence (4) Along said eave North 14°00'36" West, a distance of 3.30 feet to the beginning of a non-tangent curve concave southwesterly having a radius of 333.48 feet from which the radius point bears South 79°41'54" West;
- Thence (5) Parallel with west line of said PCJPB parcel northwesterly along said curve through a central angle of 09°43'34", an arc distance of 56.61 feet to the northwest line of said Parcel 1;
- Thence (6) Coincident with the northwest line of said Parcel 1, North 48°45'19" East, a distance of 4.44 feet to the beginning of a non-tangent curve concave southwesterly having a radius of 337.62 feet from which the radius point bears South 69°41'59" West, also being the north most corner of said Parcel 1, also being the west line of said PCJPB parcel;
- Thence (7) Coincident with the west line of said PCJPB parcel southeasterly along said curve through a central angle of 14°16'06", an arc distance of 84.08 feet to the point of **BEGINNING**;

Containing 348 square feet, more or less.

NUMBER: JPB-SC4-0098-1A Rev E

The bearings and distances used in the above description are based on the California Coordinate System 1983, Zone 3. Multiply distances shown above by 1.0000554 to obtain ground level distances.


Daniel S. Cronquist, PLS 4/7/2016
Date

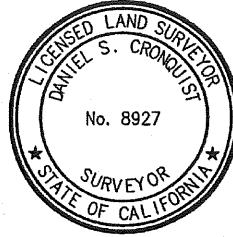




EXHIBIT 2**ELECTRICAL SAFETY ZONE EASEMENT**

JPB-SCL-4-0098-2A

An Electrical Safety Zone Easement in gross, including the right to restrict uses and control vegetation within the area described in the described Exhibit A ("Easement Area"), as required for the safe operation of the electrical traction power system and overhead contact system (consisting of energized wires that transmit electrical power) in, on, over, under and across all that real property described as Parcel JPB-SCL-0089-2A in this Exhibit A. The rights shall be for the benefit of the adjacent railroad and are located on, along and in all of the Easement Area.

JPB shall have the right to enter onto and over the Easement Area for the purpose of removing any and all trees over 6 feet tall, as well as branches, and other vegetation that conflict with the exercise of JPB's full enjoyment of the rights granted hereby. In the event that fences are damaged or removed to accomplish such access, they will be replaced or repaired by JPB at its cost. JPB shall provide at least 72 hours' notice prior to entering into the Easement Area, but may perform work above the Easement Area from the adjacent property as necessary to conduct vegetation maintenance without notice.

Owner reserves the right to use the Easement Area for purposes which will not interfere with JPB's full enjoyment of the rights hereby granted which shall include, but not be limited to:

- Maintenance and use of at-grade walkways, driveways, and at-grade playing fields.
- Maintenance and use of ground cover, grass, trees, shrubs and other vegetation, provided that:
 - No tree or shrub taller than 6 feet shall be allowed within the Easement Area.
 - JPB shall be allowed to remove braches and other vegetation that are located within ten feet of the nearest energized electrical wire.
 - No planting of any kind shall impede JPB's ability to conduct required vegetation maintenance
- Maintenance and use of existing buildings and structures
- Maintenance and use of fences.
- Parking of vehicles

Owner shall not:

- Erect or construct any above-ground electrical transmission wires.
- Maintain, drill or operate any well, or construct or maintain any reservoir, swimming pool, spa, or other water feature within the Easement Area.

JPB hereby covenants and agrees to indemnify Owner against any loss and damage which shall be caused by any wrongful or negligent act or omission of JPB or of its agents or employees in the course of their employment, provided, however, that this indemnity shall not extend to that portion of such loss or damage that shall have been caused by Owner's comparative negligence or willful misconduct.

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

Exhibit A

NUMBER: JPB-SC4-0098-2A Rev E

EXHIBIT ____ LEGAL DESCRIPTION

A portion of land located in the City of San Jose, County of Santa Clara, State of California, described as follows;

Being a portion of Parcel 1 as described in the grant deed to Vinh Ngoc Phan and Lien Nguyen, recorded December 27, 2002 as Document: 16710859, Official Records of said County, said portion being more particularly described as follows:

PARCEL JPB-SC4-0098-2A

COMMENCING at the east most corner of said Parcel 1, also being on the west line of the parcel as described in the Grant Deed to Peninsula Corridor Joint Powers Board (PCJPB), recorded December 27, 1991 in Book L984, Page 854 (Document: 11181648, Page A-142), Official Records of said County; thence coincident with the southeast line of said Parcel 1 South $48^{\circ}45'19''$ West, a distance of 5.08 feet to the point of BEGINNING;

- Thence (1) Coincident with southeast line of said Parcel 1 South $48^{\circ}45'19''$ West, a distance of 4.94 feet to the beginning of a non-tangent curve concave southwesterly having a radius of 329.48 feet from which the radius point bears South $84^{\circ}58'24''$ West;
- Thence (2) Parallel with the west line of said PCJPB parcel northwesterly along said curve through a central angle of $14^{\circ}43'51''$, an arc distance of 84.71 feet to the northwest line of said Parcel 1;
- Thence (3) Coincident with northwest line of said Parcel 1 North $48^{\circ}45'19''$ East, a distance of 4.29 feet to the beginning of a non-tangent curve concave southwesterly having a radius of 333.48 feet from which the radius point bears South $69^{\circ}58'20''$ West;
- Thence (4) Parallel to the west line of said PCJPB parcel southeasterly along said curve through a central angle of $9^{\circ}43'34''$, an arc distance of 56.61 feet to the eave of a building as it existed in February 2015;
- Thence (5) Along said eave South $14^{\circ}00'36''$ East, a distance of 3.30 feet;
- Thence (6) Along said eave South $36^{\circ}41'11''$ West, a distance of 0.32 feet to the beginning of a non-tangent curve concave southwesterly having a radius of 333.48 feet from which the radius point bears South $80^{\circ}18'05''$ West;
- Thence (7) Parallel to the west line of said PCJPB parcel southeasterly along said curve through a central angle of $4^{\circ}10'13''$, an arc distance of 24.27 feet to the point of BEGINNING;

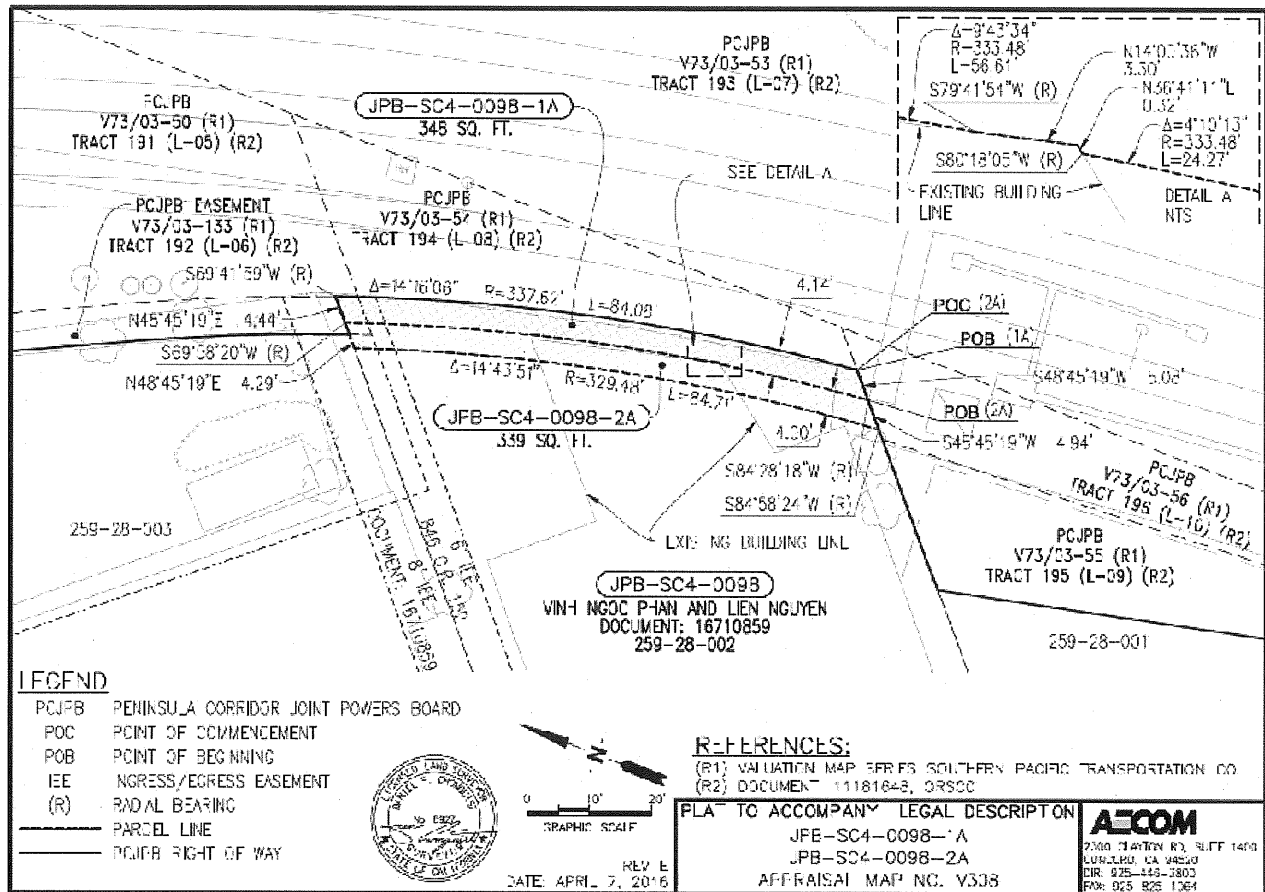
Containing 339 square feet, more or less.

NUMBER: JPB-SC4-0098-2A Rev E

The bearings and distances used in the above description are based on the California Coordinate System 1983, Zone 3. Multiply distances shown above by 1.0000554 to obtain ground level distances.


Daniel S. Cronquist, PLS 4/7/2016
Date





Government Code Section 7267.2:

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

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

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

(1) The date of valuation, highest and best use, and applicable zoning of property.

(2) The principal transactions, reproduction or replacement cost analysis, or capitalization analysis, supporting the determination of value.

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

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

(d) Notwithstanding subdivision (a), a public entity may make an offer to the owner or owners of record to acquire real property for less than an amount that it believes to be just compensation therefor if (1) the real property is offered for sale by the owner at a specified price less than the amount the public entity believes to be just compensation therefor, (2) the public entity offers a price that is equal to the specified price for which the property is being offered by the landowner, and (3) no federal funds are involved in the acquisition, construction, or project development.

e) As used in subdivision (d), "offered for sale" means any of the following:

(1) Directly offered by the landowner to the public entity for a specified price in advance of negotiations by the public entity.

(2) Offered for sale to the general public at an advertised or published specified price, set no more than six months prior to, and still available at, the time the public entity initiates contact with the landowner regarding the public entity's possible acquisition of the property.

PROOF OF SERVICE (C.C.P. §§ 1013a)

I, Angelica Bonifacio, declare as follows:

I am employed in the County of Santa Clara and am over the age of eighteen years. My business address is Santa Clara Valley Transportation Authority, 3331 North First Street, Building A, San Jose, CA 95134.

On July 18, 2017, I served the following document(s):

Notice of Intention to Adopt Resolution of Necessity


by placing a true copy of the document(s) listed above for collection and mailing following the Santa Clara Valley Transportation Authority's ordinary business practice in a sealed envelope for deposit in the Golden State Overnight delivery box, 3331 North First Street, San Jose, California, addressed as set forth below.

Vinh Ngoc Phan and Lien Nguyen
60 Stockton Avenue
San Jose CA 95126

I am readily familiar with the Santa Clara Valley Transportation Authority's practice for collection and processing correspondence for overnight delivery service via Golden State Overnight. Under that practice, envelopes placed for collection at designated locations during designated hours are picked up by Golden State Overnight on the same day with fees thereon fully prepaid or provided for, for next day delivery.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on July 18, 2017 at San Jose, California.



Angelica Bonifacio, Executive Secretary



July 18, 2017

James R. Alves and Stanley P. Alongi, as tenants in common
and/or Alves Alongi Properties, LLC
590 Coleman Avenue
San Jose CA 95110

RE: Property Identification No. **JPB-SCL-4-0112** (APN: 230-41-001)

NOTICE OF INTENTION TO ADOPT RESOLUTION OF NECESSITY

NOTICE IS HEREBY GIVEN, pursuant to California Code of Civil Procedure Section 1245.235, that it is the intent of the Santa Clara Valley Transportation Authority to adopt a Resolution of Necessity pursuant to Article 2 (commencing with Section 1245.210) of Chapter 4 of Title 7 of Part 3 of the Code of Civil Procedure of the State of California for the acquisition of certain property in connection with the construction of the Caltrain Peninsula Corridor Electrification Project, herein referred to as the "Project." A description of the property being considered for acquisition is set forth in the proposed Resolution of Necessity attached to this Notice. The described property is to be acquired for the purpose of constructing and operating the Project.

NOTICE IS FURTHER GIVEN that on **Thursday, August 3, 2017, at the hour of 5:30 p.m.**, or as soon thereafter as the matter can be heard, in the regular meeting place of the Board of Directors of the Santa Clara Valley Transportation Authority, at the Board of Supervisors Chambers, County Government Center, 70 West Hedding Street, San Jose, California, the Board of Directors intends to hold a hearing prior to considering the adoption of the proposed Resolution of Necessity, regarding the following matters:

- (a) Whether the public interest and necessity require the Project;
- (b) Whether the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (c) Whether the property sought to be acquired is necessary for the Project;
- (d) Whether acquisition of a portion of the property is authorized pursuant to California Code of Procedure Section 1240.410 *et seq.*

- (e) Whether the offer to purchase the property required by Section 7267.2 of the Government Code (attached), together with the accompanying statement of the amount established as just compensation, has been made to the owner or owners of record, and whether the offer and statement were in a form and contained the information required by Government Code Section 7267.2, or the offer has not been made because the owner cannot be located with reasonable diligence;
- (f) Whether insofar as the property or the larger parcel of which it is a part has heretofore been appropriated for public use, the proposed use set forth herein will not unreasonably interfere with or impair the continuation of the public use as it exists or may reasonably be expected to exist in the future, and is therefore a compatible public use pursuant to Code of Civil Procedure Section 1240.510, or, as applicable, constitutes a more necessary public use than the use to which the property is appropriated pursuant to Code of Civil Procedure Section 1240.610;
- (g) Whether the Santa Clara Valley Transportation Authority has complied with all conditions and statutory requirements necessary to exercise the power of eminent domain (the "right to take") to acquire the property herein, as well as any other matter regarding the right to take the property by eminent domain.

NOTICE IS FURTHER GIVEN that you have the right to file a written request to appear and be heard at the Santa Clara Valley Transportation Authority Board of Directors Meeting scheduled for August 3, 2017 concerning the above referenced matters. The written request to appear and be heard shall be filed with the Board Secretary of the Santa Clara Valley Transportation Authority, 3331 North First Street, Building B, Second Floor, San Jose, CA 95134-1906, within 15 days after the mailing of this Notice.

NOTICE IS FURTHER GIVEN that the failure to file such a written request to appear and be heard within 15 days after the mailing of this Notice will result in waiver of your right to appear and be heard on the matters referred to above. If you elect not to appear and be heard, your failure to appear will result in a waiver of your right to challenge the right of the Santa Clara Valley Transportation Authority to take this property by eminent domain.

PLEASE NOTE THAT THE PRICE TO BE PAID FOR THE PROPERTY WILL NOT BE CONSIDERED BY THE BOARD AT THIS PROCEEDING, AND IF YOU ELECT NOT TO APPEAR AND BE HEARD, YOUR NON-APPEARANCE WILL *NOT* BE A WAIVER OF YOUR RIGHT TO CLAIM GREATER COMPENSATION IN A COURT OF LAW.

SANTA CLARA VALLEY TRANSPORTATION AUTHORITY

By: Elaine Baltao
 ELAINE BALTAO, Secretary
 Board of Directors

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

WHEREAS, the Peninsula Corridor Electrification Project (the "Project") is being undertaken by the Peninsula Corridor Joint Powers Board (the "JPB" or "Caltrain") to convert Caltrain's operation from diesel-hauled to Electric Multiple Unit trains for service between the Fourth and King Street terminus station in San Francisco and the Tamien Station in San Jose; and

WHEREAS, it is desirable and necessary for the Santa Clara Valley Transportation Authority ("VTA") to acquire certain property, namely fee simple title to property more particularly described in Exhibit "A" attached hereto and made a part hereof by this reference for the Project and the construction thereof; and

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

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

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

1. The recitals contained herein are true and correct.
2. Upon examination of the alternatives, VTA requires the Property for the Project.
3. VTA is authorized to acquire the Property and exercise the power of eminent domain pursuant to and in accordance with Article 1, Section 19 of the California Constitution, the California Eminent Domain Law, Code of Civil Procedure Sections 1230.010 *et seq.*, and Sections 100130 and 100131 of the Public Utilities Code.
4. The public interest and necessity require the Project.
5. The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

6. Fee simple title in property described in Exhibit "A" is necessary for the Project.
7. The offer required by Section 7267.2(a) of the Government Code, together with the accompanying statement of the amount established as just compensation, was made to the owner or owners of record, which offer and statement were in a format and contained the information required by Government Code Section 7267.2(a).
8. VTA has complied with all conditions and statutory requirements, including those prescribed by CEQA, NEPA, and that are necessary for approval and adoption of the Project.
9. All conditions and statutory requirements necessary to exercise the power of eminent domain ("the right to take") to acquire the property described herein have been complied with.
10. Insofar as the property or the larger parcel of which it is a part has heretofore been appropriated for public use, the proposed use set forth herein will not unreasonably interfere with or impair the continuation of the public use as it exists or may reasonably be expected to exist in the future, and is therefore a compatible public use pursuant to Code of Civil Procedure Section 1240.510, or, as applicable, constitutes a more necessary public use to than the use to which the property is currently appropriated pursuant to Code of Civil Procedure Section 1240.610.
11. The General Counsel or the General Counsel's duly authorized designee is hereby authorized and directed to institute and conduct to conclusion eminent domain proceedings to acquire the property described in Exhibits "A" and "B" and to take such actions that counsel deems advisable or necessary in connection therewith, and may deposit the probable amount of compensation and obtain an order for prejudgment possession of the subject property.

PASSED AND ADOPTED by the Santa Clara Valley Transportation Authority Board of Directors on August 3, 2017 by the following vote:

AYES: DIRECTORS

NOES: DIRECTORS

ABSENT: DIRECTORS

JEANNIE BRUINS, Chairperson
Board of Directors

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

Dated: _____

ELAINE BALTAO, Secretary
Board of Directors

APPROVED AS TO FORM:

ROBERT FABELA
Legal Counsel

EXHIBIT A

FEE SIMPLE TITLE

JPB-SCL-4-0112

NUMBER: JPB-SC4-0112 Rev C

EXHIBIT A
LEGAL DESCRIPTION

A portion of land located in the City of San Jose, County of Santa Clara, State of California, described as follows;

Being a portion of Lots 1 and 2 in Block 24, together with a portion of Laurel Street, now abandoned and a portion of Vermont Street, formerly Morris Street, now abandoned as delineated upon that Map entitled "Map of University Grounds, Santa Clara County, California", recorded August 25, 1866 in Book 'A' of Maps, at Pages 80 and 81 in the Office of the Santa Clara County Recorder being more particularly described as follows:

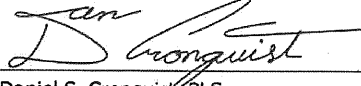
PARCEL JPB-SC4-0112

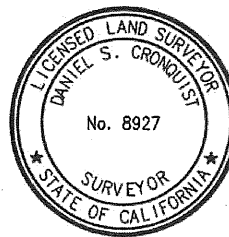
BEGINNING at the intersection of the southwest line of Stockton Avenue and the centerline of Vermont Street (formerly Morris Street) now abandoned, as Street as shown upon said Map;

- Thence (1) Along the prolongation of the northeast line of said Lot 2 North $40^{\circ}19'33''$ West, a distance of 196.24 feet to the southeast line of that parcel condemned to the State of California by Final Order of Condemnation recorded March 13, 1959 in Book 4353, Page 241 in the Office of the Santa Clara County Recorder;
- Thence (2) Coincident with southeast line of said condemned parcel South $45^{\circ}23'34''$ West, a distance of 435.66 feet to the northeast line of the parcel as described in the Grant Deed to Peninsula Corridor Joint Powers Board (PCJPB), recorded December 27, 1991 in Book L984, Page 854 (Document: 11181648, Page A-105), Official Records of said County;
- Thence (3) Coincident with the northeast line of said PCJPB parcel South $56^{\circ}56'35''$ East, a distance of 171.21 feet to said centerline of Vermont Street;
- Thence (4) Along said centerline of Vermont Street North $49^{\circ}37'25''$ East, a distance of 385.48 feet to the point of **BEGINNING**;

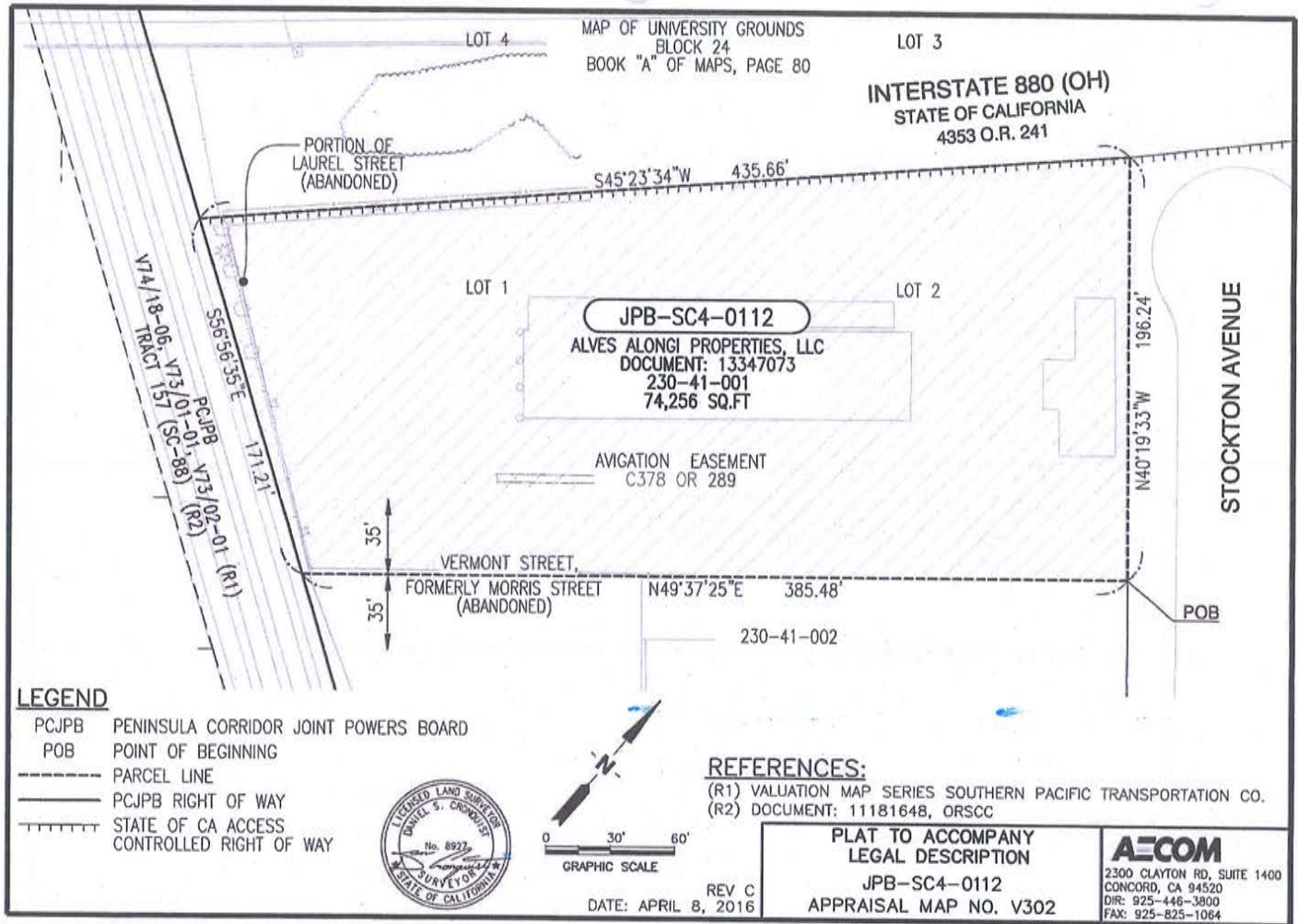
Contains 74,256 square feet (1.7 acres), more or less.

The bearings and distances used in the above description are based on the California Coordinate System 1983, Zone 3. Multiply distances shown above by 1.0000554 to obtain ground level distances.


Daniel S. Cronquist, PLS
4/8/2016
Date



Page 1 of 1



Government Code Section 7267.2:

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

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

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

(1) The date of valuation, highest and best use, and applicable zoning of property.

(2) The principal transactions, reproduction or replacement cost analysis, or capitalization analysis, supporting the determination of value.

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

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

(d) Notwithstanding subdivision (a), a public entity may make an offer to the owner or owners of record to acquire real property for less than an amount that it believes to be just compensation therefor if (1) the real property is offered for sale by the owner at a specified price less than the amount the public entity believes to be just compensation therefor, (2) the public entity offers a price that is equal to the specified price for which the property is being offered by the landowner, and (3) no federal funds are involved in the acquisition, construction, or project development.

e) As used in subdivision (d), "offered for sale" means any of the following:

(1) Directly offered by the landowner to the public entity for a specified price in advance of negotiations by the public entity.

(2) Offered for sale to the general public at an advertised or published specified price, set no more than six months prior to, and still available at, the time the public entity initiates contact with the landowner regarding the public entity's possible acquisition of the property.

PROOF OF SERVICE (C.C.P. §§ 1013a)

I, Angelica Bonifacio, declare as follows:

I am employed in the County of Santa Clara and am over the age of eighteen years. My business address is Santa Clara Valley Transportation Authority, 3331 North First Street, Building A, San Jose, CA 95134.

On July 18, 2017, I served the following document(s):

Notice of Intention to Adopt Resolution of Necessity


by placing a true copy of the document(s) listed above for collection and mailing following the Santa Clara Valley Transportation Authority's ordinary business practice in a sealed envelope for deposit in the Golden State Overnight delivery box, 3331 North First Street, San Jose, California, addressed as set forth below.

James R. Alves and Stanley P. Alongi, as tenants in common
and/or Alves Alongi Properties, LLC
590 Coleman Avenue
San Jose, CA 95110

I am readily familiar with the Santa Clara Valley Transportation Authority's practice for collection and processing correspondence for overnight delivery service via Golden State Overnight. Under that practice, envelopes placed for collection at designated locations during designated hours are picked up by Golden State Overnight on the same day with fees thereon fully prepaid or provided for, for next day delivery.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on July 18, 2017 at San Jose, California.



Angelica Bonifacio, Executive Secretary



Writer's Direct Telephone:
(408) 321-7565
Fax: (408) 321-7547

July 27, 2017

Norman E. Matteoni, Esq.
Matteoni O'Laughlin & Hechtman
848 The Alameda
San Jose, California 95126

Dear Mr. Matteoni,

This is a response to your letter, dated July 24, 2017 to the Chair and Members of the Board of the Santa Clara Valley Transportation Authority, written on behalf of Alves Alongi Properties, LLC, the owner of property identified as JPB-SCL-4-0112 (APN: 230-41-001). In your letter, you object to the adoption of a Resolution of Necessity on three grounds. Each is addressed below.

1. Inadequate Notice of Intent to Adopt a Resolution of Necessity. Your letter states that "the code requires 15 days' notice and there must be added 5 days for processing mail." There is no such requirement. The relevant statute governing notices of intent to adopt Resolutions of Necessity is Code of Civil Procedure section 1245.235. The statute provides, in relevant part:

(b) The notice . . . shall be sent by first-class mail . . . and shall state all of the following. . . .

(d) Notwithstanding subdivision (b), the governing body may satisfy the requirements of this section through any other procedure that has given [the record owner] written personal notice and a reasonable opportunity to be heard" on the [Resolution].

In this case, the notice was sent by overnight delivery on July 18, 2017, thereby ensuring delivery of the notice to your client by July 19, 2017 – 15 days before the meeting. (*See City of Lincoln v. Barringer* (2002) 102 Cal.App.4th 1211, 1227 (rejecting owners' argument that 15 days' advance notice was required)).

Norman E. Matteoni, Esq.
July 27, 2017
Page Two

Your letter confirms that the owner received actual written notice of the hearing no later than July 24, 2017, and is represented by counsel in this matter. We deem your written objection to be timely and confirm that the owner has not waived any right to appear at the hearing on August 3, 2017. Please confirm prior to the hearing date whether you, your client, or some other representative plans to appear. Regardless of actual appearance at the hearing, we will make your letter a part of the administrative record.

2. Inadequate Offer. Government Code sections 7267.1 and 7267.2 require that prior to the passage of a Resolution of Necessity, the agency obtain an independent appraisal from a qualified appraiser and initiate negotiations for an amount not less than that appraisal. This was done here. While your client may believe that compensation should be higher, compensation disputes are NOT proper issues for the Board to consider in determining whether to adopt a Resolution of Necessity.

3. Format of Offer. Your letter attaches only selected pages from the written offer that was delivered to the owner pursuant to Government Code Section 7267.2. Your attachment is incomplete. For your convenience, enclosed is a copy of the offer letter and the complete appraisal summary statement that were delivered to the owner. They provide the statutorily required written summary and basis for the appraisal, including the date of valuation, highest and best use, the applicable zoning of property, and the principal transactions supporting the determination of value.

Please contact us if you plan to attend the appear at the hearing and if you have any further questions.

Very truly yours,



EVELYNN TRAN
Deputy General Counsel

ET/mm
Enclosure



July 14, 2016

Alves Alongi Properties, LLC, a California Limited Liability Company

RE: Peninsula Corridor Electrification Project
Project Parcel No: JPB-SC4-0112
Property Address: 1025 Stockton Avenue, San Jose, CA 95110
Santa Clara County Assessor's Parcel Numbers: 230-41-001

Offer to Purchase Real Property

Dear Mr. Alves:

The Santa Clara Valley Transportation Authority is assisting its partner agency, the Peninsula Corridor Joint Powers Board (JPB), with the acquisition of real property for the construction of the Peninsula Corridor Electrification Project (the "Project"). The Project will install an Overhead Catenary System (OCS) and electrify the railroad right of way corridor between the 4th and King Street terminus station in San Francisco and the Tamien Station in San Jose. The project is scheduled to begin in late 2016 and be completed in approximately 2020.

The Project will require the purchase of 1.70 acres of fee from the above-referenced property.

JPB has established the amount of just compensation for these interests and hereby makes an offer in the amount of \$2,600,000 for the real property rights described herein. This offer is based on an independent appraisal of the subject property. To assist you in understanding this offer, we have enclosed the following documents for your review:

1. Statement and Summary of the Basis for Appraisal
2. Summary Statement Relating to the Purchase of Real Property or an Interest Therein
3. Right of Way Contract (2 originals)
4. Grant Deed
5. Information brochure "Your Property . . . Your Transportation Project"

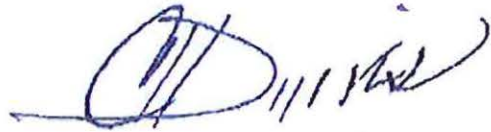
The JPB has retained Bender Rosenthal, Inc. as its agent to acquire the real property interests needed for the described project. This offer was personally presented by Mr. Gary Dowd, Real Estate Agent. If you have any questions regarding the acquisition process and/or the documents described above, please contact Mr. Gary Dowd at (800) 558-5151, or by email: gdowd@arws.com. You may also contact Mr. Courtney T. Decius, JPB Senior Real Estate Officer at (650) 508-6225 if you have questions regarding the Project.

Thank you for your cooperation.

Sincerely,



Ron Golem
Deputy Director
Real Estate and Joint Development



Courtney T. Decius
Senior Real Estate Officer
Peninsula Corridor Joint Powers Board

Enclosures

PENINSULA CORRIDOR JOINT POWERS BOARD
VALUATION SUMMARY STATEMENT AND
SUMMARY OF THE BASIS FOR JUST COMPENSATION
(Pursuant to Government Code Section 7267.2)

APN: 230-41-001
Parcel No. JPB-SC4-0112

APPRAISAL SUMMARY STATEMENT

BASIC PROPERTY DATA

OWNERS: Alves Alongi Properties, LLC
PROJECT: Caltrain Peninsula Corridor Electrification Project
PROPERTY ADDRESS: 1025 Stockton Avenue, San Jose, CA 95110
DATE ACQUIRED BY OWNERS: 5+ Years
ZONING: H-I, Heavy Industrial
PRESENT USE: Bus Transportation
HIGHEST AND BEST USE¹: Industrial warehouse facility
TOTAL PROPERTY AREA: 1.70 acres (74,256± sf)
PROPERTY RIGHTS PROPOSED TO BE ACQUIRED: 1.70 acres fee
INCLUDING ACCESS RIGHTS? YES X NO
DATE OF THIS VALUATION: April 29, 2016

BASIS OF VALUATION

The just compensation being offered by the Peninsula Corridor Joint Powers Board is not less than the approved appraisal of the fair market value of the property. The fair market value of the property proposed for acquisition is based on a fair market value appraisal prepared according to accepted appraisal procedures. Where appropriate, sales and rental value of comparable properties are utilized. Principal transactions of comparable properties, where evaluated, are included herein (Pages 2-3). Amongst other factors, the appraiser has given full and careful consideration to the highest and best use for development of the property and to all features inherent in the property, including, but not limited to, zoning, development potential, market conditions and forecasts, and the income the property is capable of producing.

California Code of Civil Procedure Section 1263.320 defines fair market value as follows:

- (a) The fair market value of the property taken is the highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing, and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.
- (b) The fair market value of property taken for which there is no relevant, comparable market is its value on the date of valuation as determined by any method of valuation that is just and equitable.

PENINSULA CORRIDOR JOINT POWERS BOARD
VALUATION SUMMARY STATEMENT AND
SUMMARY OF THE BASIS FOR JUST COMPENSATION
(Pursuant to Government Code Section 7267.2)

APN: 230-41-001
Parcel No. JPB-SC4-0112

Value of the property rights proposed to be acquired,
including the following improvements:

A. Fee Simple Land and included Improvements:	\$ 2,600,000	
B. Improvements Pertaining to the Realty ² :	\$ 0	
C. Permanent Access Easement:	\$ 0	
D. Excess Land:	\$ 0	
E. Temporary Construction Easement:	\$ 0	
TOTAL:		\$2,600,000

Severance Damages³: \$ 0

In addition to determining the market value of the parcel(s) sought to be acquired, severance damages were considered. Severance damages are determined based on whether or not the remainder, any property not acquired, would be diminished in value by reason of the proposed acquisition and/or by the construction of the improvement in the manner proposed. Some severance damage may be mitigated or entirely eliminated by estimating the cost to cure the damage. Where severance damages are found, offsetting benefits are determined. (See Page 4 — Benefits defined.) Under California law, benefits can only be offset against severance damages. If no severance damages are found, there is no application of offsetting benefits.

Explanation of Severance Damage Determination: The acquisition does not diminish the legal or physical utility of the remainder.

Benefits⁴: \$ 0

JUST COMPENSATION FOR ACQUISITION:

\$2,600,000
(rounded to) \$2,600,000

CONSTRUCTION CONTRACT WORK (No cost to owner) \$ 0

SUMMARY OF THE BASIS FOR JUST COMPENSATION

Narrative summary of the valuation process supporting compensation:

The market value for the property to be acquired by the Peninsula Corridor Joint Powers Board is based upon an appraisal which was prepared in accordance with accepted appraisal principles and procedures. Recent sales of comparable properties and cost data were utilized as appropriate. Amongst other factors, full consideration was given to zoning, development potential, market conditions and forecasts, and the income the property is capable of producing. The sales comparison approach was used to estimate the fair market value of the property. The cost and income capitalization approaches were excluded from the analysis, as the property is a vacant lot.

PENINSULA CORRIDOR JOINT POWERS BOARD
**VALUATION SUMMARY STATEMENT AND
SUMMARY OF THE BASIS FOR JUST COMPENSATION**
(Pursuant to Government Code Section 7267.2)

APN: 230-41-001
Parcel No. JPB-SC4-0112

COMPARABLES USED IN SALES COMPARISON*

	Property Identification	Sale Date	Total Sale Price	Land Area (Acre)	Rentable Area (SF) Office%	Zoning Specific Plan	Site Coverage	Price/SF <u>Building</u> Land
1	230-14-009	1/29/16	\$2,427,000	0.71	<u>9,608</u> 15% est	LI	31%	<u>\$253</u> \$78/SF
2	237-09-125	9/2/15	\$2,000,000	0.64	<u>6,800</u> 50%	HI	24%	<u>\$294</u> \$72/SF
3	481-07-027	7/2/15	\$2,400,000	1.60	<u>20,000</u> 6.2%	MS-C	29%	<u>\$120</u> \$34/SF
4	224-62-010	6/12/15	\$1,476,000	0.47	<u>4,000</u> 23.0%	MH	20%	<u>\$369</u> \$72/SF
	497-37-006	3/18/15	\$975,000	0.48	<u>6,200</u> 10.0%	ML	30%	<u>\$157</u> \$47/SF

* Adjustments were made to account for the time of purchase and for qualitative and quantitative differences in the properties.

GROUND LEASES USED IN TEMPORARY CONSTRUCTION EASEMENT COMPARISON

	Tenant / Property Identification	Rentable Area (Ac)	Building Size (SF)	Lease Term	Lease Began	Annual Rent/SF	Annual Rent	Terms	Est. Land Value (psf)	Cap. Rate
1.	N/A									
2.										
3.										

PENINSULA CORRIDOR JOINT POWERS BOARD
VALUATION SUMMARY STATEMENT AND
SUMMARY OF THE BASIS FOR JUST COMPENSATION
(Pursuant to Government Code Section 7267.2)

APN: 230-41-001
Parcel No. JPB-SC4-0112

DEFINITIONS*

¹ Highest and Best Use Analysis

Highest and best use is defined as the reasonably probable use of land which is legally permissible, physically possible, and financially feasible that results in the highest value. Highest and best use analysis is used in the appraisal process to identify comparable properties and, where applicable, to determine whether the existing improvements should be retained, renovated, or demolished.

² Improvements Pertaining to Realty (if any)

Machinery, fixtures, and equipment identified here were separately valued as improvements pertaining to the realty. Prior to escrow close, owner and lessee must agree (and confirm in writing) as to ownership of said improvements pertaining to the realty, a list of which, if applicable, is attached to the Purchase Agreement as Exhibit "___" and delivered contemporaneously with this valuation summary statement.

³ Severance Damages (Applies to Proposed Partial Acquisitions ONLY)

The appraisal also determines whether or not the District's proposed acquisition results in damages to the remaining property. The basis for this determination is whether or not the value of the remainder, any property not acquired, is diminished by reason of the anticipated acquisition of the property interest being acquired and the construction of the improvement in the manner proposed. (Cost to Cure) Severance Damages may be mitigated or entirely eliminated by estimating the total cost to cure the damages.

⁴ Benefits (Applies to Proposed Partial Acquisitions ONLY)

Benefit to the remainder is the benefit, if any, caused by the construction and use of the project for which the property is acquired in the manner proposed.

* These definitions are general and provided to assist in the discussion related to the proposed acquisition. They are not intended to be legal definitions.

Valuation Summary and Offer of Just Compensation
Authorized and Approved for Presentation:

PENINSULA CORRIDOR JOINT POWERS BOARD



By: Courtney T. Declus

Title: Senior Real Estate Officer

Date: July 18, 2016

**SUMMARY STATEMENT RELATING TO PURCHASE OF
REAL PROPERTY OR AN INTEREST THEREIN**

The Peninsula Corridor Joint Powers Board (JPB) plans to build the Peninsula Corridor Electrification Project (the "Project"). The Project will install an Overhead Catenary System and electrify the railroad right of way corridor between the 4th and King Street terminus station in San Francisco and the Tamien Station in San Jose.

Your property located at 1025 Stockton Avenue, San Jose, CA 95110, is within the project area and identified by Santa Clara County Assessor Parcel No. 230-41-001. As you can see from the enclosed Appraisal Summary Statement, the JPB is offering to purchase your property for the fair market value as determined by a California licensed appraiser hired by JPB. The real property interests proposed to be acquired are described in the Right of Way Contract and in the Statement and Summary of Basis for Appraisal included in this packet.

Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the California Relocation Assistance and Real Property Acquisition Guidelines require that each owner from whom the Peninsula Corridor Joint Powers Board (JPB) purchases real property or an interest therein or each tenant owning improvements on said property be provided with a summary of the appraisal of the real property or interest therein, as well as the following information:

1. You are entitled to receive full payment prior to vacating the real property being purchased unless you have previously waived such entitlement. You are not required to pay recording fees, transfer taxes, or the pro rata portion of real property taxes which are allocable to any period subsequent to the passage of title or possession.
2. JPB will offer to purchase any remnants considered by JPB to be uneconomic units which are owned by you or, if applicable, occupied by you as a tenant and which are contiguous to the land being conveyed.
3. All buildings, structures, and other improvements affixed to the land described in the referenced documents covering this transaction and owned by the grantor herein or, if applicable, owned by you as a tenant, are being acquired unless other disposition of these improvements has been made.
4. The amount of compensation the JPB is offering to you is based upon a fair market valuation which is summarized in the attached Statement and Summary of Basis for Appraisal.
 - a. The appraised amount represents the full amount of the appraisal of just compensation for the property to be purchased.
 - b. The appraised amount is not less than the approved appraisal of the fair market value of the property, as improved.
 - c. The appraised amount disregards any decrease or increase in the fair market value of the real property to be acquired prior to the date of valuation caused by the public improvement for which the property is to be acquired or by the likelihood that the property would be acquired for such public improvement, other than that due to physical deterioration within the reasonable control of the owner or occupant.
 - d. The appraised amount does not reflect any consideration of or allowance for any relocation assistance and payments or other benefits which the owner is entitled to receive under an agreement with the JPB.

**SUMMARY STATEMENT RELATING TO PURCHASE
REAL PROPERTY OR AN INTEREST THEREIN**

- e. The appraiser considered the possibility of loss or damage to any existing "improvements," such as buildings or fences, and any "severance damages," that is, harm to your remaining property caused by the purchase.
5. The offer amount is a lump sum representing the entire value of the property interests that the JPB proposes to purchase. Please note that to the extent there are liens, assessments or other interests recorded against the property, an agreement must be reached with the individuals or entities holding such interests to satisfy them before funds can be released to you.
6. If you wish, you may also hire your own, professional appraiser to make an independent evaluation of the fair market price of the property interest. As long as you hire an appraiser licensed by California's Office of Real Estate Appraisers, JPB will pay for the reasonable costs of your independent appraisal up to a total of \$5,000.00. The JPB will not hire an appraiser for you. In order to be reimbursed your cost to obtain an independent appraisal, you must submit a written request to Courtney Decius, Senior Real Estate Officer, at the CalMod Program Office, 2121 S. El Camino Real Ste. 300, San Mateo, CA 94403 within ninety (90) days of the earliest of the following dates: (1) the date the selected appraiser requests payment from you for the appraisal; or, (2) the date upon which you paid the appraiser. You must provide copies of the contract (if a contract was made), the appraisal report, and the appraiser's invoice.
6. The owner of a business conducted on a property to be acquired, or conducted on the remaining property which will be affected by the purchase of the required property, may be entitled to compensation for the loss of goodwill. Entitlement is contingent upon the business owner's ability to prove such loss in accordance with the provisions of Sections 1263.510 and 1263.520 of the Code of Civil Procedure.
7. If you ultimately elect to reject the JPB's offer of compensation for your property, you are entitled to have the amount of compensation determined by a court of law in accordance with the laws of the State of California.

PENINSULA CORRIDOR JOINT POWERS BOARD
RIGHT OF WAY CONTRACT

PURCHASE ESCROW

San Jose , California

Project: Peninsula Corridor
Electrification Project

Alves Alongi Properties,
LLC, a California Limited
Liability Company

Parcel No. 230-41-001

Seller(s)

This Right of Way Contract (the "Contract") is made as of this ____ day of _____, 2016 by **Alves Alongi Properties, LLC, a California Limited Liability Company** ("Seller") and **Peninsula Corridor Joint Powers Board**, a public agency created under California Law ("JPB").

Documents No. JPB-SC4-0112-1A, in the form of a **Grant Deed**, covering the property described in Exhibit A below (the "Property") has been executed and delivered to Gary Dowd, agent for the JPB. In consideration of which, and the other considerations hereinafter set forth, it is mutually agreed as follows:

1. **Agreement to Sell and Purchase.** JPB desires the property rights described in Document No. JPB-SC4-0112-1A for public transportation purposes. Seller agrees to sell to JPB and JPB agrees to purchase these rights over the property shown on Exhibit B (the "Property"). The undersigned Seller warrants that it is the owner in fee simple of the Property and that it has the exclusive right to grant the Property. By granting the rights contained in the Grant Deed, Seller authorizes JPB to enter onto the Property for the purpose of the Peninsula Corridor Electrification Project.

2. **Purchase Price.** The Peninsula Corridor Joint Powers Board shall pay the Seller the sum of \$ 2,600,000 for the Grant Deed when title to said property vests in JPB free and clear of all liens, encumbrances, assessments, easements, leases, (recorded and/or unrecorded), and taxes, except:

- i. Taxes for the tax year in which this escrow closes shall be cleared and paid in the manner required by Section 5086 of the Revenue and Taxation Code, if unpaid at the close of escrow.
- ii. Easements or rights of way over said land for public or quasi-public utility or public street purposes, if any.

JPB shall have the authority to deduct and pay from the amount shown above any amount necessary to satisfy any bonds demands and delinquent taxes due in any year except the year in which this escrow closes, together with penalties and interest thereon, and/or delinquent and unpaid non-delinquent assessments which have a lien at the close of escrow.

JPB shall have the authority to deduct and pay from the amount shown above any or all monies payable under this contract up to and including the total amount of unpaid principal interest on note(s) secured by mortgages(s) or deeds(s) of trust, if any, and all other amounts due and payable in accordance with the terms and conditions of said trust deed(s) or mortgages(s), shall, upon demand(s), be made payable to the mortgagee(s) or beneficiary (-ies) entitled thereunder; said mortgagee(s) or beneficiary(-ies) to furnish Seller with good and sufficient receipt showing said monies credited against the indebtedness secured by said mortgages(s) or deed(s) of trust.

3. **Improvements.** It is understood and agreed by and between the parties hereto that payment in section 2 above includes, but is not limited to, payment for a 1,368 s.f. stand-alone office building, a 7,200 s.f. metal warehouse, and perimeter security fencing, which are considered to be part of the realty and are being acquired by the JPB in this transaction, and which Seller covenants and warrants that he/she/it owns.

4. **No Leases.** Seller warrants that there are no oral or written leases on all or any portion of the Property exceeding a period of one month. Seller agrees to hold JPB harmless and reimburse JPB for any and all of its losses and expenses occasioned by reason of any lease of said property held by any tenant of Seller for a period exceeding one month. If there are written or oral leases on all or any portion of the Property exceeding a period of one month, JPB shall have received quitclaim deeds or similar releases from Seller's tenants to clear any possessory rights from the Property.

5. **Indemnity.** Except as set forth in Paragraph 6, JPB agrees to indemnify and hold harmless Seller from any liability arising out of the JPB's operations under this Contract. JPB further agrees to assume responsibility for damages caused by reason of JPB's operations under this Contract and JPB will, at its option, either repair or pay for such damage.

6. **Release.** Seller hereby releases and forever discharge(s) JPB and each and every entity associated or affiliated with JPB, and the agents, servants, officers, directors, employees, subsidiaries, divisions, affiliates and successors of JPB, and each of them, from any and all causes of action, actions, judgments, liens, indebtedness, obligations, losses, claims, damages, liabilities and demands, including without limitation any claim arising from and/or related to JPB's acquisition, possession, and/or use of the Property, any claim arising from and/or related to the construction and use of Project in the manner proposed by JPB, any claim in inverse condemnation, and any claim pertaining to construction-related dust, noise, traffic and related construction activity and lost rentals associated with construction of any improvements and/or arising out of the acquisition from Seller of the interests acquired herein, whether known or unknown, disclosed or undisclosed, anticipated or unanticipated, which are existing as of the date of this contract. In connection with the foregoing releases, Seller acknowledges that it is familiar with and hereby waives the protections of Section 1542 of the California Civil Code, which reads:

A general release does not extend to claims that the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him, must have materially affected his settlement with the debtor.

This release shall survive the completion of the transaction or the termination of this Contract, provided JPB does not prevent the closing of this transaction through a material breach of this Contract.

7. **Closing Conditions.** The undersigned Seller hereby covenants and agrees to indemnify and hold the JPB harmless from any and all claims that other parties may make or assert on the title to the Easement Area.

8. **Successors and Assigns.** This Contract shall be binding upon, and inure to the benefit of, the parties hereto and Seller's respective successors and assigns.

9. **General Provisions.**

a. **Parties in Interest.** Except as expressly provided in this Contract, nothing in this Contract, whether express or implied, is intended to confer any rights or remedies under or by reason of this Contract on any persons other than the parties to it and their respective successors and assigns, nor is anything in this Contract intended to relieve or discharge the obligation or liability of any third persons to any party to this Contract, nor shall any provision give any third persons any right to subrogation or action against any party to this Contract.

b. **Entire Agreement.** This Contract constitutes the entire agreement between the parties pertaining to the subject matter contained in it and supersedes all prior or contemporaneous oral or written Contracts, representations, statements, documents, or understandings of the parties.

c. **Amendment.** No supplement, modification, or amendment of this Contract shall be binding unless executed in writing by the party to be bound.

d. **Waiver.** No waiver of any of the provisions of this Contract shall be deemed, or shall constitute, a waiver of any other provision, whether or not similar, nor shall any waiver constitute a continuing waiver. No waiver shall be binding unless executed in writing by the party making the waiver.

e. **Notices.** Any notice or other communication required or permitted to be given under this Contract ("Notices") shall be in writing and shall be (i) personally delivered; (ii) delivered by a reputable overnight courier; or (iii) delivered by certified mail, return receipt requested and deposited in the U.S. Mail, postage prepaid. Telecopy notices shall be deemed valid only to the extent they are (a) actually received by the individual to whom addressed and (b) followed by delivery of actual notice in the manner described above within three business days thereafter. Notices shall be deemed received at the earlier of actual receipt or (i) one business day after deposit with an overnight courier as evidenced by a receipt of deposit; or (ii) three business days following deposit in the U.S. Mail, as evidenced by a return receipt. Notices shall be directed to the parties at their respective addresses shown below, or such other address as either party may, from time to time, specify in writing to the other in the manner described above:

If to Seller: Attn: Alves Alongi Properties, LLC
 Attention: Mr. James Alves
 590 Coleman Avenue
 San Jose, CA 95110

If to JPB: Attn: Courtney T. Decius
 Real Estate Officer
 Peninsula Corridor Joint Powers Board
 2121 S. El Camino Real, Suite 300
 San Mateo, CA 94403
 Telephone: (650) 508-6225

f. **Governing Law and Venue.** This Contract shall be construed in accordance with, and governed by, the laws of the State of California, and any action or proceeding, including arbitration, brought by any party in which this Contract is subject, shall be brought in the county in which the Property is located.

g. **Counterparts.** This Contract may be executed simultaneously in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

h. **Joint and Several Liability.** In the event either party hereto now or hereafter shall consist of more than one person, firm, or corporation, then and in such event, all such persons, firms, or corporations shall be jointly and severally liable as parties under this Agreement.

i. **Further Assurances.** Each party to this Contract agrees to execute, acknowledge, and deliver such further instruments as may be necessary or desirable to accomplish the intent and purposes of this Contract, provided that the party requesting such further action shall bear all costs and expenses related thereto.

j. **Advice of Professionals.** Each party has had the opportunity to be advised by legal counsel and other professionals in connection with this Contract, and each party has obtained such advice as each party deems appropriate.

k. **Negotiated Terms.** The parties agree that the terms and conditions of this Contract are the result of negotiations between the parties and that this Contract shall not be construed in favor of or against any party by reason of the extent to which any party or its professionals participated in the preparation of this Contract.

1. **Professional Fees and Costs.** In the event any legal proceeding and/or arbitration is commenced in connection with this Contract, the prevailing party in said action shall be entitled to its reasonable costs, including attorneys' fees, in addition to such other relief as it may be entitled.

m. **Severability.** Any provision of this Contract, which is determined by a court of competent jurisdiction to be invalid or unenforceable, shall be invalid or unenforceable only to the extent of such determination, which shall not invalidate or otherwise render ineffective any other provision of this Contract.

10. **Eminent Domain.** JPB requires the Property for a public use and may request the Santa Clara Valley Transportation Authority to exercise its power of eminent domain to acquire it, if necessary. Both Seller and JPB recognize the expense, time, effort and risk to both parties in determining the compensation for the Property in eminent domain litigation. The compensation set forth herein for the Property is a compromise and settlement in lieu of such litigation.

11. **Right of Possession and Use.** It is agreed and confirmed by the parties hereto that, notwithstanding the other provisions in this Contract, the right and use of the subject property by the Peninsula Corridor Joint Powers Board or its contractors, including the right to remove and dispose of improvements, shall commence on the date funds are deposited into escrow and that amount(s) shown in Clause 2 herein includes, but is not limited to, full payment for such possession and use, including damages, if any from said date.

12. **Escrow.** This transaction will be handled through an escrow with Chicago Title Company. JPB shall pay all escrow and recording fees incurred in this transaction and, if title insurance, is desired by JPB, the premium charged therefore. Said escrow and recordings charges shall not, however, include documentary transfer tax.

13. **Fair Market Value.** The Purchase Price reflects the fair-market value of the Property without any reduction in value due to the presence of contamination.

14. **Environmental Condition/Hazardous Materials.** If JPB incurs any costs or losses (including fines, penalties, or attorneys' fees) associated with the presence of Hazardous Substances found on the Property, JPB may elect to recover such costs or losses from those parties who caused or contributed to the contamination or any other party who is legally responsible for such costs or losses. In addition the parties specifically agree to the following:

A. **Definitions.**

- i. **Hazardous Substances.** "Hazardous Substances" means any chemical, compound, material, mixture, or substance that is now or may in the future be regulated by any Environmental Laws or identified as a deleterious substance under such Environmental Laws, including any naturally occurring substances such as radon or asbestos.

- ii. Environmental Laws. "Environmental Laws" means all present and future federal, state and local laws (whether under common law, statutes, ordinances, regulations, rules, administrative rules and policies, guidance, judicial and administrative orders and decrees, or otherwise), and all other requirements of governmental authorities relating to the protection of human health or the environment.

B. Seller's Warranties Regarding Hazardous Substances. Seller warrants and represents that to the best of Seller's knowledge no Hazardous Substances have ever been placed or located upon the Property, which Hazardous Substances, if found upon the Property, would subject the owner of the Property to any remediation efforts, damages, penalties or liabilities under any Environmental Laws.

In Witness Whereof, the Parties have executed this Contract the day and year first above written.

SELLER:

By: _____ Date: _____

JPB

Peninsula Corridor Joint Powers Board

By: _____ Date: _____
Jim Hartnett
Its: Executive Director

Approved as to Form

By: _____

No Obligation Other Than Those Set Forth Herein Will Be Recognized

WHEN RECORDED RETL TO:
Peninsula Corridor Joint Powers Board
1250 San Carlos Avenue
San Carlos, CA 94070-1306
Attention: Real Estate Department

EXHIBIT A

MAIL TAX STATEMENTS TO:
Peninsula Corridor Joint Powers Board
1250 San Carlos Avenue
San Carlos, CA 94070-1306
Attention: Real Estate Department

SPACE ABOVE THIS LINE FOR RECORDER'S USE

The undersigned grantee hereby declares this instrument to be exempt from Recording Fees (Govt. Code §6103; §27383) and Documentary Transfer Tax (Revenue and Taxation Code §11922).

APN: 230-41-001
Parcel :JPB-SC4-0112

GRANT DEED

ALVES ALONGI PROPERTIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged does hereby GRANT, TRANSFER and CONVEY to PENINSULA CORRIDOR JOINT POWERS BOARD, A PUBLIC AGENCY ("Grantee"), all that real property in the County of San Mateo, State of California, described as:

PARCEL 230-41-001 as described in Exhibit A, including, but not limited to, (a) all of Grantor's interest, if any, in and to the improvements in said real property and (b) all appurtenances thereto.

IN WITNESS WHEREOF, said company has caused its corporate name to be hereunto subscribed and its corporate seal to be affixed hereto, this ____ day of ____ 2016.

By _____

EXHIBIT *A*
LEGAL DESCRIPTION

A portion of land located in the City of San Jose, County of Santa Clara, State of California, described as follows;

Being a portion of Lots 1 and 2 in Block 24, together with a portion of Laurel Street, now abandoned and a portion of Vermont Street, formerly Morris Street, now abandoned as delineated upon that Map entitled "Map of University Grounds, Santa Clara County, California", recorded August 25, 1866 in Book 'A' of Maps, at Pages 80 and 81 in the Office of the Santa Clara County Recorder being more particularly described as follows:

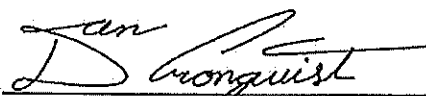
PARCEL JPB-SC4-0112

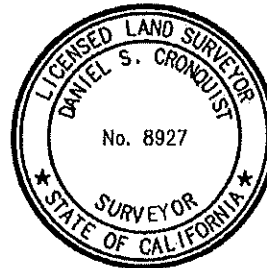
BEGINNING at the intersection of the southwest line of Stockton Avenue and the centerline of Vermont Street (formerly Morris Street) now abandoned, as Street as shown upon said Map;

- Thence (1) Along the prolongation of the northeast line of said Lot 2 North 40°19'33" West, a distance of 196.24 feet to the southeast line of that parcel condemned to the State of California by Final Order of Condemnation recorded March 13, 1959 in Book 4353, Page 241 in the Office of the Santa Clara County Recorder;
- Thence (2) Coincident with southeast line of said condemned parcel South 45°23'34" West, a distance of 435.66 feet to the northeast line of the parcel as described in the Grant Deed to Peninsula Corridor Joint Powers Board (PCJPB), recorded December 27, 1991 in Book L984, Page 854 (Document: 11181648, Page A-105) , Official Records of said County;
- Thence (3) Coincident with the northeast line of said PCJPB parcel South 56°56'35" East, a distance of 171.21 feet to said centerline of Vermont Street;
- Thence (4) Along said centerline of Vermont Street North 49°37'25" East, a distance of 385.48 feet to the point of **BEGINNING**;

Contains 74,256 square feet (1.7 acres), more or less.

The bearings and distances used in the above description are based on the California Coordinate System 1983, Zone 3. Multiply distances shown above by 1.0000554 to obtain ground level distances.


Daniel S. Cronquist, PLS 4/8/2016
Date



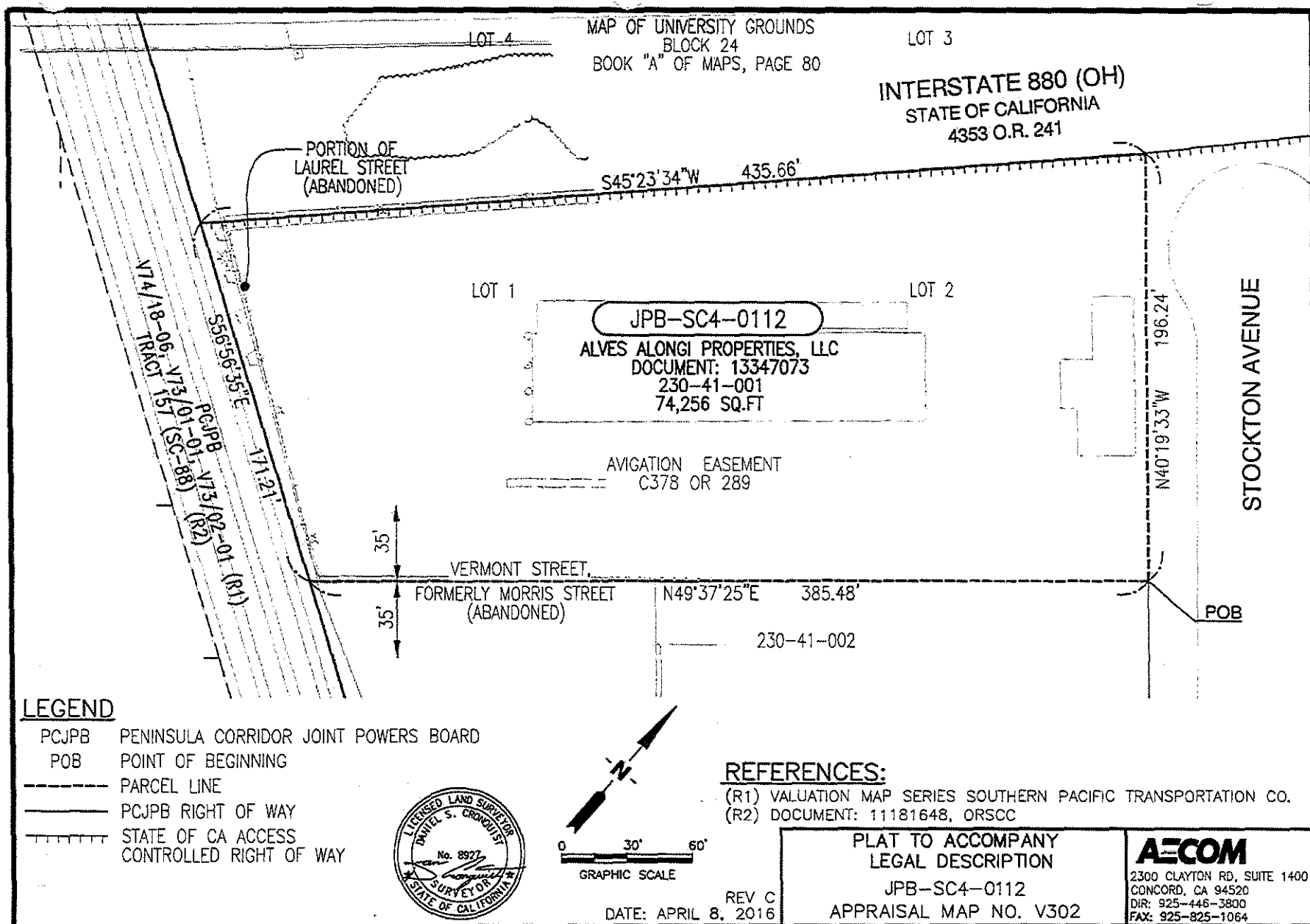


EXHIBIT B

WHEN RECORDED RETURN TO:
Peninsula Corridor Joint Powers Board
1250 San Carlos Avenue
San Carlos, CA 94070-1306
Attention: Real Estate Department

MAIL TAX STATEMENTS TO:
Peninsula Corridor Joint Powers Board
1250 San Carlos Avenue
San Carlos, CA 94070-1306
Attention: Real Estate Department

SPACE ABOVE THIS LINE FOR RECORDER'S USE

The undersigned grantee hereby declares this instrument to be exempt from Recording Fees (Govt. Code §6103; §27383) and Documentary Transfer Tax (Revenue and Taxation Code §11922).

APN: 230-41-001
Parcel :JPB-SC4-0112

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PARCEL 230-41-001 as described in Exhibit A, including, but not limited to, (a) all of Grantor's interest, if any, in and to the improvements in said real property and (b) all appurtenances thereto.

IN WITNESS WHEREOF, said company has caused its corporate name to be hereunto subscribed and its corporate seal to be affixed hereto, this ____ day of ____ 2016.

By _____

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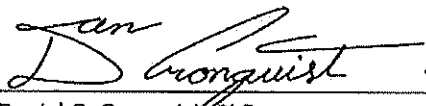
PARCEL JPB-SC4-0112

BEGINNING at the intersection of the southwest line of Stockton Avenue and the centerline of Vermont Street (formerly Morris Street) now abandoned, as Street as shown upon said Map;

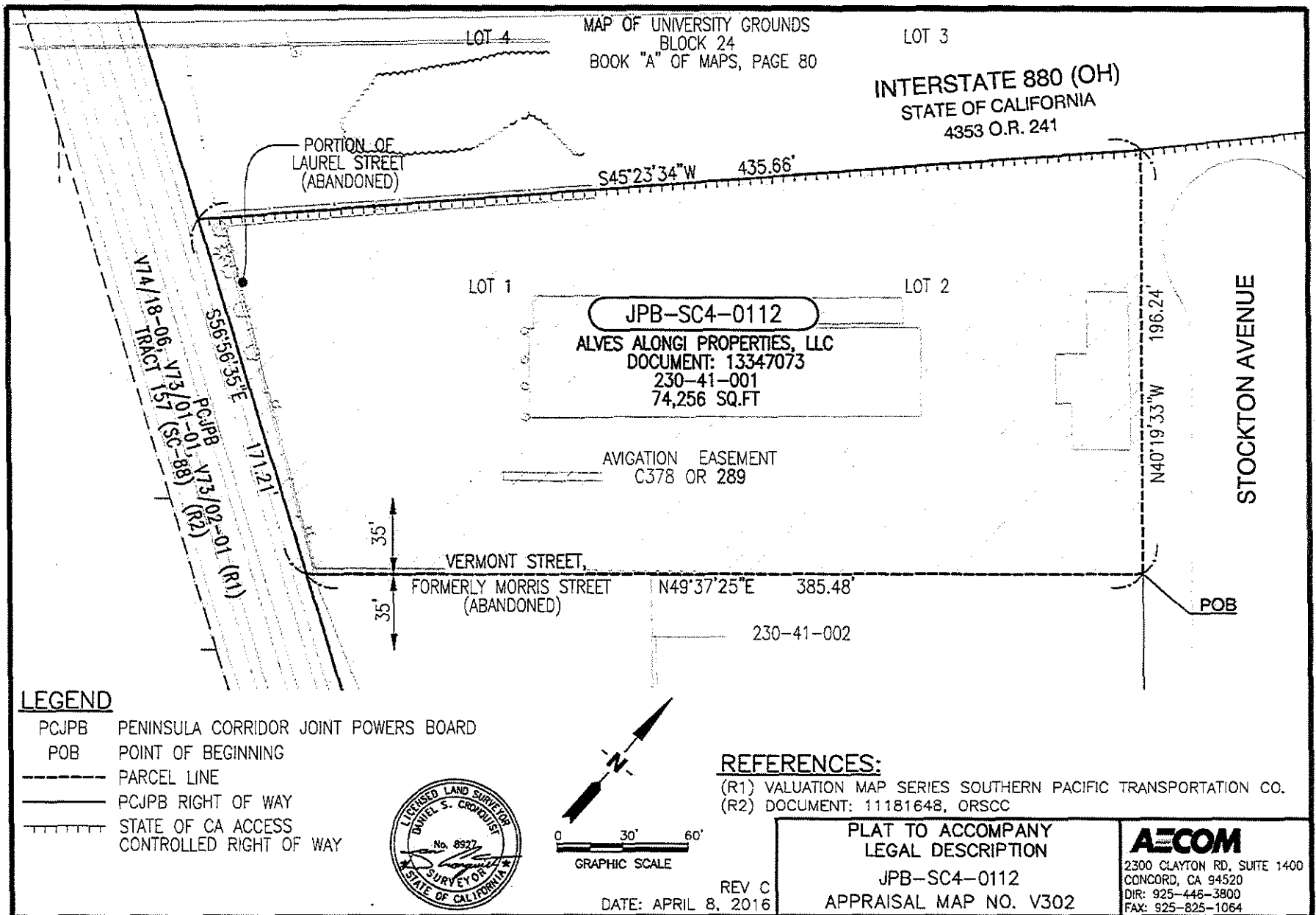
- Thence (1) Along the prolongation of the northeast line of said Lot 2 North $40^{\circ}19'33''$ West, a distance of 196.24 feet to the southeast line of that parcel condemned to the State of California by Final Order of Condemnation recorded March 13, 1959 in Book 4353, Page 241 in the Office of the Santa Clara County Recorder;
- Thence (2) Coincident with southeast line of said condemned parcel South $45^{\circ}23'34''$ West, a distance of 435.66 feet to the northeast line of the parcel as described in the Grant Deed to Peninsula Corridor Joint Powers Board (PCJPB), recorded December 27, 1991 in Book 1984, Page 854 (Document: 11181648, Page A-105) , Official Records of said County;
- Thence (3) Coincident with the northeast line of said PCJPB parcel South $56^{\circ}56'35''$ East, a distance of 171.21 feet to said centerline of Vermont Street;
- Thence (4) Along said centerline of Vermont Street North $49^{\circ}37'25''$ East, a distance of 385.48 feet to the point of **BEGINNING**;

Contains 74,256 square feet (1.7 acres), more or less.

The bearings and distances used in the above description are based on the California Coordinate System 1983, Zone 3. Multiply distances shown above by 1.0000554 to obtain ground level distances.


Daniel S. Cronquist, PLS 4/8/2016
Date





State of California
County of _____ } ss.

On _____ before me, _____, Notary Public, personally
appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s)
is/are subscribed to the within instrument and acknowledged to me that he/she/they executed
the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the
instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the
instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature – Notary Public



July 24, 2017

Chair and Members of the Board
Santa Clara Valley Transportation Authority
3331 North First Street, Building B Second Floor
San Jose, CA 95134-1906

Norman E. Matteoni

Peggy M. O'Laughlin

Bradley M. Matteoni

Barton G. Hechtman

Gerry Houlihan

Re: Property Id # JPB-SCL-4-0112 (APN: 230-41-001)

Dear Chair and Members of the Board:

I represent the owner of the above property who just received by mail a notice, dated July 18, 2017, of intention to adopt a resolution of necessity on August 3, 2017.

First, the code requires 15 days' notice and there must be added 5 days for processing mail. The notice was not timely.

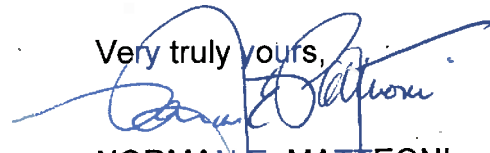
Second, as to substance, the offer referenced in the draft resolution at subpart (g) is inadequate and not related to a current valuation date. Specifically, the offer was made over a year ago, based on supporting sales, all of which were in 2015 except one in January 29, 2016 (1.5 years ago).

Even the format of the offer was not proper; Government Code Section 7267.2(a) requires that the owner be provided a written summary of the basis for the amount the agency has established as just compensation. All that was provided the owner in this case, together with a cover letter and deed, were some sales sheets and 2 tables of sales (one of which has hand written notes of value as improved and unimproved, concluding "Say \$2,600,000". (See attachments enclosed.)

In the words, of someone famous of few years ago: "Say what?"

Therefore the owner objects to the adoption of this resolution on August 3, 2017.

Very truly yours,



NORMAN E. MATTEONI

NEM/jm
Encl.

cc: Evelyn Tran
Jim Alves



848 The Alameda
San Jose, CA 95126
ph. 408.293.4300
fax. 408.293.4004
www.matteoni.com

COMPARABLE IMPROVED SALES SUMMARY TABLE

Sale # BRI #	Location APN	Buyer Seller	Sale Date Doc. No.	Total Sale Price	Zoning	Year Built	Parcel Size (Acres)	Rentable Area (SF) Office %	Site Cov.	Price/SF Building Land
S-1 585	1250 Campbell Avenue San Jose, California APN: 230-14-009	Devcon Investments, LLC. Roderick F. & Donna R. Miller	01/29/16 23208367	\$2,427,000	LI	1964	0.71	9,608 15% est.	31%	\$253 \$78/SF
S-2 583	1720 Rodgers Avenue San Jose, California APN: 237-09-125	ARCO Group, LLC Hassan H. Sarji and Rosana M. Sarji	09/02/15 23069948	\$2,000,000	HI	1972	0.64	6,800 50%	24%	\$294 \$72/SF
S-3 382	70 North Sunset Avenue San Jose, California APN: 481-07-027	Robert Houret Construction Co. Coastal Properties Sunset Ave.	07/02/15 23005711	\$2,400,000	MS-C	1960	1.60	20,000 6.2%	29%	\$120 \$34/SF
S-4 383	980 Martin Avenue San Jose, California APN: 224-62-010	980 Martin Ave., LLC Gaffney MF & JM Trust	06/12/2015 22984379	\$1,476,000	MH	1947	0.47	4,000 23.0%	20%	\$369 \$72/SF
S-5 384	2634 Pacer Lane San Jose, California APN: 497-37-006	Pacer Lane, LLC Brenton DF & CM Trust	03/18/15 22887632	\$975,000	ML	1970's	0.48	6,200 10.0%	30%	\$157 \$47/SF
Subject	1025 Stockton Avenue San Jose, California APN: 230-41-001	---	---	---	HI	~1975	1.70	8,568 16%	11.5%	-

Imp $\$303.00 \times 8,568 = \$2,596,104.00$

Land $\$35.00 \times 74,256 = \$2,598,960.00$

Say \$2,600,000.00

ENINSULA CORRIDOR JOINT POWERS BOARD
**VALUATION SUMMARY STATEMENT AND
SUMMARY OF THE BASIS FOR JUST COMPENSATION**
(Pursuant to Government Code Section 7267.2)

APN: 230-41-001
Parcel No. JPB-SC4-0112

COMPARABLES USED IN SALES COMPARISON*

	Property Identification	Sale Date	Total Sale Price	Land Area (Acre)	Rentable Area (SF) Office%	Zoning Specific Plan	Site Coverage	Price/SF Building Land
1	230-14-009	1/29/16	\$2,427,000	0.71	9,608 15% est	LI	31%	\$253 \$78/SF
2	237-09-125	9/2/15	\$2,000,000	0.64	6,800 50%	HI	24%	\$294 \$72/SF
3	481-07-027	7/2/15	\$2,400,000	1.60	20,000 6.2%	MS-C	29%	\$120 \$34/SF
4	224-62-010	6/12/15	\$1,476,000	0.47	4,000 23.0%	MH	20%	\$369 \$72/SF
	497-37-006	3/18/15	\$975,000	0.48	6,200 10.0%	ML	30%	\$157 \$47/SF

* Adjustments were made to account for the time of purchase and for qualitative and quantitative differences in the properties.

GROUND LEASES USED IN TEMPORARY CONSTRUCTION EASEMENT COMPARISON

	Tenant / Property Identification	Rentable Area (Ac)	Building Size (SF)	Lease Term	Lease Began	Annual Rent/SF	Annual Rent	Terms	Est. Land Value (psf)	Cap. Rate
1.	N/A									
2.										
3.										

SITE LEASE # 1

Property Identification

SERPICO LANDSCAPE

Location: 560 Newhall Street, San Jose
1/4M± N of subject property

APN: 230-23-042, -045, & -048

Lease Data

Commencement Date: March 1, 2015

Term: 5 years

Lessor:

Lessee: Serpico Landscaping

Renewal Options:

Initial Rental Rate: \$7,491 / month, or \$0.23 / sf of site area

Rental Escalations: Conventional

Expense Basis: Gross

Property Data

Land Area (SF): 32,141

Site Improvements: Asphalt paved, fenced yard

Structural Improvements: Two small, older SFRs converted to office; small detached garages in rear of former houses

Intended Use: Landscaping company office and storage yard

Comments: The property is within the subject neighborhood, with similar location and access characteristics. Adjacent to residential neighborhood to west. Irregularly shaped parcel.

SITE LEASE # 2

Property Identification

Location: 630-640 Emory Street, San Jose
1/4M± SE of subject property

APN: 259-09-025

Lease Data

Commencement Date: February 1, 2015

Term: 5 years

Lessor:

Lessee: Gachina Landscape Management

Renewal Options:

Initial Rental Rate: \$9,180 / month, or \$0.17 / sf of site area

Rental Escalations: 3% annually

Expense Basis: NNN

Property Data

Land Area (SF): 54,885

Site Improvements: Paved, fenced yard

Structural Improvements: Several buildings

Intended Use: Landscaping company office and storage yard

Comments: The property is within the subject neighborhood, with similar location and access characteristics. Older, low cost buildings.

SITE LEASE # 5

Property Identification

Location: 7160 Stevenson Blvd, Fremont
11M± N of subject property

APN: 531-0165-047

Lease Data

Commencement Date: November 1, 2016

Term: 3 years

Lessor: Alaniz Family Trust

Lessee: BDS Transportation

Renewal Options:

Initial Rental Rate: \$4,000 / month, or \$0.20 / sf of site area

Rental Escalations: 3% annually

Expense Basis: Full service

Property Data

Land Area (SF): 16,000

Site Improvements: Fenced, partially paved

Structural Improvements: None

Intended Use:

Comments: Leased area is a rectangular portion of a larger parcel; secured gated access to the larger parcel

DECLARATION OF GARY DOWD

1
2
3 I, Gary Dowd, hereby declare as follows:

4 1. I am a Right of Way Consultant employed by Associated Right of Way
5 Services ("AR/WS") since February 2013. AR/WS is a full service right of way and real
6 estate consulting firm. Established in 1989, AR/WS specializes in project coordination,
7 acquisition, and relocation assistance services for state and federal public agency
8 transportation, utility, flood control, and other public infrastructure.

9 2. I am a licensed Real Estate Broker in the State of California. Prior to
10 working for AR/WS, I was employed by the San Francisco Public Utilities Commission as
11 Director, Real Estate Services since 1994 and have worked in the field of real estate
12 since 1988.

13 3. AR/WS was retained to provide acquisition and relocation assistance for the
14 Peninsula Corridor Electrification Project ("Project"). As part of that assignment, I was
15 responsible for attempting to negotiate the purchase of certain property interests that may
16 be needed for the project. This included certain property interests owned by Alves Alongi
17 Properties LLC in San Jose, California within the Property identified as JPB-SCL-4-0112
18 (APN: 230-41-001.).

19 4. In carrying out my responsibilities, I communicated directly with the property
20 owner's representative Jim Alves. On July 19, 2016, I met Mr. Alves at his place of
21 business and personally delivered to him a complete, formal written offer package
22 pursuant to Government Code Section 7267.2. Attached as Exhibit A is a copy of the
23 offer letter and the appraisal summary statement that I delivered. It provides a written
24 summary and basis for the appraisal, including the date of valuation, highest and best
25 use, the applicable zoning of property, and the principal transactions supporting the
26 determination of value. All the pages in Exhibit A (not just select pages) were hand
27 delivered by me to Mr. Alves, along with an eminent domain informational brochure.

28 5. Attached as Exhibit B is a copy of my "Right of Way Parcel Diary" for this

1 property (the "Diary"). As is my business practice, on or about the time I communicate
2 with a property owner, I make a record of the contents of those communications in the
3 Diary. As shown on page 1 of the Diary, I recorded the fact that, on July 19, 2016 I "met
4 with Jim Alves and presented [the] formal offer."

5 6. In response, Mr. Alves informed me that he would obtain his own
6 independent appraisal. After several follow-up inquiries over the course of seven (7)
7 months, Mr. Alves informed me, on February 27, 2017, that he had obtained the
8 appraisal. Mr. Alves requested that the Joint Powers Board reimburse him \$5,000 for
9 the appraisal, as was stated in the offer letter. I made arrangements to reimburse him for
10 that amount. (Exhibit B, pgs. 1-2.)

11 7. On June 8, 2017, I left Mr. Alves a message and sent him an email
12 informing him of the August 3, 2017 Resolution of Necessity Hearing. (Exhibit B, p. 3.)

13 8. I declare under penalty of perjury under the laws of the State of California
14 that the foregoing is true and correct. Executed on August 3, 2017, at

15 Pleasant Hill, California.

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17 
18 GARY DOWD
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EXHIBIT A

EXHIBIT A



July 14, 2016

Alves Alongi Properties, LLC, a California Limited Liability Company

RE: Peninsula Corridor Electrification Project
Project Parcel No: JPB-SC4-0112
Property Address: 1025 Stockton Avenue, San Jose, CA 95110
Santa Clara County Assessor's Parcel Numbers: 230-41-001

Offer to Purchase Real Property

Dear Mr. Alves:

The Santa Clara Valley Transportation Authority is assisting its partner agency, the Peninsula Corridor Joint Powers Board (JPB), with the acquisition of real property for the construction of the Peninsula Corridor Electrification Project (the "Project"). The Project will install an Overhead Catenary System (OCS) and electrify the railroad right of way corridor between the 4th and King Street terminus station in San Francisco and the Tamien Station in San Jose. The project is scheduled to begin in late 2016 and be completed in approximately 2020.

The Project will require the purchase of 1.70 acres of fee from the above-referenced property.

JPB has established the amount of just compensation for these interests and hereby makes an offer in the amount of \$2,600,000 for the real property rights described herein. This offer is based on an independent appraisal of the subject property. To assist you in understanding this offer, we have enclosed the following documents for your review:

1. Statement and Summary of the Basis for Appraisal
2. Summary Statement Relating to the Purchase of Real Property or an Interest Therein
3. Right of Way Contract (2 originals)
4. Grant Deed
5. Information brochure "Your Property . . . Your Transportation Project"

The JPB has retained Bender Rosenthal, Inc. as its agent to acquire the real property interests needed for the described project. This offer was personally presented by Mr. Gary Dowd, Real Estate Agent. If you have any questions regarding the acquisition process and/or the documents described above, please contact Mr. Gary Dowd at (800) 558-5151, or by email: gdowd@arws.com. You may also contact Mr. Courtney T. Decius, JPB Senior Real Estate Officer at (650) 508-6225 if you have questions regarding the Project.

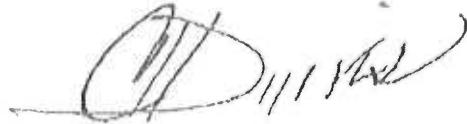
Alves Alongi Properties LLC
July 14, 2016
Page 2

Thank you for your cooperation.

Sincerely,



Ron Golem
Deputy Director
Real Estate and Joint Development



Courtney T. Decius
Senior Real Estate Officer
Peninsula Corridor Joint Powers Board

Enclosures

PENINSULA CORRIDOR JOINT POWERS BOARD
VALUATION SUMMARY STATEMENT AND
SUMMARY OF THE BASIS FOR JUST COMPENSATION
(Pursuant to Government Code Section 7267.2)

APN: 230-41-001
Parcel No. JPB-SC4-0112

APPRAISAL SUMMARY STATEMENT

BASIC PROPERTY DATA

OWNERS: Alves Alongi Properties, LLC
PROJECT: Caltrain Peninsula Corridor Electrification Project
PROPERTY ADDRESS: 1025 Stockton Avenue, San Jose, CA 95110
DATE ACQUIRED BY OWNERS: 5+ Years
ZONING: H-I, Heavy Industrial
PRESENT USE: Bus Transportation
HIGHEST AND BEST USE¹: Industrial warehouse facility
TOTAL PROPERTY AREA: 1.70 acres (74,256± sf)
PROPERTY RIGHTS PROPOSED TO BE ACQUIRED: 1.70 acres fee
INCLUDING ACCESS RIGHTS? YES X NO
DATE OF THIS VALUATION: April 29, 2016

BASIS OF VALUATION

The just compensation being offered by the Peninsula Corridor Joint Powers Board is not less than the approved appraisal of the fair market value of the property. The fair market value of the property proposed for acquisition is based on a fair market value appraisal prepared according to accepted appraisal procedures. Where appropriate, sales and rental value of comparable properties are utilized. Principal transactions of comparable properties, where evaluated, are included herein (Pages 2-3). Amongst other factors, the appraiser has given full and careful consideration to the highest and best use for development of the property and to all features inherent in the property, including, but not limited to, zoning, development potential, market conditions and forecasts, and the income the property is capable of producing.

California Code of Civil Procedure Section 1263.320 defines fair market value as follows:

- (a) The fair market value of the property taken is the highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing, and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.
- (b) The fair market value of property taken for which there is no relevant, comparable market is its value on the date of valuation as determined by any method of valuation that is just and equitable.

PENINSULA CORRIDOR JOINT POWERS BOARD
VALUATION SUMMARY STATEMENT AND
SUMMARY OF THE BASIS FOR JUST COMPENSATION
(Pursuant to Government Code Section 7267.2)

APN: 230-41-001
Parcel No. JPB-SC4-0112

Value of the property rights proposed to be acquired,
including the following improvements:

A. Fee Simple Land and included Improvements:	\$ 2,600,000	
B. Improvements Pertaining to the Realty ² :	\$ 0	
C. Permanent Access Easement:	\$ 0	
D. Excess Land:	\$ 0	
E. Temporary Construction Easement:	\$ 0	
TOTAL:		\$2,600,000

Severance Damages³: \$ 0

In addition to determining the market value of the parcel(s) sought to be acquired, severance damages were considered. Severance damages are determined based on whether or not the remainder, any property not acquired, would be diminished in value by reason of the proposed acquisition and/or by the construction of the improvement in the manner proposed. Some severance damage may be mitigated or entirely eliminated by estimating the cost to cure the damage. Where severance damages are found, offsetting benefits are determined. (See Page 4 — Benefits defined.) Under California law, benefits can only be offset against severance damages. If no severance damages are found, there is no application of offsetting benefits.

Explanation of Severance Damage Determination: The acquisition does not diminish the legal or physical utility of the remainder.

Benefits⁴: \$ 0

JUST COMPENSATION FOR ACQUISITION: \$2,600,000
(rounded to) \$2,600,000

CONSTRUCTION CONTRACT WORK (No cost to owner) \$ 0

SUMMARY OF THE BASIS FOR JUST COMPENSATION

Narrative summary of the valuation process supporting compensation:

The market value for the property to be acquired by the Peninsula Corridor Joint Powers Board is based upon an appraisal which was prepared in accordance with accepted appraisal principles and procedures. Recent sales of comparable properties and cost data were utilized as appropriate. Amongst other factors, full consideration was given to zoning, development potential, market conditions and forecasts, and the income the property is capable of producing. The sales comparison approach was used to estimate the fair market value of the property. The cost and income capitalization approaches were excluded from the analysis, as the property is a vacant lot.

PENINSULA CORRIDOR JOINT POWERS BOARD
 VALUATION SUMMARY STATEMENT AND
 SUMMARY OF THE BASIS FOR JUST COMPENSATION
 (Pursuant to Government Code Section 7267.2)

APN: 230-41-001
 Parcel No. JPB-SC4-0112

COMPARABLES USED IN SALES COMPARISON*

	Property Identification	Sale Date	Total Sale Price	Land Area (Acre)	Rentable Area (SF) Office%	Zoning Specific Plan	Site Coverage	Price/SF Building Land
1	230-14-009	1/29/16	\$2,427,000	0.71	9,608 15% est	LI	31%	\$253 \$78/SF
2	237-09-125	9/2/15	\$2,000,000	0.64	6,800 50%	HI	24%	\$294 \$72/SF
3	481-07-027	7/2/15	\$2,400,000	1.60	20,000 6.2%	MS-C	29%	\$120 \$34/SF
4	224-62-010	6/12/15	\$1,476,000	0.47	4,000 23.0%	MH	20%	\$369 \$72/SF
	497-37-006	3/18/15	\$975,000	0.48	6,200 10.0%	ML	30%	\$157 \$47/SF

* Adjustments were made to account for the time of purchase and for qualitative and quantitative differences in the properties.

GROUND LEASES USED IN TEMPORARY CONSTRUCTION EASEMENT COMPARISON

	Tenant / Property Identification	Rentable Area (Ac)	Building Size (SF)	Lease Term	Lease Began	Annual Rent/SF	Annual Rent	Terms	Est. Land Value (psf)	Cap. Rate
1.	N/A									
2.										
3.										

PENINSULA CORRIDOR JOINT POWERS BOARD
VALUATION SUMMARY STATEMENT AND
SUMMARY OF THE BASIS FOR JUST COMPENSATION
(Pursuant to Government Code Section 7267.2)

APN: 230-41-001
Parcel No. JPB-SC4-0112

DEFINITIONS*

¹ Highest and Best Use Analysis

Highest and best use is defined as the reasonably probable use of land which is legally permissible, physically possible, and financially feasible that results in the highest value. Highest and best use analysis is used in the appraisal process to identify comparable properties and, where applicable, to determine whether the existing improvements should be retained, renovated, or demolished.

² Improvements Pertaining to Realty (if any)

Machinery, fixtures, and equipment identified here were separately valued as improvements pertaining to the realty. Prior to escrow close, owner and lessee must agree (and confirm in writing) as to ownership of said improvements pertaining to the realty, a list of which, if applicable, is attached to the Purchase Agreement as Exhibit "___" and delivered contemporaneously with this valuation summary statement.

³ Severance Damages (Applies to Proposed Partial Acquisitions ONLY)

The appraisal also determines whether or not the District's proposed acquisition results in damages to the remaining property. The basis for this determination is whether or not the value of the remainder, any property not acquired, is diminished by reason of the anticipated acquisition of the property interest being acquired and the construction of the improvement in the manner proposed. (Cost to Cure) Severance Damages may be mitigated or entirely eliminated by estimating the total cost to cure the damages.

⁴ Benefits (Applies to Proposed Partial Acquisitions ONLY)

Benefit to the remainder is the benefit, if any, caused by the construction and use of the project for which the property is acquired in the manner proposed.

* These definitions are general and provided to assist in the discussion related to the proposed acquisition. They are not intended to be legal definitions.

**Valuation Summary and Offer of Just Compensation
Authorized and Approved for Presentation:**

PENINSULA CORRIDOR JOINT POWERS BOARD



By: Courtney T. Declus

Title: Senior Real Estate Officer

Date: July 18, 2016

**SUMMARY STATEMENT RELATING TO PURCHASE OF
REAL PROPERTY OR AN INTEREST THEREIN**

The Peninsula Corridor Joint Powers Board (JPB) plans to build the Peninsula Corridor Electrification Project (the "Project"). The Project will install an Overhead Catenary System and electrify the railroad right of way corridor between the 4th and King Street terminus station in San Francisco and the Tamien Station in San Jose.

Your property located at 1025 Stockton Avenue, San Jose, CA 95110, is within the project area and identified by Santa Clara County Assessor Parcel No. 230-41-001. As you can see from the enclosed Appraisal Summary Statement, the JPB is offering to purchase your property for the fair market value as determined by a California licensed appraiser hired by JPB. The real property interests proposed to be acquired are described in the Right of Way Contract and in the Statement and Summary of Basis for Appraisal included in this packet.

Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the California Relocation Assistance and Real Property Acquisition Guidelines require that each owner from whom the Peninsula Corridor Joint Powers Board (JPB) purchases real property or an interest therein or each tenant owning improvements on said property be provided with a summary of the appraisal of the real property or interest therein, as well as the following information:

1. You are entitled to receive full payment prior to vacating the real property being purchased unless you have previously waived such entitlement. You are not required to pay recording fees, transfer taxes, or the pro rata portion of real property taxes which are allocable to any period subsequent to the passage of title or possession.
2. JPB will offer to purchase any remnants considered by JPB to be uneconomic units which are owned by you or, if applicable, occupied by you as a tenant and which are contiguous to the land being conveyed.
3. All buildings, structures, and other improvements affixed to the land described in the referenced documents covering this transaction and owned by the grantor herein or, if applicable, owned by you as a tenant, are being acquired unless other disposition of these improvements has been made.
4. The amount of compensation the JPB is offering to you is based upon a fair market valuation which is summarized in the attached Statement and Summary of Basis for Appraisal.
 - a. The appraised amount represents the full amount of the appraisal of just compensation for the property to be purchased.
 - b. The appraised amount is not less than the approved appraisal of the fair market value of the property, as improved.
 - c. The appraised amount disregards any decrease or increase in the fair market value of the real property to be acquired prior to the date of valuation caused by the public improvement for which the property is to be acquired or by the likelihood that the property would be acquired for such public improvement, other than that due to physical deterioration within the reasonable control of the owner or occupant.
 - d. The appraised amount does not reflect any consideration of or allowance for any relocation assistance and payments or other benefits which the owner is entitled to receive under an agreement with the JPB.

**SUMMARY STATEMENT RELATING TO PURCHASE
REAL PROPERTY OR AN INTEREST THEREIN**

- e. The appraiser considered the possibility of loss or damage to any existing "improvements," such as buildings or fences, and any "severance damages," that is, harm to your remaining property caused by the purchase.
5. The offer amount is a lump sum representing the entire value of the property interests that the JPB proposes to purchase. Please note that to the extent there are liens, assessments or other interests recorded against the property, an agreement must be reached with the individuals or entities holding such interests to satisfy them before funds can be released to you.
 6. If you wish, you may also hire your own, professional appraiser to make an independent evaluation of the fair market price of the property interest. As long as you hire an appraiser licensed by California's Office of Real Estate Appraisers, JPB will pay for the reasonable costs of your independent appraisal up to a total of \$5,000.00. The JPB will not hire an appraiser for you. In order to be reimbursed your cost to obtain an independent appraisal, you must submit a written request to Courtney Decius, Senior Real Estate Officer, at the CalMod Program Office, 2121 S. El Camino Real Ste. 300, San Mateo, CA 94403 within ninety (90) days of the earliest of the following dates: (1) the date the selected appraiser requests payment from you for the appraisal; or, (2) the date upon which you paid the appraiser. You must provide copies of the contract (if a contract was made), the appraisal report, and the appraiser's invoice.
 6. The owner of a business conducted on a property to be acquired, or conducted on the remaining property which will be affected by the purchase of the required property, may be entitled to compensation for the loss of goodwill. Entitlement is contingent upon the business owner's ability to prove such loss in accordance with the provisions of Sections 1263.510 and 1263.520 of the Code of Civil Procedure.
 7. If you ultimately elect to reject the JPB's offer of compensation for your property, you are entitled to have the amount of compensation determined by a court of law in accordance with the laws of the State of California.

**PENINSULA CORRIDOR JOINT POWERS BOARD
RIGHT OF WAY CONTRACT**

PURCHASE ESCROW

San Jose , California

Project: Peninsula Corridor
Electrification Project

Alves Alongi Properties,
LLC, a California Limited
Liability Company

Parcel No. 230-41-001

Seller(s)

This Right of Way Contract (the "Contract") is made as of this ____ day of _____, 2016 by **Alves Alongi Properties, LLC, a California Limited Liability Company** ("Seller") and **Peninsula Corridor Joint Powers Board**, a public agency created under California Law ("JPB").

Documents No. JPB-SC4-0112-1A, in the form of a **Grant Deed**, covering the property described in Exhibit A below (the "Property") has been executed and delivered to Gary Dowd, agent for the JPB. In consideration of which, and the other considerations hereinafter set forth, it is mutually agreed as follows:

1. **Agreement to Sell and Purchase.** JPB desires the property rights described in Document No. JPB-SC4-0112-1A for public transportation purposes. Seller agrees to sell to JPB and JPB agrees to purchase these rights over the property shown on Exhibit B (the "Property"). The undersigned Seller warrants that it is the owner in fee simple of the Property and that it has the exclusive right to grant the Property. By granting the rights contained in the Grant Deed, Seller authorizes JPB to enter onto the Property for the purpose of the Peninsula Corridor Electrification Project.

2. **Purchase Price.** The Peninsula Corridor Joint Powers Board shall pay the Seller the sum of \$ 2,600,000 for the Grant Deed when title to said property vests in JPB free and clear of all liens, encumbrances, assessments, easements, leases, (recorded and/or unrecorded), and taxes, except:

- i. Taxes for the tax year in which this escrow closes shall be cleared and paid in the manner required by Section 5086 of the Revenue and Taxation Code, if unpaid at the close of escrow.
- ii. Easements or rights of way over said land for public or quasi-public utility or public street purposes, if any.

JPB shall have the authority to deduct and pay from the amount shown above any amount necessary to satisfy any bonds demands and delinquent taxes due in any year except the year in which this escrow closes, together with penalties and interest thereon, and/or delinquent and unpaid non-delinquent assessments which have a lien at the close of escrow.

JPB shall have the authority to deduct and pay from the amount shown above any or all monies payable under this contract up to and including the total amount of unpaid principal interest on note(s) secured by mortgages(s) or deeds(s) of trust, if any, and all other amounts due and payable in accordance with the terms and conditions of said trust deed(s) or mortgages(s), shall, upon demand(s), be made payable to the mortgagee(s) or beneficiary (-ies) entitled thereunder; said mortgagee(s) or beneficiary(-ies) to furnish Seller with good and sufficient receipt showing said monies credited against the indebtedness secured by said mortgages(s) or deed(s) of trust.

3. **Improvements.** It is understood and agreed by and between the parties hereto that payment in section 2 above includes, but is not limited to, payment for a 1,368 s.f. stand-alone office building, a 7,200 s.f. metal warehouse, and perimeter security fencing, which are considered to be part of the realty and are being acquired by the JPB in this transaction, and which Seller covenants and warrants that he/she/it owns.

4. **No Leases.** Seller warrants that there are no oral or written leases on all or any portion of the Property exceeding a period of one month. Seller agrees to hold JPB harmless and reimburse JPB for any and all of its losses and expenses occasioned by reason of any lease of said property held by any tenant of Seller for a period exceeding one month. If there are written or oral leases on all or any portion of the Property exceeding a period of one month, JPB shall have received quitclaim deeds or similar releases from Seller's tenants to clear any possessory rights from the Property.

5. **Indemnity.** Except as set forth in Paragraph 6, JPB agrees to indemnify and hold harmless Seller from any liability arising out of the JPB's operations under this Contract. JPB further agrees to assume responsibility for damages caused by reason of JPB's operations under this Contract and JPB will, at its option, either repair or pay for such damage.

6. **Release.** Seller hereby releases and forever discharge(s) JPB and each and every entity associated or affiliated with JPB, and the agents, servants, officers, directors, employees, subsidiaries, divisions, affiliates and successors of JPB, and each of them, from any and all causes of action, actions, judgments, liens, indebtedness, obligations, losses, claims, damages, liabilities and demands, including without limitation any claim arising from and/or related to JPB's acquisition, possession, and/or use of the Property, any claim arising from and/or related to the construction and use of Project in the manner proposed by JPB, any claim in inverse condemnation, and any claim pertaining to construction-related dust, noise, traffic and related construction activity and lost rentals associated with construction of any improvements and/or arising out of the acquisition from Seller of the interests acquired herein, whether known or unknown, disclosed or undisclosed, anticipated or unanticipated, which are existing as of the date of this contract. In connection with the foregoing releases, Seller acknowledges that it is familiar with and hereby waives the protections of Section 1542 of the California Civil Code, which reads:

A general release does not extend to claims that the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him, must have materially affected his settlement with the debtor.

This release shall survive the completion of the transaction or the termination of this Contract, provided JPB does not prevent the closing of this transaction through a material breach of this Contract.

7. **Closing Conditions.** The undersigned Seller hereby covenants and agrees to indemnify and hold the JPB harmless from any and all claims that other parties may make or assert on the title to the Easement Area.

8. **Successors and Assigns.** This Contract shall be binding upon, and inure to the benefit of, the parties hereto and Seller's respective successors and assigns.

9. **General Provisions.**

a. **Parties in Interest.** Except as expressly provided in this Contract, nothing in this Contract, whether express or implied, is intended to confer any rights or remedies under or by reason of this Contract on any persons other than the parties to it and their respective successors and assigns, nor is anything in this Contract intended to relieve or discharge the obligation or liability of any third persons to any party to this Contract, nor shall any provision give any third persons any right to subrogation or action against any party to this Contract.

b. **Entire Agreement.** This Contract constitutes the entire agreement between the parties pertaining to the subject matter contained in it and supersedes all prior or contemporaneous oral or written Contracts, representations, statements, documents, or understandings of the parties.

c. **Amendment.** No supplement, modification, or amendment of this Contract shall be binding unless executed in writing by the party to be bound.

d. **Waiver.** No waiver of any of the provisions of this Contract shall be deemed, or shall constitute, a waiver of any other provision, whether or not similar, nor shall any waiver constitute a continuing waiver. No waiver shall be binding unless executed in writing by the party making the waiver.

e. **Notices.** Any notice or other communication required or permitted to be given under this Contract ("Notices") shall be in writing and shall be (i) personally delivered; (ii) delivered by a reputable overnight courier; or (iii) delivered by certified mail, return receipt requested and deposited in the U.S. Mail, postage prepaid. Telecopy notices shall be deemed valid only to the extent they are (a) actually received by the individual to whom addressed and (b) followed by delivery of actual notice in the manner described above within three business days thereafter. Notices shall be deemed received at the earlier of actual receipt or (i) one business day after deposit with an overnight courier as evidenced by a receipt of deposit; or (ii) three business days following deposit in the U.S. Mail, as evidenced by a return receipt. Notices shall be directed to the parties at their respective addresses shown below, or such other address as either party may, from time to time, specify in writing to the other in the manner described above:

If to Seller: Attn: Alves Alongi Properties, LLC
 Attention: Mr. James Alves
 590 Coleman Avenue
 San Jose, CA 95110

If to JPB: Attn: Courtney T. Decius
 Real Estate Officer
 Peninsula Corridor Joint Powers Board
 2121 S. El Camino Real, Suite 300
 San Mateo, CA 94403
 Telephone: (650) 508-6225

f. **Governing Law and Venue.** This Contract shall be construed in accordance with, and governed by, the laws of the State of California, and any action or proceeding, including arbitration, brought by any party in which this Contract is subject, shall be brought in the county in which the Property is located.

g. **Counterparts.** This Contract may be executed simultaneously in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

h. **Joint and Several Liability.** In the event either party hereto now or hereafter shall consist of more than one person, firm, or corporation, then and in such event, all such persons, firms, or corporations shall be jointly and severally liable as parties under this Agreement.

i. **Further Assurances.** Each party to this Contract agrees to execute, acknowledge, and deliver such further instruments as may be necessary or desirable to accomplish the intent and purposes of this Contract, provided that the party requesting such further action shall bear all costs and expenses related thereto.

j. **Advice of Professionals.** Each party has had the opportunity to be advised by legal counsel and other professionals in connection with this Contract, and each party has obtained such advice as each party deems appropriate.

k. **Negotiated Terms.** The parties agree that the terms and conditions of this Contract are the result of negotiations between the parties and that this Contract shall not be construed in favor of or against any party by reason of the extent to which any party or its professionals participated in the preparation of this Contract.

1. **Professional Fees and Costs.** In the event any legal proceeding and/or arbitration is commenced in connection with this Contract, the prevailing party in said action shall be entitled to its reasonable costs, including attorneys' fees, in addition to such other relief as it may be entitled.

m. **Severability.** Any provision of this Contract, which is determined by a court of competent jurisdiction to be invalid or unenforceable, shall be invalid or unenforceable only to the extent of such determination, which shall not invalidate or otherwise render ineffective any other provision of this Contract.

10. **Eminent Domain.** JPB requires the Property for a public use and may request the Santa Clara Valley Transportation Authority to exercise its power of eminent domain to acquire it, if necessary. Both Seller and JPB recognize the expense, time, effort and risk to both parties in determining the compensation for the Property in eminent domain litigation. The compensation set forth herein for the Property is a compromise and settlement in lieu of such litigation.

11. **Right of Possession and Use.** It is agreed and confirmed by the parties hereto that, notwithstanding the other provisions in this Contract, the right and use of the subject property by the Peninsula Corridor Joint Powers Board or its contractors, including the right to remove and dispose of improvements, shall commence on the date funds are deposited into escrow and that amount(s) shown in Clause 2 herein includes, but is not limited to, full payment for such possession and use, including damages, if any from said date.

12. **Escrow.** This transaction will be handled through an escrow with Chicago Title Company. JPB shall pay all escrow and recording fees incurred in this transaction and, if title insurance, is desired by JPB, the premium charged therefore. Said escrow and recordings charges shall not, however, include documentary transfer tax.

13. **Fair Market Value.** The Purchase Price reflects the fair-market value of the Property without any reduction in value due to the presence of contamination.

14. **Environmental Condition/Hazardous Materials.** If JPB incurs any costs or losses (including fines, penalties, or attorneys' fees) associated with the presence of Hazardous Substances found on the Property, JPB may elect to recover such costs or losses from those parties who caused or contributed to the contamination or any other party who is legally responsible for such costs or losses. In addition the parties specifically agree to the following:

A. **Definitions.**

- i. **Hazardous Substances.** "Hazardous Substances" means any chemical, compound, material, mixture, or substance that is now or may in the future be regulated by any Environmental Laws or identified as a deleterious substance under such Environmental Laws, including any naturally occurring substances such as radon or asbestos.

- ii. Environmental Laws. "Environmental Laws" means all present and future federal, state and local laws (whether under common law, statutes, ordinances, regulations, rules, administrative rules and policies, guidance, judicial and administrative orders and decrees, or otherwise), and all other requirements of governmental authorities relating to the protection of human health or the environment.

B. Seller's Warranties Regarding Hazardous Substances. Seller warrants and represents that to the best of Seller's knowledge no Hazardous Substances have ever been placed or located upon the Property, which Hazardous Substances, if found upon the Property, would subject the owner of the Property to any remediation efforts, damages, penalties or liabilities under any Environmental Laws.

In Witness Whereof, the Parties have executed this Contract the day and year first above written.

SELLER:

By: _____

Date: _____

JPB

Peninsula Corridor Joint Powers Board

By: _____

Date: _____

Jim Hartnett
Its: Executive Director

Approved as to Form

By: _____

No Obligation Other Than Those Set Forth Herein Will Be Recognized

WHEN RECORDED RETURN TO:
Peninsula Corridor Joint Powers Board
1250 San Carlos Avenue
San Carlos, CA 94070-1306
Attention: Real Estate Department

EXHIBIT A

MAIL TAX STATEMENTS TO:
Peninsula Corridor Joint Powers Board
1250 San Carlos Avenue
San Carlos, CA 94070-1306
Attention: Real Estate Department

SPACE ABOVE THIS LINE FOR RECORDER'S USE

The undersigned grantee hereby declares this instrument to be exempt from Recording Fees (Govt. Code §6103; §27383) and Documentary Transfer Tax (Revenue and Taxation Code §11922).

APN: 230-41-001
Parcel :JPB-SC4-0112

GRANT DEED

ALVES ALONGI PROPERTIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged does hereby GRANT, TRANSFER and CONVEY to PENINSULA CORRIDOR JOINT POWERS BOARD, A PUBLIC AGENCY ("Grantee"), all that real property in the County of San Mateo, State of California, described as:

PARCEL 230-41-001 as described in Exhibit A, including, but not limited to, (a) all of Grantor's interest, if any, in and to the improvements in said real property and (b) all appurtenances thereto.

IN WITNESS WHEREOF, said company has caused its corporate name to be hereunto subscribed and its corporate seal to be affixed hereto, this ____ day of ____ 2016.

By _____

EXHIBIT A
LEGAL DESCRIPTION

A portion of land located in the City of San Jose, County of Santa Clara, State of California, described as follows;

Being a portion of Lots 1 and 2 in Block 24, together with a portion of Laurel Street, now abandoned and a portion of Vermont Street, formerly Morris Street, now abandoned as delineated upon that Map entitled "Map of University Grounds, Santa Clara County, California", recorded August 25, 1866 in Book 'A' of Maps, at Pages 80 and 81 in the Office of the Santa Clara County Recorder being more particularly described as follows:

PARCEL JPB-SC4-0112

BEGINNING at the intersection of the southwest line of Stockton Avenue and the centerline of Vermont Street (formerly Morris Street) now abandoned, as Street as shown upon said Map;

- Thence (1) Along the prolongation of the northeast line of said Lot 2 North $40^{\circ}19'33''$ West, a distance of 196.24 feet to the southeast line of that parcel condemned to the State of California by Final Order of Condemnation recorded March 13, 1959 in Book 4353, Page 241 in the Office of the Santa Clara County Recorder;
- Thence (2) Coincident with southeast line of said condemned parcel South $45^{\circ}23'34''$ West, a distance of 435.66 feet to the northeast line of the parcel as described in the Grant Deed to Peninsula Corridor Joint Powers Board (PCJPB), recorded December 27, 1991 in Book L984, Page 854 (Document: 11181648, Page A-105) , Official Records of said County;
- Thence (3) Coincident with the northeast line of said PCJPB parcel South $56^{\circ}56'35''$ East, a distance of 171.21 feet to said centerline of Vermont Street;
- Thence (4) Along said centerline of Vermont Street North $49^{\circ}37'25''$ East, a distance of 385.48 feet to the point of **BEGINNING**;

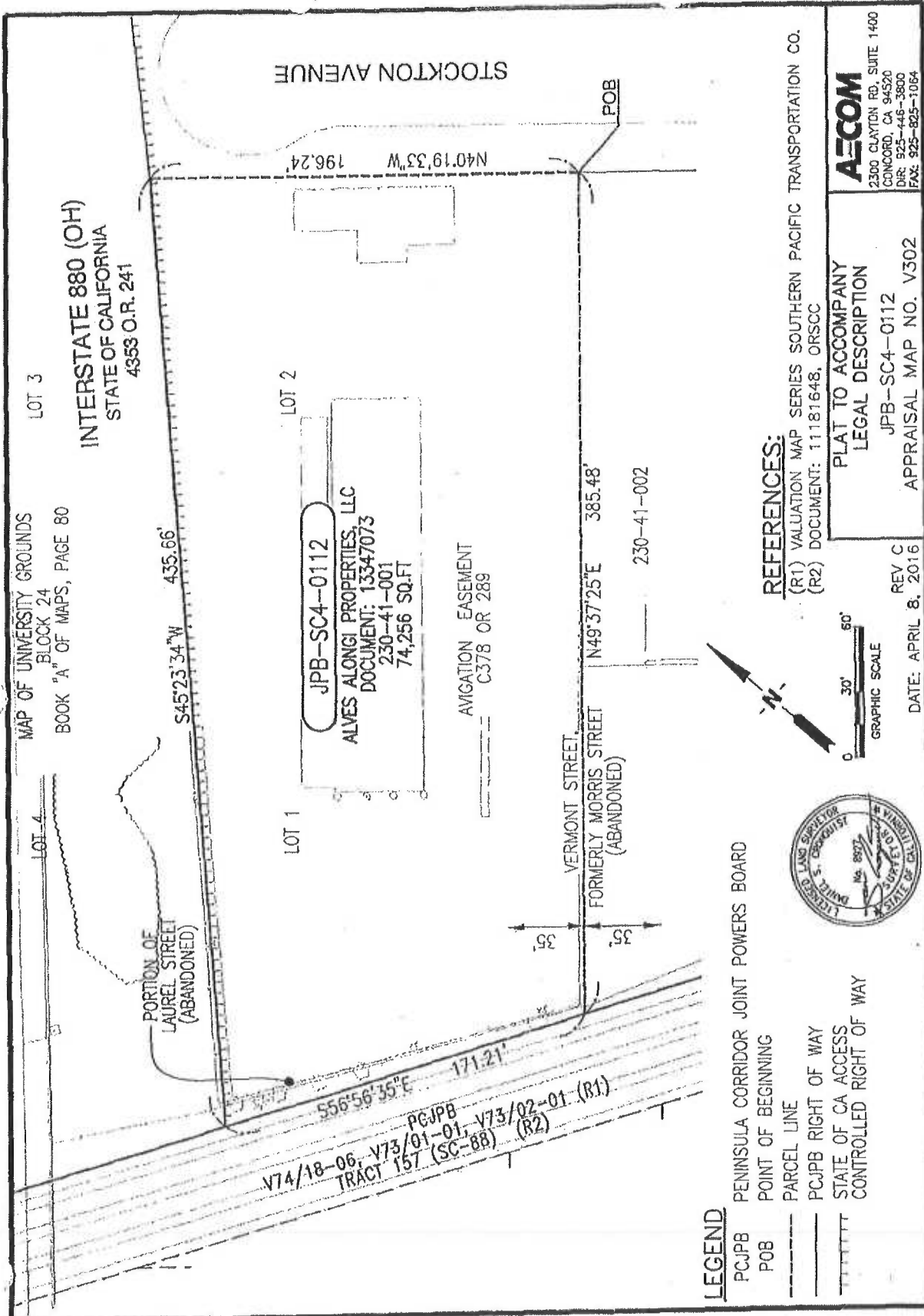
Contains 74,256 square feet (1.7 acres), more or less.

The bearings and distances used in the above description are based on the California Coordinate System 1983, Zone 3. Multiply distances shown above by 1.0000554 to obtain ground level distances.


Daniel S. Cronquist, PLS
4/8/2016
Date



EXHIBIT B



WHEN RECORDED RETURN TO:
Peninsula Corridor Joint Powers Board
1250 San Carlos Avenue
San Carlos, CA 94070-1306
Attention: Real Estate Department

MAIL TAX STATEMENTS TO:
Peninsula Corridor Joint Powers Board
1250 San Carlos Avenue
San Carlos, CA 94070-1306
Attention: Real Estate Department

SPACE ABOVE THIS LINE FOR RECORDER'S USE

The undersigned grantee hereby declares this instrument to be exempt from Recording Fees (Govt. Code §6103; §27383) and Documentary Transfer Tax (Revenue and Taxation Code §11922).

APN: 230-41-001
Parcel JPB-SC4-0112

GRANT DEED

ALVES ALONGI PROPERTIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged does hereby GRANT, TRANSFER and CONVEY to PENINSULA CORRIDOR JOINT POWERS BOARD, A PUBLIC AGENCY ("Grantee"), all that real property in the County of San Mateo, State of California, described as:

PARCEL 230-41-001 as described in Exhibit A, including, but not limited to, (a) all of Grantor's interest, if any, in and to the improvements in said real property and (b) all appurtenances thereto.

IN WITNESS WHEREOF, said company has caused its corporate name to be hereunto subscribed and its corporate seal to be affixed hereto, this ____ day of ____ 2016.

By _____

EXHIBIT **A**
LEGAL DESCRIPTION

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PARCEL JPB-SC4-0112

BEGINNING at the intersection of the southwest line of Stockton Avenue and the centerline of Vermont Street (formerly Morris Street) now abandoned, as Street as shown upon said Map;

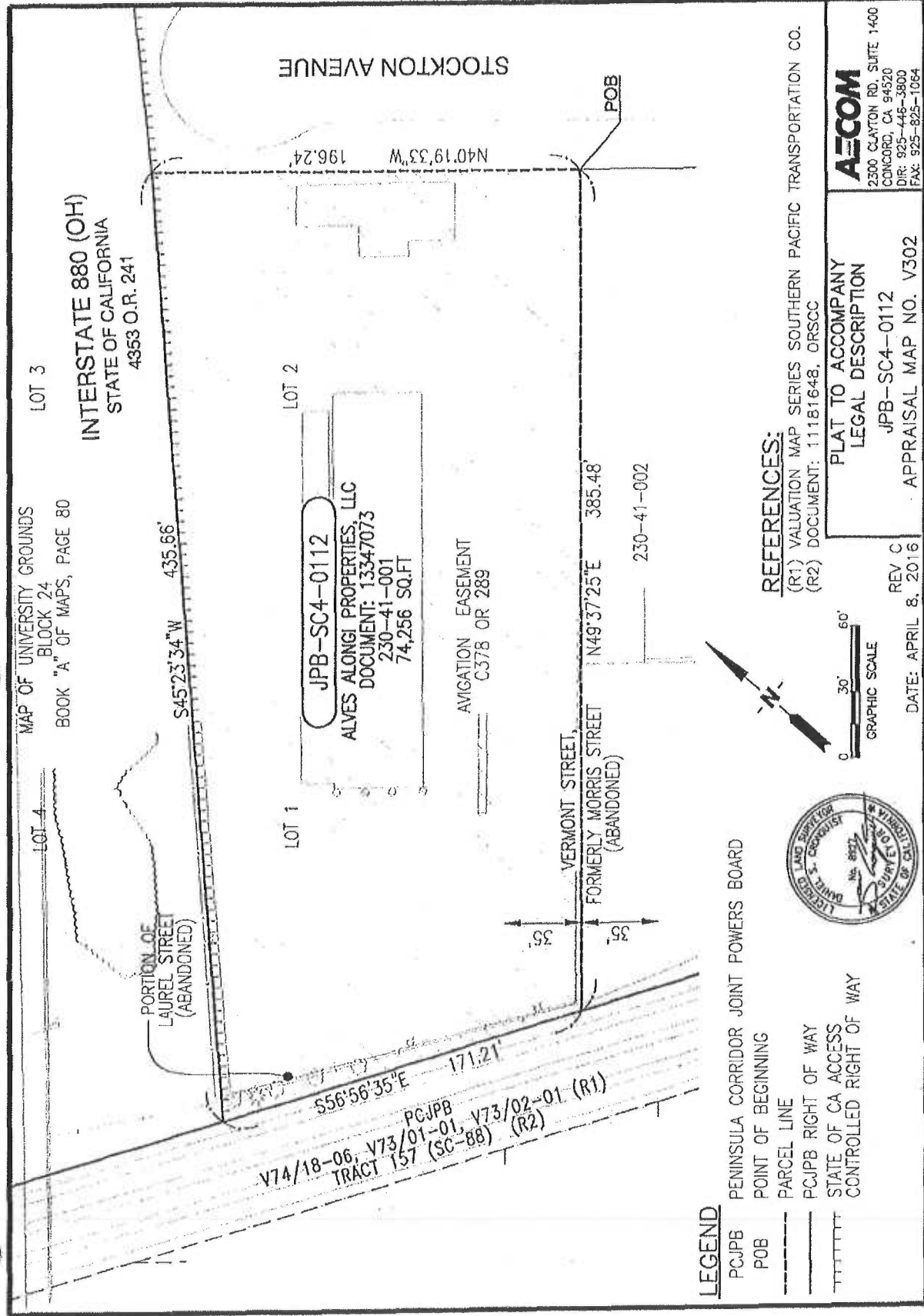
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Contains 74,256 square feet (1.7 acres), more or less.

The bearings and distances used in the above description are based on the California Coordinate System 1983, Zone 3. Multiply distances shown above by 1.0000554 to obtain ground level distances.


Daniel S. Cronquist, PLS 4/8/2016
Date





LEGEND

- PCJPB PENINSULA CORRIDOR JOINT POWERS BOARD
- POB POINT OF BEGINNING
- PARCEL LINE
- PCJPB RIGHT OF WAY
- STATE OF CA ACCESS
- CONTROLLED RIGHT OF WAY

REFERENCES:

- (R1) VALUATION MAP SERIES SOUTHERN PACIFIC TRANSPORTATION CO.
- (R2) DOCUMENT: 11181648, ORSCC

PLAT TO ACCOMPANY
LEGAL DESCRIPTION

JPB-SC4-0112

APPRAISAL MAP NO. V302



2300 CLAYTON RD, SUITE 1400
CONCORD, CA 94520
DIR: 925-446-3800
FAX: 925-825-1064

REV C
DATE: APRIL 8, 2016



State of California
County of _____ } ss.

On _____ before me, _____, Notary Public, personally
appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s)
is/are subscribed to the within instrument and acknowledged to me that he/she/they executed
the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the
instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the
instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature – Notary Public

EXHIBIT B

EXHIBIT B

RIGHT OF WAY PARCEL DIARY

CONFIDENTIAL

This document contains personal information and pursuant to Civil Code 1798.21 it shall be kept confidential in order to protect against unauthorized disclosure.

CLIENT: JPB APN: 230-41-001 Project Parcel No.: _____

OWNER NAME/ADDRESS: <u>Alves / Alongi Properties</u>		SUBJECT ADDRESS: <u>1025 Stockton Ave. San Jose, Ca</u>		PHONE: <u>(408) 292-1490</u>
PROJECT: <u>JPB Electrification Project</u>				CERT DATE:
DATE OWNER INVITED TO ACCOMPANY APPRAISER: BY: LETTER <u>X</u> PHONE <u> </u> PERSON <u> </u>			DATE PROPERTY INSPECTED:	
APP. REPORT #/DATE: <u>4-29-16</u>	APPROVAL DATE: <u>5-16-16</u>	APPRAISED VALUE: <u>2,600,000.00</u>		
REVISED DATE:	APPROVAL DATE:	APPRAISED VALUE:		
DATE OF FIRST WRITTEN OFFER: <u>7-19-16</u>		AMOUNT OF REPLACEMENT HOUSING SUPP. AT TIME OF FIRST WRITTEN OFFER:		RAP PKG. DEL. DATE:
DATE ASSIGNED TO ACQUISITION AGENT: <u>7-18-16</u>				
PEOPLE v. _____ SCC# _____		FILED:		EFF. DATE OP:
OWNER'S ATTORNEY:		ADDRESS:		PHONE:
DATE/AGENT SIGNATURE/INITIAL	ASSIGNED TO: <u>Gary Dowd</u>			
	APPRAISER: _____ DATE: _____			
	DATA			
<u>7-19-16</u>	<u>Met with Jim Alves and presented formal offer. Jim suggested he would be obtaining his own appraisal.</u>			
<u>sd,</u>				
	<u>jim@sevenflags.com</u>			
<u>8-3-16</u>	<u>Spoke to Jim Alves. His partner returns Monday and they will discuss then.</u>			
<u>sd,</u>				
<u>9-7-16</u>	<u>Emailed Jim Alves asking status,</u>			
<u>sd,</u>				

RIGHT OF WAY PARCEL DIARY (Cont.)

CLIENT: _____ APN: _____ Project Parcel No.: _____

DATE/AGENT-SIGNATURE/INITIAL	DATA
11-7-16 SD,	Called Jim Alves back, he wasn't there. Sent email also.
12-15-16 SD,	Asked Jim status of appraisal report.
1-23-17 SD,	Asked Jim for a copy of the lease.
1-26-17 SD,	Spoke to Marcus Pigum DM & A and he confirmed that the General Manager with Loop provided the break out on inventory as to tenant vrs. owner.
1-27-17 SD,	Confirmed appraisal didn't address IPR with BRT asked Emily for a list of owner IPR without values attached.
1-31-17 SD,	Sent list of IPR to Jim Alves and asked for confirmation of same and for a copy of the lease and status of the appraisal.

Date / Agent Signature / Initial	Data
2-17-17	Sent Jim another email as to status of the appraisal.
2-27-17 sd,	Left a message for Jim. He was still out, spoke to Jim. He stated Art Gimmy is his appraiser and that Gimmy had come in at \$5 mil. He said he would soon forward the appraisal.
3-9-17 sd,	Asked Jim Alves status of sending me his appraisal.
3-13-17 sd,	Sent request for appraisal reimbursement to Brian Fitzpatrick.
3-14-17 sd,	Spoke to Matt. He is not sure he is comfortable with the valuation. Will call in a few days.
5-1-17 sd,	Spoke to Jim Alves. They are not interested in talking more until the funding issue is resolved. Told Jim \$5,000 appraisal money was a one time thing. He has nothing to share on value.

Caltrain Modernization Program Electrification Project

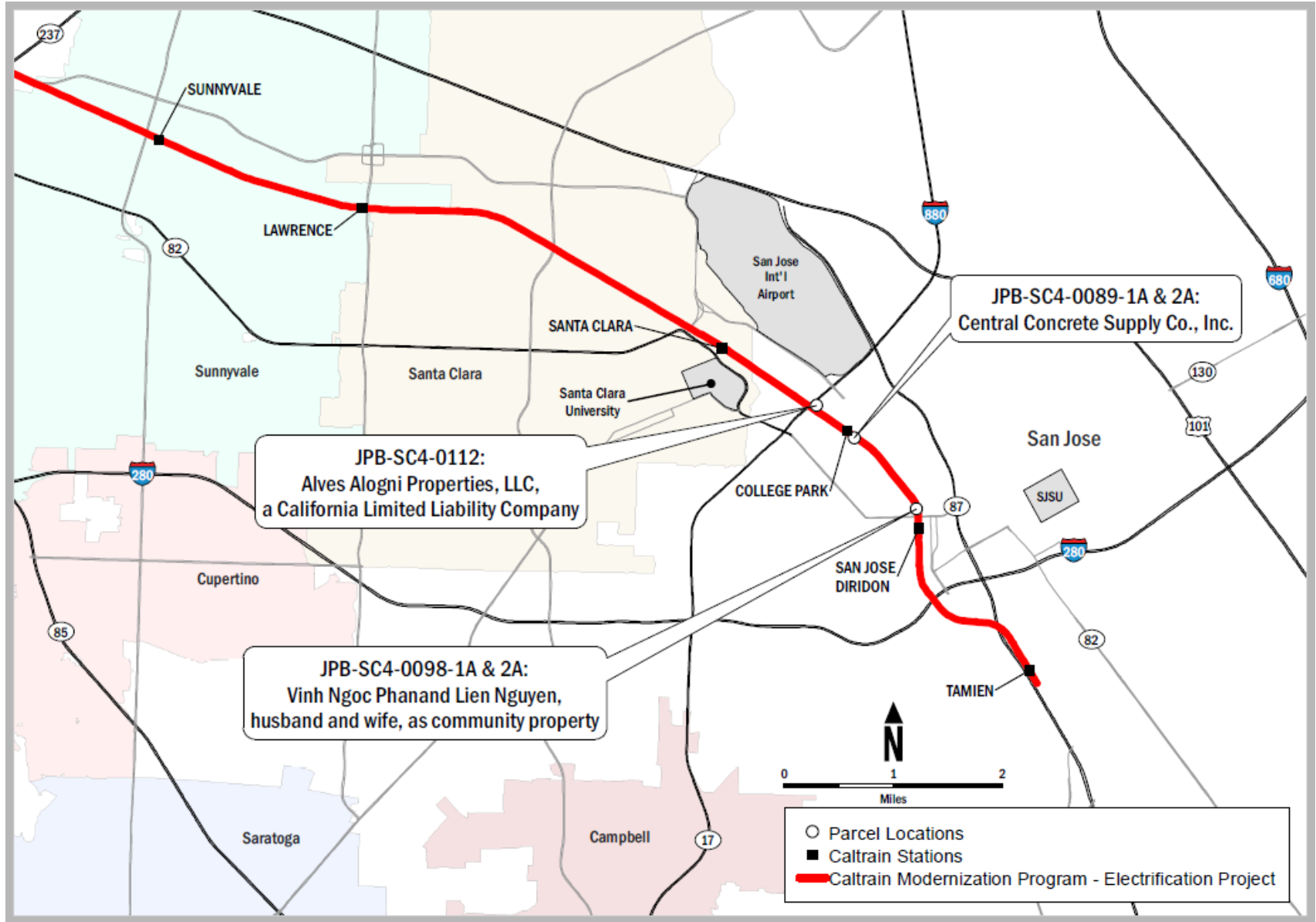
Resolution of Necessity Hearing

Aug 3, 2017



- Board has full discretion as to whether or not to adopt a recommended Resolution of Necessity.
- Amount of compensation is NOT a consideration in this hearing.
- Board must make each of the findings contained in the respective Resolution of Necessity prior to their adoption.

Project Map



Property #1: (JPB-SC4-0089-1A and JPB-SC4-0089-2A)

Central Concrete Supply Co., Inc.

Location:

APN 259-09-029; Property southerly adjacent to the PCJPB corridor and located to the east of the Emory Street/Stockton Avenue intersection, San Jose

Property Size:

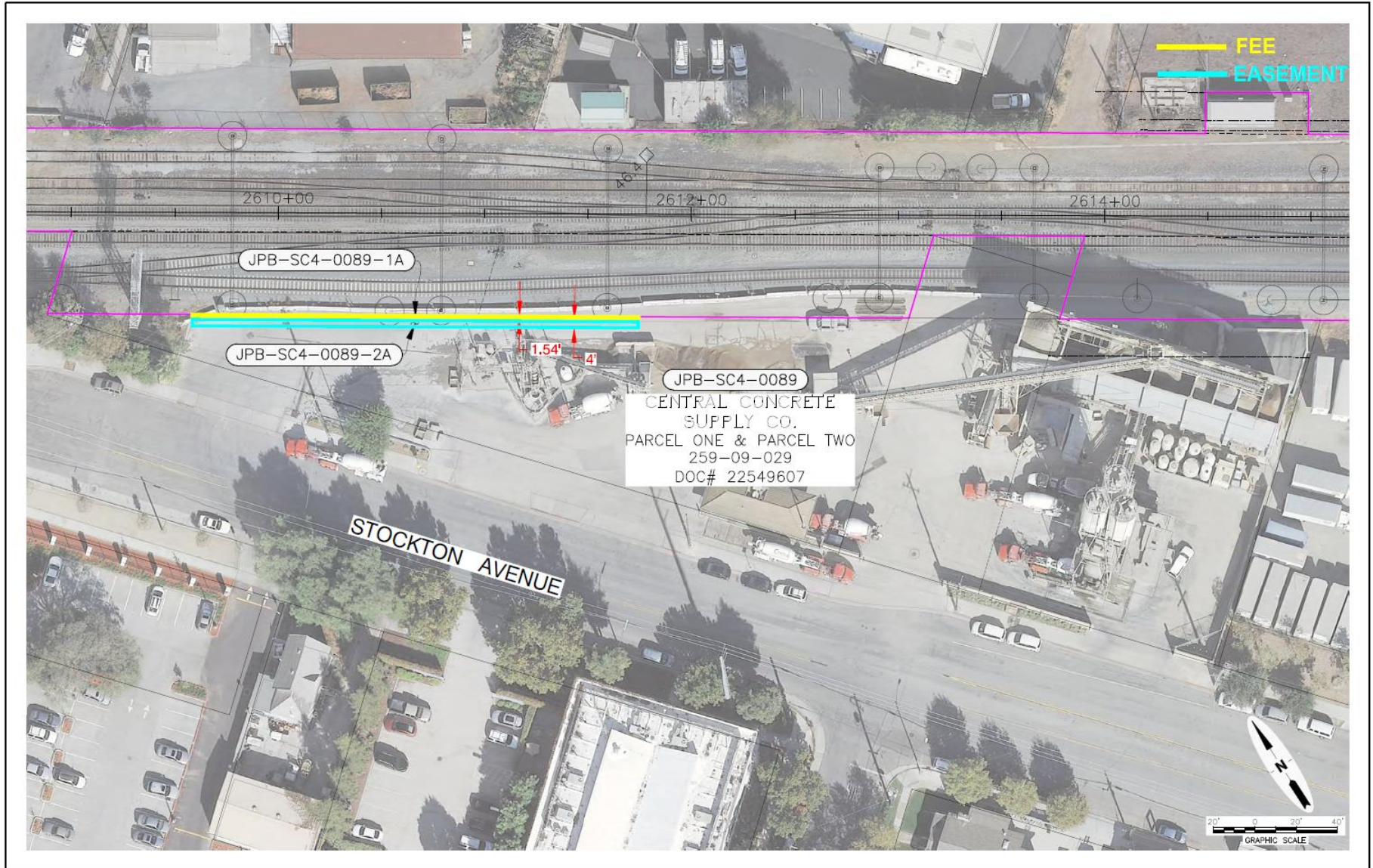
52,259 sq.ft.

Acquisition:

Fee (JPB-SC4-0089-1A) - 332 sq.ft. needed for the PCJPB operating corridor

Easement (JPB-SC4-0089-2A) – 863 sq.ft. needed for an electrical safety zone easement

Aerial Map of JPB-SC4-0089-1A & 2A



Property #2: (JPB-SC4-0098-1A and JPB-SC4-0098-2A)

Vinh Ngoc Phan and Lien Nguyen, husband and wife, as community property

Location:

APN 259-28-002; Property westerly adjacent to the PCJPB corridor and located to the north of W. Santa Clara Street and East of Stockton Avenue, San Jose

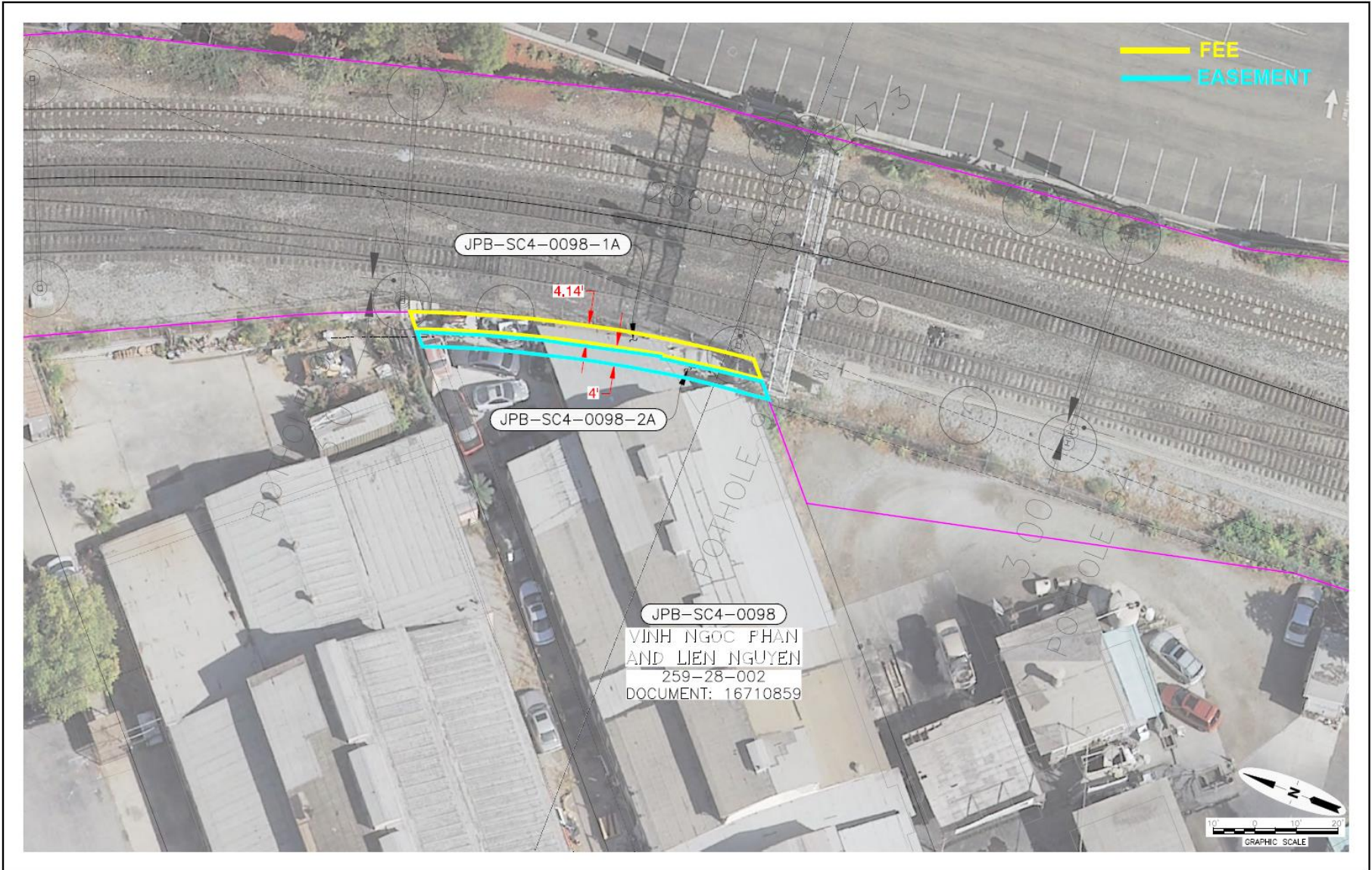
Property Size:

19,737 sq.ft.

Acquisition:

Fee (JPB-SC4-0098-1A) - 348 sq.ft. needed for the PCJPB operating corridor
Easement (JPB-SC4-0098-2A) – 339 sq.ft. needed for an electrical safety zone easement

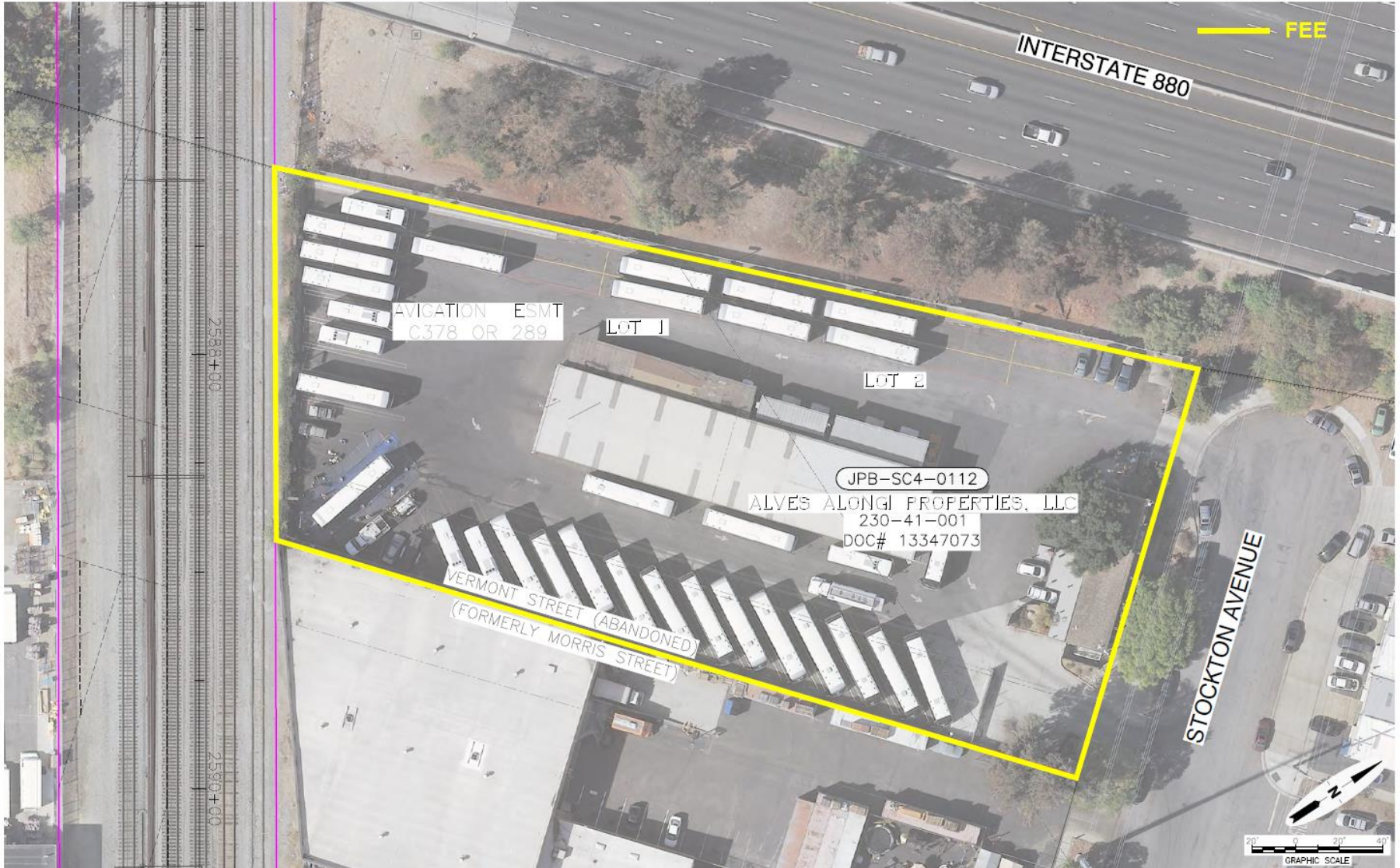
Aerial Map of JPB-SC4-0098-1A & 2A



Property #3: (JPB-SC4-0112) Alves Alongi Properties, LLC, a California Limited Liability Company

<u>Location:</u>	APN 230-41-001; Property northeasterly adjacent to the PCJPB corridor and in a southerly direction from Interstate 880, San Jose
<u>Property Size:</u>	74,256 sq.ft.
<u>Acquisition:</u>	Fee (JPB-SC4-0112) - 74,256 sq.ft. needed for Traction Power Substation TPS-2

Aerial Map of JPB-SC4-0112





BOARD OF DIRECTORS MEETING

Thursday, June 1, 2017

MINUTES

1. CALL TO ORDER AND ROLL CALL

The Regular Meeting of the Santa Clara Valley Transportation Authority's (VTA) Board of Directors (Board) was called to order by Chairperson Bruins at 5:32 p.m. in the Board of Supervisors' Chambers, County Government Center, 70 West Hedding Street, San José, California.

1.1. ROLL CALL

Attendee Name	Title	Status
Jeannie Bruins	Chairperson	Present
Larry Carr	Board Member	Present
Cindy Chavez	Board Member	Present
David Cortese	Alternate Board Member	Absent
Dev Davis	Alternate Board Member	Absent
Lan Diep	Board Member	Present
Daniel Harney	Alternate Board Member	Absent
Glenn Hendricks	Board Member	Present
Chappie Jones	Board Member	Present
Johnny Khamis	Board Member	Present
Sam Liccardo	Vice Chairperson	Present
John McAlister	Alternate Board Member	Absent
Bob Nunez	Alternate Board Member	Present
Teresa O'Neill	Board Member	Present
Raul Peralez	Board Member	Present
Rob Rennie	Alternate Board Member	Present
Savita Vaidhyanathan	Board Member	Absent
Ken Yeager	Board Member	Present

* Alternates do not serve unless participating as a Member.

A quorum was present.

1.2. Orders of the Day

Chairperson Bruins noted staff's request to hear **Regular Agenda Item #7.1** - Approval of Biennial Budget for Fiscal Years 2018 and 2019; and **Regular Agenda Item #7.2** - Fare Policy Review, together. Chairperson Bruins noted the Board would take separate actions for the items, considering Item #7.2 before Item #7.1.

Vice Chairperson Liccardo arrived at the meeting and took his seat at 5:33 p.m.

Board Members Khamis and Chavez requested deferring **Consent Agenda Item #6.17** - 2016 Measure B Program Category Guidelines, to the August 2017 Board meeting.

Board Member Diep arrived at the meeting and took his seat at 5:34 p.m.

M/S/C (Hendricks/Chavez) to approve the Orders of the Day.

RESULT: APPROVED [UNANIMOUS] – Orders of the Day
MOVER: Glenn Hendricks, Board Member
SECONDER: Cindy Chavez, Board Member
AYES: Bruins, Carr, Chavez, Diep, Hendricks, Jones, Khamis, Liccardo, O'Neill, Peralez, Rennie (Alt.), Yeager
NOES: None
ABSENT: None

2. AWARDS AND COMMENDATION

2.1. Resolution of Commendation for the Silicon Valley Leadership Group (SVLG)

The Board recognized the Silicon Valley Leadership Group (SVLG) for their work on a wide range of issues in the region, especially transportation, and expressed appreciation for their efforts in the successful passage of the 2016 Measure B.

Carl Guardino, SVLG President and CEO, thanked the Board for their partnership and entrusting the SVLG on behalf of residents and voters of Santa Clara County.

M/S/C (Carr/Chavez) to adopt **Resolution of Commendation No. 2017.06.16** for the Silicon Valley Leadership Group (SVLG).

RESULT: APPROVED [UNANIMOUS] – Agenda Item #2.1
MOVER: Larry Carr, Board Member
SECONDER: Cindy Chavez, Board Member
AYES: Bruins, Carr, Chavez, Diep, Hendricks, Jones, Khamis, Liccardo, O'Neill, Peralez, Rennie (Alt.), Yeager
NOES: None
ABSENT: None

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

2.2. Cristo Rey Corporate Work Study Program Intern Commendation

The Board recognized Cristo Rey San José Jesuit High School students - Jennifer Cardona-Chavez, Baltazar Esquivel, Yvette Ross, Jonathan Rubio, and Oziel Reyes-Cruz for their outstanding service.

Cristo Rey San José Jesuit High School students Francis Tran and Alfredo Valencia were not in attendance but were recognized for their outstanding service.

Vice Chairperson Liccardo noted the internship program's success and expressed his warm appreciation to VTA for continuing to offer the program.

3. PUBLIC COMMENT

Karen Becker, Interested Citizen, commented about a labor-related matter concerning VTA.

Earl Kaing, Interested Citizen, announced the San Joaquin Regional Rail Commission's (SJRRRC) release of the Draft Environmental Impact Report (DEIR) for *ACEforward*. The comment period is open until July 31, 2017. Additional information on the project and public meetings are available at www.aceforward.com.

Troy Hernandez, Interested Citizen, expressed concern about changes to Bus Route 54 and urged the Board to keep the route and consider increased frequency.

John Pospishek, Amalgamated Transit Union (ATU) Local 265, expressed concern about a plan for on-demand service to replace Bus Route 63, noting limitation for non-smart phone users. He asked if there has been health studies related to the operation of electric buses.

James Wightman, Interested Citizen, asked when the July Service Changes will take effect and asked about the impacts to Bus Route 11 under the Final Transit Service Plan. He expressed concern about pedestrian safety around light rail tracks and suggested monitors at light rail stations feature warnings and safety advisories.

4. PUBLIC HEARINGS

There were no Public Hearings.

5. COMMITTEE REPORTS

5.1. Citizens Advisory Committee (CAC) Chairperson's Report

Chairperson Bruins noted that the Citizens Advisory Committee (CAC) Chairperson's report was contained in the Board Members' reading folders.

5.2. Policy Advisory Committee (PAC) Chairperson's Report

Chairperson Bruins noted that the Policy Advisory Committee (PAC) Chairperson's report was contained in the Board Members' reading folders.

5.3. **Policy Advisory Board Chairpersons' Report**

Chairperson Bruins noted that the State Route (SR) 85 Corridor Policy Advisory Board Chairperson's report was contained in the Board Members' reading folders.

6. **CONSENT AGENDA**

Vice Chairperson Liccardo recused himself from the following:

- **Consent Agenda Item #6.7** - Approval of On Call Consultant List for Real Estate Services;
- **Consent Agenda Item #6.9** - De Anza College Stelling Road Bus Stop Improvement Contract;
- **Consent Agenda Item #6.10** - Construction Contract Award Contract C650 (C16349) SVBX Sitework;
- **Consent Agenda Item #6.12** - Amend the C836 Alum Rock Avenue Roadway, Busway and Station Improvements Contract for Alum Rock - Santa Clara Bus Rapid Transit Project with Ghilotti Construction Company; and
- **Consent Agenda Item #6.13** - Radio Equipment and Services for SVRCS and CAD/AVL.

Board Member Chavez recused herself from **Consent Agenda Item #6.15** - Technology Maintenance & Support Contracts and **Consent Agenda Item #6.25** - IT Development and Project Management Assessment.

Public Comment

Colin Heyne, Silicon Valley Bicycle Coalition (SVBC), referred to **Consent Agenda Item #6.18** - 2016 Measure B Complete Streets Reporting Requirements, and commended VTA staff for their work on the Complete Streets guidelines. He suggested the reporting requirements incorporate a more robust technical assistance element.

Alternate Board Member Rennie highlighted **Consent Agenda Item #6.29** - 2016 Sustainability Program Report, and commended staff for their work. He encouraged VTA to find ways to transition to electric buses, possibly through local partnerships.

Board Member Diep referenced **Consent Agenda Item #6.18** and asked for further information regarding allocation strategies to address impacts to the Local Streets & Roads Program Area should there be a discrepancy between actual sales tax receipts and projected revenue.

Board Member Chavez referred to **Consent Agenda Item #6.8** - Authorization of Developer Solicitation for Evelyn Joint Development Site, and asked for an off-agenda update on solicitation timeline, noting there could be an opportunity to do entitlement in-house.

6.1. Board of Directors Workshop/Special Meeting Minutes of April 21, 2017

M/S/C (Hendricks/Yeager) to approve the Board of Directors Workshop/Special Meeting Minutes of April 21, 2017.

6.2. Board of Directors Regular Meeting Minutes of May 4, 2017

M/S/C (Hendricks/Yeager) to approve the Board of Directors Regular Meeting Minutes of May 4, 2017.

6.3. Fiscal Year (FY) 2017 Statement of Revenues and Expenses for the Period Ending March 31, 2017

M/S/C (Hendricks/Yeager) to review and accept the Fiscal Year 2017 Statement of Revenues and Expenses for the period ending March 31, 2017.

6.4. Casualty Property Operations Insurance Program for July 1, 2017 to July 1, 2018

M/S/C (Hendricks/Yeager) to authorize the General Manager to purchase Property and Casualty insurance coverage for General and Auto Liability, Public Officials & Employment Practices Liability, Cyber Liability, Environmental Impairment & Pollution Liability, Crime, Blanket Railroad Protective Liability, and Property Insurance renewing the annual Operations Insurance Program for Fiscal Year 2018 for an amount not to exceed \$3,500,000.

6.5. Workers' Compensation Third Party Claims Administrator Contract Award - S16353

M/S/C (Hendricks/Yeager) to authorize the General Manager to execute a fixed fee contract with Tristar Risk Management for Workers' Compensation Third Party Claims Administrator (TPA) for a five year term, from July 1, 2017 through June 30, 2022. The total five-year contract cost for claims services will not exceed \$5,260,100.

6.6. Contract for Workers' Compensation Managed Care Services

M/S/C (Hendricks/Yeager) to authorize the General Manager to execute a contract with EK Health for Workers' Compensation Managed Care Services for a five-year term, from July 1, 2017 through June 30, 2022 for a total cost not to exceed \$1,400,000.

6.7. Approval of On Call Consultant List for Real Estate Services

M/S/C (Hendricks/Yeager) on a vote of 11 ayes, 0 no, and 1 recusal, to authorize the General Manager to establish an on-call list of qualified firms for the following real estate consultant services: relocation assistance, appraisal, appraisal review, furniture/fixtures/equipment appraisal, goodwill valuation, title and escrow, and general real estate services. The General Manager will be authorized to negotiate and execute service contracts with the firms for a term of five years and a value not to exceed \$11,000,000 for all firms combined. The contracts will have an option for an additional two-year term, at a combined value not to exceed \$4,400,000 for the option term. Vice Chairperson Liccardo recused.

6.8. Authorization of Developer Solicitation for Evelyn Joint Development Site

M/S/C (Hendricks/Yeager) to authorize the General Manager to issue a developer solicitation for the Evelyn Joint Development site for the purpose of identifying a developer to recommend to the Board of Directors for an Exclusive Negotiations Agreement. The solicitation will seek developers to design, finance, build, and operate a 100% affordable housing development pursuant to a long-term ground lease from VTA.

6.9. De Anza College Stelling Road Bus Stop Improvement Contract

M/S/C (Hendricks/Yeager) on a vote of 11 ayes, 0 no, and 1 refusal, to authorize the General Manager to execute a contract with George Bianchi Construction, Inc., the lowest responsive and responsible bidder, in the amount of \$1,102,257 for the construction of the De Anza College Stelling Road Bus Stop Improvement. Vice Chairperson Liccardo refused.

6.10. Construction Contract Award Contract C650 (C16349) SVBX Sitework

M/S/C (Hendricks/Yeager) on a vote of 11 ayes, 0 no, and 1 refusal, to authorize the General Manager to execute a contract with Granite Rock Company, the lowest responsive and responsible bidder, in the amount of \$3,743,468 for the construction of SVBX Sitework plus a contingency amount of \$1,310,214 (35% of the contract value) to address unforeseen and unforeseeable conditions due to the nature of the work. Vice Chairperson Liccardo refused.

6.11. Project Labor Agreement for C650 SVBX Sitework

M/S/C (Hendricks/Yeager) to adopt **Resolution No. 2017.06.17** of findings that use of a Project Labor Agreement (PLA) in the C650 SVBX Sitework Contract will ensure the availability and stability of labor resources throughout the duration of construction.

6.12. Amend the C836 Alum Rock Avenue Roadway, Busway and Station Improvements Contract for Alum Rock - Santa Clara Bus Rapid Transit Project with Ghilotti Construction Company

M/S/C (Hendricks/Yeager) on a vote of 11 ayes, 0 no, and 1 refusal, to authorize the General Manager to amend the C836 Alum Rock Avenue Roadway, Busway and Station Improvements Contract with Ghilotti Construction Company by an amount of \$2,663,038 for additional electrical and communications work for the Alum Rock - Santa Clara Bus Rapid Transit Project, increasing the total contract amount to \$23,218,312. Vice Chairperson Liccardo refused.

6.13. Radio Equipment and Services for SVRCS and CAD/AVL

M/S/C (Hendricks/Yeager) on a vote of 11 ayes, 0 no, and 1 refusal, to authorize the General Manager to execute a purchase order, in an amount not to exceed \$5,965,276 for console radios, subscriber radios and related equipment and professional services from Motorola Solutions, Inc., under the pricing terms and conditions obtained through the cooperative agreement dated September 25, 2012, between the County of Santa Clara and Motorola Solutions, Inc., for goods and related services for use on the Silicon Valley Regional Communications System (SVRCS) and the CAD/AVL (Computer Aided Dispatching-Automatic Vehicle Location) system. Vice Chairperson Liccardo refused.

6.14. Procurement of Three Position Exterior Bike Racks

M/S/C (Hendricks/Yeager) to authorize the General Manager to execute a contract with Sportworks Northwest Inc. of Woodinville, Washington for the purchase of 391 three-position exterior bike racks in the amount of \$654,925.

6.15. Technology Maintenance & Support Contracts

M/S/C (Hendricks/Yeager) on a vote of 11 ayes, 0 no, and 1 refusal, to authorize the General Manager to approve technology maintenance and support agreements with the specified technology firms for software and hardware support services. Each contract shall be for a maximum three-year period, with an option for two additional years, with an aggregate value not to exceed \$5,500,000 for all agreements in the first three years and \$3,850,000 for all agreements in years four and five. Board Member Chavez refused.

6.16. Fiscal Year 2018 & Fiscal Year 2019 Congestion Management Work Program

M/S/C (Hendricks/Yeager) to approve the Fiscal Year 2018 and Fiscal Year 2019 Congestion Management Work Program and budget.

6.17. (Deferred to the August 3, 2017, VTA Board of Directors Meeting.)

1) Adopt a Resolution, establishing the 2016 Measure B Program; and 2) adopt the 2016 Measure B Program Category Guidelines.

6.18. Measure B Complete Streets Reporting Requirements

M/S/C (Hendricks/Yeager) to approve the proposed 2016 Measure B Complete Streets reporting requirements.

6.19. 2017/18 TFCA Program Manager Fund

M/S/C (Hendricks/Yeager) to approve the programming of FY 2017/18 Transportation Fund for Clean Air Program Manager (TFCA 40%) funds to projects.

6.20. FY2017/18 TDA3 Project Priorities

M/S/C (Hendricks/Yeager) to adopt **Resolution No. 2017.06.18** approving the project priorities for the FY 2017/18 Countywide Transportation Development Act (TDA) Article 3 program.

6.21. San Jose Transportation Facilities Master Plan

M/S/C (Hendricks/Yeager) to approve the programming of \$492,508 federal Surface Transportation Program (STP) funds under the Priority Development Area Planning Grant program to the San Jose Diridon Transportation Facilities Master Plan, Phase 2.

6.22. Resolution to Support Certifications and Assurances for 2017 - 2019 Low Carbon Transit Operations Program (LCTOP)

M/S/C (Hendricks/Yeager) to adopt **Resolution No. 2017.06.19** authorizing the General Manager or Designee to file and execute grant applications, agreements, and certifications and assurances with the California Department of Transportation (Caltrans) for all current and future funds available through the Greenhouse Gas Reduction Fund (GGRF), Low Carbon Transit Operations Program (LCTOP).

6.23. Resolution to Commit Low Carbon Transit Operations Program (LCTOP) Funds to the Purchase of Zero Emission Electric Buses

M/S/C (Hendricks/Yeager) to adopt program **Resolution No. 2017.06.20** for VTA's 2017 through 2019 Low Carbon Transit Operations Program (LCTOP) for the VTA Zero Emission Bus project.

6.24. On-call Stormwater Consultant Services

M/S/C (Hendricks/Yeager) to approve an eligible list of three stormwater consultants to provide professional services on projects/programs that include, but are not limited to, the following categories: Phase II Small MS4 Permit, Industrial General Permit, Utility Vault and Underground Structures Permit, and Construction General Permit for stormwater consultant services with Engeo, Haley and Aldrich, and Keish Environmental; and authorize the General Manager to execute contracts with firms on this list. The list will be valid for a five-year period. The total amount of all contracts shall not exceed \$4,000,000.

6.25. IT Development and Project Management Assessment

M/S/C (Hendricks/Yeager) on a vote of 11 ayes, 0 no, and 1 recusal, to review and receive the Auditor General's report on the IT Development and Project Management Assessment. Board Member Chavez recused.

6.26. Recommended FY 2018 & FY 2019 Internal Audit Work Plans

M/S/C (Hendricks/Yeager) to approve the Auditor General's recommended Internal Audit Work Plans for the next two fiscal years (FY) for a maximum amount of \$465,000 for FY 2018 and \$465,000 for FY 2019.

6.27. Investment Program Controls Internal Audit -- FY 2017

M/S/C (Hendricks/Yeager) to review and receive the Auditor General's report on the Investment Program Controls Internal Audit performed during Fiscal Year 2017.

6.28. Amend the VTA Administrative Code to Establish the 2016 Measure B Citizens Oversight Committee and Approve the Committee Bylaws

M/S/C (Hendricks/Yeager) to adopt **Resolution No. 2017.06.21** amending the VTA Administrative Code to establish the 2016 Measure B Citizens' Oversight Committee and approve the bylaws for that committee.

6.29. 2016 Sustainability Program Report

M/S/C (Hendricks/Yeager) to receive the 2016 Sustainability Report.

6.30. VTA Three-Year (FYs 2018-2020) Project Initiation Document Work Plan

M/S/C (Hendricks/Yeager) to receive an update on VTA's Three-Year Project Initiation Document Work Plan for Santa Clara County.

6.31. Development Review Quarterly Report for January-Mar 2017

M/S/C (Hendricks/Yeager) to receive the Development Review Quarterly Report for January to March 2017.

6.32. Transit Service Changes - July 3, 2017

M/S/C (Hendricks/Yeager) to receive a report on the July 3, 2017 Transit Service Changes.

6.33. Legislative Update Matrix

M/S/C (Hendricks/Yeager) to review the Legislative Update Matrix.

RESULT: ADOPTED [UNANIMOUS] – Consent Agenda Items #6.1 - #6.6, #6.8, #6.11, #6.14, #6.16 - #6.24, #6.26 - #6.33

MOVER: Glenn Hendricks, Board Member

SECONDER: Ken Yeager, Board Member

AYES: Bruins, Carr, Chavez, Diep, Hendricks, Jones, Khamis, Liccardo, O'Neill, Peralez, Rennie (Alt.), Yeager

NOES: None

ABSENT: None

RESULT: ADOPTED [UNANIMOUS] – Consent Agenda Items #6.7, #6.9, #6.10, #6.12, #6.13

MOVER: Glenn Hendricks, Board Member

SECONDER: Ken Yeager, Board Member

AYES: Bruins, Carr, Chavez, Diep, Hendricks, Jones, Khamis, O'Neill, Peralez, Rennie (Alt.), Yeager

NOES: None

ABSENT: None

RECUSAL: Liccardo

RESULT: ADOPTED [UNANIMOUS] – Consent Agenda Items #6.15 and #6.25

MOVER: Glenn Hendricks, Board Member

SECONDER: Ken Yeager, Board Member

AYES: Bruins, Carr, Diep, Hendricks, Jones, Khamis, Liccardo, O'Neill, Peralez, Rennie (Alt.), Yeager

NOES: None

ABSENT: None

RECUSAL: Chavez

7. REGULAR AGENDA

Administration and Finance Committee

Agenda Items #7.1 and #7.2 were heard together.

7.1. Approval of Biennial Budget for Fiscal Years 2018 and 2019

7.2. Fare Policy Review

Raj Srinath, Chief Financial Officer, introduced Carol Lawson, Fiscal Resources Manager; Ali Hudda, Deputy Director of Accounting; and Jeffery C. Cleveland, Principal, Payden & Rygel.

Mr. Srinath provided a brief overview of Mr. Cleveland's professional background.

Mr. Cleveland provided a presentation on economic outlook for California and the United States, noting factors influencing forecast trends and business cycle indicators.

Members of the Board discussed the following: 1) economic impacts of federal policies, politics, and regulations; 2) global economic trends; 3) corporate and personal debts; and 4) shift to more service-related jobs.

Ms. Lawson proceeded with an overview of the Biennial Budget for FY 2018 and 2019, highlighting the following: 1) additional \$10 million in FY 2018 Local Streets & Roads Program Area for a one-time advance of FY 2017 fourth quarter receipts; 2) overview of budget impact from the adopted Final Transit Service Plan (Next Network); and 3) proposed funding for bus and light rail enhancements from 2016 Measure B and 2000 Measure A.

Mr. Hudda provided a summary of changes to the fare structure, noting: 1) changes to SmartPass (formerly Eco Pass), including consolidation of tiers; 2) staff concerns about the current Eco Pass program; 3) overview of fare-related concerns from the community; and 4) revenue impact of proposed Fare Policy changes.

Ms. Lawson continued the presentation, noting: 1) overview of projected operating deficit and deficit management strategies; and 2) summary of Board actions, including the review and approval of the Title VI Fare Equity Analysis, and next steps.

Members of the Board expressed appreciation to staff for their work on the budget and fare policy review. A robust discussion ensued on the following: 1) impacts of the proposed Fare Policy changes; 2) comparison of revenues and expenses from previous fiscal years; 3) possible short-term and long-term strategies to address operating and maintenance needs, including consideration of changes to reserve policies; and 4) reasons behind fare categories and consolidation of tiers.

Board Member Chavez offered the following comments: 1) asked how 2016 Measure B funds would be used to expand service and programs that support the youth, senior, disabled, and low income population; 2) ensure appropriate allocation of 2016 Measure B funds for long-term operations and maintenance; 3) asked if the Transit Assistance Program (TAP) could consider low income students who already participate in low income programs through their school; and 4) engage the County to explore improvements in business and financial processes.

Board Member Jones noted the City of San Jose requests developers and employers to consider implementation of Transportation Demand Management (TDM) programs. This could incentivize participation in the Eco Pass program. He requested staff further analyze how local agency policies could be leveraged to increase revenues.

Upon query of Board Member Jones, staff acknowledged receipt of the De Anza Associated Student Body's "Alternative Collegiate Pass Proposal."

Public Comments

John Courtney, ATU Local 265, noted the labor union's support of 2016 Measure B and expressed concern about the consideration of Transportation Network Companies (TNC) to provide first/last mile connections, citing regulatory and compliance issues.

Joe Young, Sacred Heart Community Service, advocated for fair share allocation of 2016 Measure B funds to expanding mobility programs and affordable fares for seniors.

Matthew Reed, Sacred Heart Community Service, noted the organization's support of 2016 Measure B and expressed concern about the proposed fare increase for seniors and low-income community.

Tom Tanner, Interested Citizen, expressed concern about the fare increase for Corporate Passes and how it might impact ridership and participation by his employer, Cisco Systems, Inc. (Cisco). He noted VTA Express Bus 121 is a great service and he is an avid user of the service.

Adina Levin, Friends of Caltrain, noted budget challenges at Caltrain's Member Agencies could affect Caltrain's overall funding. She urged VTA to work with its partners to come up with creative solutions to Caltrain's funding structure issues.

The following Interested Citizens/De Anza College students expressed opposition to the proposed increase for Collegiate Passes, noting equity issues, affordability issues, and the importance of access to education and sustainable transportation options. They offered clarification on administrative fees imposed by the college to students and highlighted the De Anza Associated Student Body's alternative fare proposal. They urged the Board to defer changes to the fare policy pending further review and discussion:

- Neil McClintick
- Elias Kamal
- April Nicholson
- Riley Vance-Gydesen
- Antonio Castillo
- David Mostoufi, read comments from student, Yvette
- Ryan Neil
- Jacob Gonzalez
- Tasha Gonzalez
- Zachary Yan
- Aleksandra Niewczas
- Gurkiran Dhaliwal
- Austin Cheng
- Ankur Banerjee
- Sara Elzeiny
- Keerthana Muthukrishnan
- Raphael Villagracia

- Amanda Le
- Chi Tran
- Eddie Cisneros

The following Interested Citizens/San Jose State University (SJSU) students expressed concern of the proposed fare structure changes and increase to Eco Pass. They advocated for sustainable transportation options and consideration of the senior, disabled, and student population:

- Nicholas Danty
- Jack Spica
- Sybil Leonard

Sandy Perry, Interested Citizen, expressed concern of the proposed increase for Eco Pass and advocated for fair policies that reduce equality gap.

Mr. Wightman expressed concern of the proposed increase for Eco Pass and asked if there are fare increases for Clipper card users.

Cody Mowbray, Interested Citizen, commented that although San Jose City College now utilizes Eco Pass, he expressed concern the fare increase could impact students' access to the college.

Satnam Gill, Interested Citizen, made the following comments: 1) asked how Senate Bill (SB) 1 would impact revenues; 2) VTA is a non-profit entity that should serve the public; and 3) expressed concern union jobs could be affected by TNCs.

Diana Hermone, Interested Citizen, expressed concern about autonomous vehicles. She noted VTA should provide public service and support the community, highlighting efforts made through the Joint Workforce Investment (JWI).

Aboubacar Ndiaye, Working Partnerships USA, commented that increasing fares could impact ridership, local economic activity, and transit accessibility of the low-income community. He suggested the Board consider lowering the fare increase for adults and seniors/disabled.

Howard Miller, Interested Citizen and VTA PAC Chairperson, noted a summary of the PAC's recommendations pertaining to the Fare Policy, highlighting: 1) extension of the free VTA-to-VTA transfer to a two-hour window; 2) inclusion of the Express Pass in the Corporate Pass base fare; and 3) need for robust Eco Pass marketing and outreach to all schools.

Board Member Hendricks thanked the public speakers for their engagement and provided a brief summary of discussions from the VTA Administration and Finance (A&F) Committee. He noted the following: 1) proposed Fare Policy incorporates free transfers on the VTA network and does not change the current paratransit fee structure; 2) structural changes in the proposed budget recognizes the anticipated increase in service hours from the adopted Final Transit Service Plan (Next Network); and

3) farebox recovery is still low and there are more needs than resources. He emphasized the changes and challenges ahead, noting the Board should adhere to the budget and exercise fiscal responsibility.

Alternate Board Member Rennie asked if there could be considerations to lessen the impact of a fare increase to the Collegiate Pass for community colleges by making adjustments in the Youth Single Ride Cash fares.

Chairperson Bruins noted the challenge involved with providing excellent service and having the resources to do so. She highlighted the phased implementation of the changes to some of the fares and the comprehensive work and analysis staff has done to review and update the Fare Policy.

Board Member Yeager proposed changes to staff recommendations pertaining to the Senior/Disabled fare category and Collegiate Pass for community colleges.

Board Member Chavez proposed extending the VTA-to-VTA transfer window to two hours.

Discussion ensued about how the changes to staff recommendation on fares might affect the overall budget and service revenue hours. There was a concern these could lead to further deficit. The Board requested staff provide further information on overall budget impact of amendments to the Senior/Disabled fare and community college Collegiate Pass at a future meeting.

Vice Chairperson Liccardo noted there is opportunity to revisit the budget in the near future and make appropriate changes should analysis reveal substantial negative gap in revenues. He also requested staff engage Cisco to address their concerns and provide further information about the Corporate Pass.

Board Member Carr expressed concern that exclusion of the Express option under the Corporate Pass base fare could negatively impact ridership. He requested staff consider the impacts of the fare structure change in the forthcoming Express Bus Study.

Upon query of Members of the Board, staff provided an overview of economics concerning Corporate Pass, Express Pass option, and fares per boarding. Staff noted the Clipper Direct option for employees to purchase transit passes on a tax-deferred basis.

Board Members Peralez and Jones highlighted the need for more robust outreach to employers to increase awareness of available transit pass options, particularly the Clipper Direct option. Board Member Jones suggested re-evaluating the Corporate Pass structure for maximum revenue potential and to provide an update to the Board at a future meeting.

Board Member Hendricks expressed concern regarding the impacts of the policy decision the Board was making to future Boards. Rob Fabela, General Counsel, noted future Boards are not bound by the actions of the current Board and that the future Boards have the ability to change policy direction.

7.2. M/S/C (Yeager /Liccardo) on a vote of 11 ayes and 1 no, to:

1. Adopt a finding that a fare increase is necessary to meet operating expenses, including employee wages and fringe benefits and purchasing or leasing supplies, equipment, or materials.
2. Invoke a Statutory Exemption under CEQA, P. R.C. §21080(b)(8) and CEQA Guidelines Section 15273(a) (Rates, Tolls, Fares and Charges) for the purpose of modifying and increasing fares.
3. Consider and approve VTA's Title VI Fare Equity Analysis.
4. Adopt **Resolution No. 2017.06.24** establishing rates and fares for VTA bus, light rail, and paratransit services effective January 1, 2018.
5. Adopt **Resolution No. 2017.06.23** establishing rates and fares for VTA bus, light rail, and paratransit services effective January 1, 2019.

With the following changes:

1. Approve Senior/Disabled fares for 2018, no recommendation for Senior/Disabled fares for 2019 until it is revisited at a later date;
2. Change the Eco Pass rate for all Community Colleges (Collegiate Pass) to \$20 per student per year for the next four years;
3. Increase transfer period time to two hours; and
4. Approve the Corporate Pass rate increase with the request to assess Eco Pass to determine if there are ways to increase revenues.

Board Member Chavez opposed.

RESULT:	ADOPTED [Adopted as Amended] – Agenda Item #7.2
MOVER:	Ken Yeager, Board Member
SECONDER:	Sam Liccardo, Vice Chairperson
AYES:	Bruins, Carr, Diep, Hendricks, Jones, Khamis, Liccardo, O'Neill, Peralez, Rennie (Alt.), Yeager
NOES:	Chavez
ABSENT:	None

7.1. M/S/C (Liccardo/Hendricks) on a vote of 11 ayes and 1 no, to adopt **Resolution No. 2017.06.22** approving the Fiscal Years 2018 and 2019 Biennial Budget for the period July 1, 2017 through June 30, 2019, with the conditions that:

1. The General Manager shall return to the Board by June 2018, or 6 months after the commencement of the Next Network service, whichever comes later, with an analysis of ridership and revenues relative to budgeted estimates;
2. Where that analysis reveals a substantial negative gap in revenues, the General Manager shall concurrently present options including, but not limited to, a list of proposed reductions of service or other cost savings that will enable VTA to operate in a fiscally sustainable manner.

Board Member Chavez opposed.

RESULT:	ADOPTED [Adopted as Amended] – Agenda Item #7.1
MOVER:	Sam Liccardo, Vice Chairperson
SECONDER:	Glenn Hendricks, Board Member
AYES:	Bruins, Carr, Diep, Hendricks, Jones, Khamis, Liccardo, O'Neill, Peralez, Rennie (Alt.), Yeager
NOES:	Chavez
ABSENT:	None

7.3. Special Event Service Policy

Inez Evans, Chief Operating Officer, provided an overview of the staff report.

Mr. Srinath provided an overview of costs pertaining to augmented services, including additional personnel, security, and wear-and-tear of vehicles.

Vice Chairperson Liccardo expressed concern the policy specifies the venue as the funding party without consideration for other cost recovery options that might be proposed, such as an event surcharge for attendees. He suggested VTA consider accommodations for funding options the venue might propose that do not impose additional costs to VTA.

Nuria I. Fernandez, General Manager and CEO, noted the importance of a framework for providing augmented services. She emphasized VTA is an open system and there is a need for consideration of service management and cost recovery.

Board Member O'Neill thanked staff for their attendance at a recent City of Santa Clara's Stadium Authority Board meeting, noting the Stadium Authority is considering surcharge options, such as additional fees on parking.

Members of the Board concurred with a proposal from Board Member Peralez, suggesting a modification to the policy language to emphasize that funding for any additional service requested be the responsibility of the venue.

Board Member Hendricks noted he is comfortable with the policy as written, adding VTA should have a strong policy that underscores each party's responsibilities.

Public Comment

Kermit Cuff, VTA Transit Service Development Supervisor, noted the importance of VTA's role as the transportation authority and expressed concern about how the policy may reflect negatively on VTA, particularly if an augmented service agreement is not reached between parties. He suggested VTA continue to work cooperatively with venues to explore creative solutions for cost recovery.

Roland Lebrun, Interested Citizen, suggested VTA could consider lobbying for legislation that will address this issue, similar to existing legislation in other states.

M/S/C (Liccardo/Chavez) on a vote of 11 ayes and 1 no, to approve the Special Event Service Policy. Further, the Board directed staff to: 1) update the language in Section 4.0 of the policy (Document Number OPS-PL-0004, Version Number 01) to note, "it is VTA's policy to require funding for any additional service requested be the responsibility of the venue" using VTA service for such event; and 2) provide accommodations for funding options the venue might propose that do not impose an additional cost to VTA. Board Member Hendricks opposed.

RESULT:	ADOPTED [Adopted as Amended] – Agenda Item #7.3
MOVER:	Sam Liccardo, Vice Chairperson
SECONDER:	Cindy Chavez, Board Member
AYES:	Bruins, Carr, Chavez, Diep, Jones, Khamis, Liccardo, O'Neill, Peralez, Rennie (Alt.), Yeager
NOES:	Hendricks
ABSENT:	None

8. OTHER ITEMS

8.1. General Manager's Report

Ms. Fernandez noted the General Manager's Report was contained in the Board Members' reading folders and placed on the Public Table. She highlighted the following:

- Project of the Year Award (more than \$25 Million Category) by the American Public Works Association Silicon Valley Chapter for VTA's Mountain View Double Track Project;
- Announced the 2017 Summer Youth Pass is now available for sale, noting validity for unlimited rides on VTA light rail and buses from June 1 through August 31;
- Announced VTA's Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) Pride Month Symposium on June 22, 2017, at VTA's River Oaks Auditorium; and

- Announced the Santa Clara Caltrain Undercrossing ribbon-cutting event on June 30, 2017.

8.1.A. Government Affairs Update

Ms. Fernandez noted the Government Affairs Update was contained in the Board Members' reading folders and placed on the Public Table. She briefly highlighted the President's proposed FY 2018 federal budget.

On order of Chairperson Bruins and there being no objection, the Board received the Government Affairs Update.

8.1.B. Silicon Valley Rapid Transit (SVRT) Program Update

Dennis Ratcliffe, Interim Director of Engineering & Transportation Infrastructure Development, provided an overview of VTA's BART Silicon Valley Extension Phase I schedule, noting critical activities remaining.

Upon query of Vice Chairperson Liccardo, staff noted revenue service by December 2017 for the Berryessa Extension is highly unlikely due to train control system issues at the Warm Springs station.

Ms. Fernandez noted any reconfigurations must follow BART's standards and staff will provide an update on impacts to schedule and supporting activities after installation and testing of the Warm Springs track control system.

Public Comment

Mr. Lebrun queried about the following: 1) how the revised timeline would affect Next Network implementation and 2) if joint testing of the Warm Springs Extension and Berryessa Extension train control systems can be revisited.

Board Member Hendricks expressed concern about the requirements changes and requested further information pertaining to requirements lock in timing and additional work hours that might be involved.

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

8.2. Chairperson's Report

Chairperson Bruins indicated the June 23, 2017, Board meeting has been cancelled, noting the Office of the Board Secretary would send out the official notification on Friday, June 2, 2017.

8.3. Items of Concern and Referral to Administration

There were no Items of Concern and Referral to Administration.

8.4. Unapproved Minutes/Summary Reports from VTA Committees, Joint Powers Boards (JPB), and Regional Commissions

8.4.A. VTA Standing Committees

- Governance and Audit Committee - The May 4, 2017, Minutes were accepted as contained in the Agenda Packet.
- Congestion Management Program & Planning (CMPP) Committee - The May 18, 2017, Minutes were accepted as contained in the Agenda Packet.
- Safety, Security, and Transit Planning & Operations (SSTP&O) Committee - The May 19, 2017, Minutes were accepted as contained in the reading folder.
- Administration & Finance (A&F) Committee - There was no report.

8.4.B. VTA Advisory Committees

- Technical Advisory Committee (TAC) - The May 10, 2017, Minutes were accepted as contained in the Agenda Packet.
- Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) - The May 10, 2017, Minutes were accepted as contained in the Agenda Packet.
- Bicycle & Pedestrian Advisory Committee (BPAC) – The May 10, 2017, Minutes were accepted as contained in the Agenda Packet.
- Committee for Transportation Mobility and Accessibility (CTMA) - The May 11, 2017, Minutes were accepted as contained in the Agenda Packet.
- Policy Advisory Committee (PAC) - The May 11, 2017, Minutes were accepted as contained in the Agenda Packet.

8.4.C. VTA Policy Advisory Boards (PAB)

- Eastridge to BART Regional Connector PAB (formerly Downtown East Valley PAB) – The April 27, 2017, Minutes were accepted as contained in the Agenda Packet.
- State Route 85 Corridor PAB – The May 22, 2017, Minutes were accepted as contained in the reading folder.
- Downtown East Valley Policy Advisory Board – There was no report.
- Diridon Station Joint Policy Advisory Board – There was no report.
- El Camino Real Rapid Transit PAB – There was no report.

8.4.D. Joint Powers Boards and Regional Commissions

- Caltrain Peninsula Corridor Joint Powers Board – The June 1, 2017, Summary Notes were accepted as contained in the reading folder.
- Capitol Corridor Joint Powers Authority – There was no report.
- Dumbarton Rail Corridor Policy Committee – There was no report.
- Metropolitan Transportation Commission (MTC) – There was no report.
- Sunol Smart Carpool Lane Joint Powers Authority – There was no report.
- Sunol SR 152 Mobility Partnership – There was no report.

8.5. ANNOUNCEMENTS

There were no Announcements.

9. CLOSED SESSION

9.1. Recessed to Closed Session at 9:47 p.m.

Alternate Board Member Rennie recused himself from Closed Session.

A. Conference with Legal Counsel - Existing Litigation
[Government Code Section 54956.9(d)(1)]

Name of Case: City of Saratoga; City of Cupertino; Town of Los Gatos v. California Department of Transportation [Santa Clara Valley Transportation Authority, Real Parties in Interest] (Santa Clara County Superior Court Case No.: 115CV281214)

Board Member Peralez left the meeting at 9:47 p.m.

Vice Chairperson Liccardo left the meeting at 9:48 p.m.

9.2. Reconvened to Open Session at 10:04 p.m.

9.3. Closed Session Report

A. Conference with Legal Counsel - Existing Litigation
[Government Code Section 54956.9(d)(1)]

Name of Case: City of Saratoga; City of Cupertino; Town of Los Gatos v. California Department of Transportation [Santa Clara Valley Transportation Authority, Real Parties in Interest] (Santa Clara County Superior Court Case No.: 115CV281214)

Mr. Fabela noted no reportable action was taken during Closed Session.

10. ADJOURN

On order of Chairperson Bruins and there being no objection, the meeting was adjourned at 10:04 p.m.

Respectfully submitted,

Michelle Oblena, Board Assistant
VTA Office of the Board Secretary



Date: July 21, 2017
Current Meeting: August 3, 2017
Board Meeting: August 3, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Interim Director - Engr & Transp Program Del, Dennis Ratcliffe

SUBJECT: Construction of Closed Circuit Television (CCTV) at Various Locations, Phase 9 (C17020F) Contract

Policy-Related Action: No

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to execute a contract with Ojo Technology, Inc., the lowest responsible bidder, in the amount of \$660,461 for the installation of Closed Circuit Television (CCTV) at Various Locations, Phase 9 (C17020F) contract.

BACKGROUND:

The VTA light rail system includes CCTV monitoring at 55 light rail stations out of the total of 61 light rail stations on the system. This contract will enhance and expand the CCTV video-on-demand program by adding CCTV monitoring capabilities at the six remaining light stations; Whisman, Middlefield, Lockheed, Borregas, Crossman, and Bonaventura Light Rail Stations (Exhibit A).

DISCUSSION:

The CCTV at Various Locations, Phase 9 (C17020F) contract was advertised on June 13, 2017. Four bids were submitted on July 12, 2017 with the following results:

<u>Company Name</u>	<u>Bid Amount</u>
Ojo Technology, Inc.	\$ 660,461
Kratos Public Safety & Security Solutions, Inc	\$ 817,390
Itech Solution	\$ 1,032,150
Cal Coast Telecom	\$ 1,034,649
Engineer's Estimate	\$ 900,170

Staff is recommending Ojo Technology, Inc. as the lowest responsible and responsive bidder. The low bid is 27% under the Engineer's Estimate with the average bid 1.6% under the Engineer's Estimate. This contractor has a satisfactory record of performance on past VTA CCTV work.

Construction is scheduled to begin in October 2017 with completion in February 2018.

ALTERNATIVES:

There are no practical alternatives to the recommended action for completing this work.

FISCAL IMPACT:

This action will authorize \$660,461 for the procurement and installation of CCTV at various locations, Phase 9 (C17020F) contract. Appropriation for this expenditure is included in the FY18 Adopted VTA Transit Fund Capital Budget. The contract is fully funded by Prop 1B California Transit Security Grant Program – California Transit Assistance Fund (FY13-14 and FY14-15 CTSGP-CTAF).

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:

Based on identifiable subcontracting opportunities, a Disadvantaged Business Enterprise (DBE) goal of 2.21% was established for this contract. Contractor met the established goal and has committed to 80.35% DBE participation.

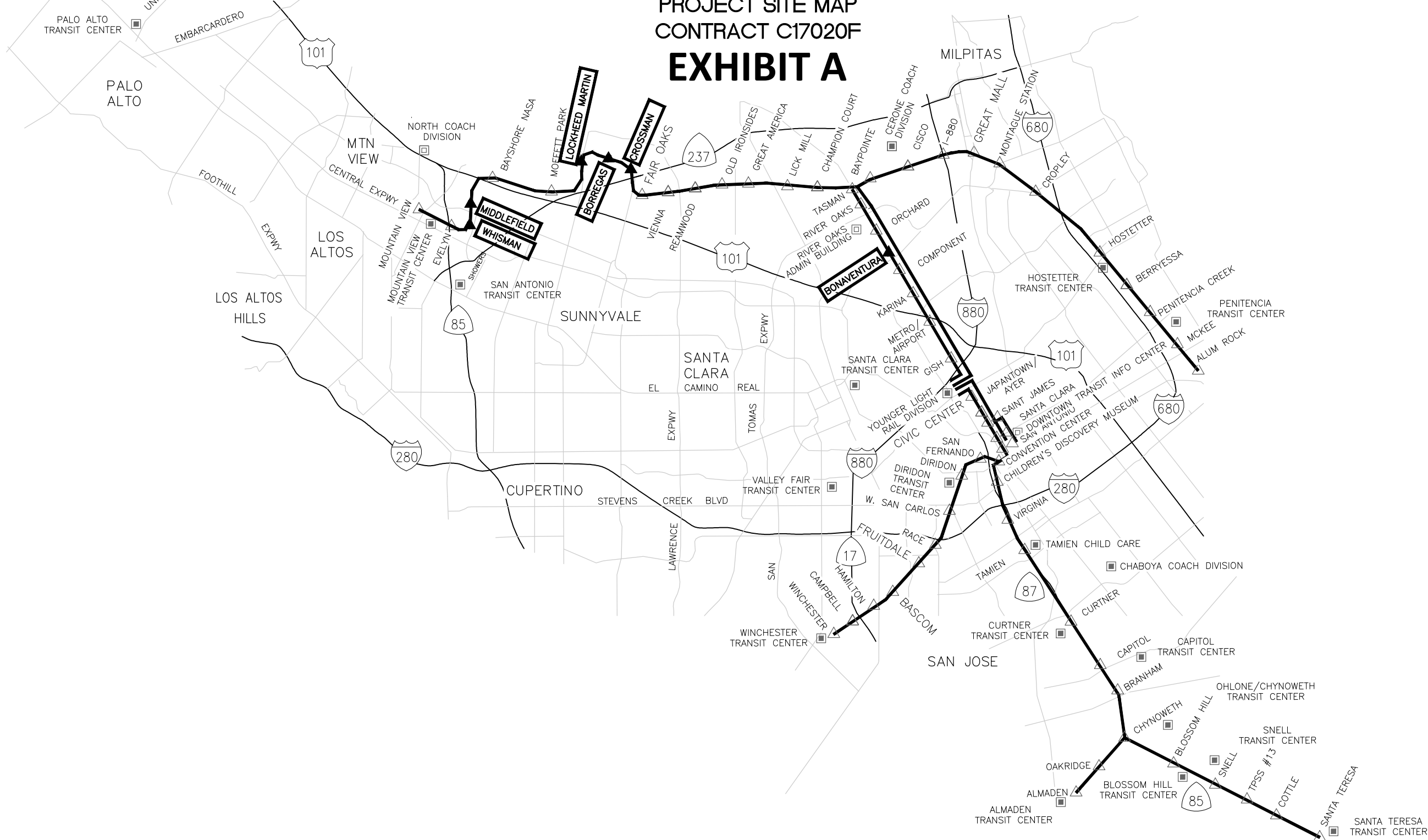
Prepared by: Adolf Daaboul, Sr. Transportation Engineer
Memo No. 6077

ATTACHMENTS:

- 6077 Exhibit A CCTV Project Site (PDF)



SANTA CLARA VALLEY TRANSPORTATION AUTHORITY
CCTV AT VARIOUS LOCATIONS PHASE 9
PROJECT SITE MAP
CONTRACT C17020F
EXHIBIT A





Date: July 19, 2017
 Current Meeting: August 3, 2017
 Board Meeting: August 3, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Interim Director - Engr & Transp Program Del, Dennis Ratcliffe

SUBJECT: Construction Contract Award - Capitol Expressway Pedestrian Connection to Eastridge Transit Center, Contract (C17131F)

Policy-Related Action: No

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to execute a contract with St. Francis Electric, LLC., the responsive and responsible bidder, in the amount of \$740,160 for the construction of Capitol Expressway Pedestrian Connection to Eastridge Transit Center.

BACKGROUND:

The Eastridge Transit Center is the second busiest transfer hub in VTA's bus service system, serving eleven bus lines with over 2,500 passenger weekday daily boarding.

In 2010, VTA completed the "Eastridge Transit Center Improvement and Access Plan." The resulting Plan identified projects that would improve the access to the Transit Center from neighboring communities, with emphasis on pedestrian and bicycle needs. This project will enhance pedestrian safety crossing along Capitol Expressway and will enhance neighborhood connections to the transit center (see Exhibit A).

The contract scope includes construction of a new crosswalk with Americans with Disability Act (ADA) curb ramps across Capitol Expressway; adding a pedestrian crossing phase to the existing traffic signal; installation of new street lighting along Capitol Expressway; installation of approximately 1200 ft. of new fencing along the Capitol Expressway median; modifications to the existing metal beam guardrail to provide access to new City trail; and installation of a new crosswalk with ADA curb ramp at the shopping center driveway to provide access from City trail.

DISCUSSION:

The Contract was initially advertised on April 11, 2017. Only one bid was received on May 1, 2017. The bidder at that time, also St. Francis Electric, LLC., failed to meet the required Disadvantaged Business Enterprise (DBE) goal and did not provide proper documentation for good faith efforts. The bid was rejected and the Contract was re-advertised on May 15, 2017. To encourage more bids, an outreach effort was performed to attract potential bidders. In addition, two pre-bid meetings were held to discuss the project. However, only one bid was submitted on June 26, 2017 as follows:

<u>Company Name</u>	<u>Bid Amount</u>
St. Francis Electric, LLC	\$740,160
Engineer's Estimate	\$642,035

The bid received is about 15 % above the Engineer's Estimate. VTA staff has completed the bid review process and has determined that St. Francis Electric, LLC is the responsible and responsive bidder.

The single bid submission during both advertisements is indicative of the currently saturated construction market in Silicon Valley and portrays the limited availability of specialty contractors. Given these factors, staff determines that St. Francis Electric, LLC's bid, which is \$98,125 above the Engineer's Estimate, is fair and reasonable.

Construction is scheduled to begin in September 2017 and will be completed in May 2018.

ALTERNATIVES:

The Board could choose to reject bid and request staff to re-advertise the contract. Delaying the award of this contract would increase the risk of higher bid prices in future and would jeopardize the schedule requirements of the Federal Highway Safety Improvement Program (HSIPL) funds.

FISCAL IMPACT:

This action will authorize \$740,160 for the construction of the Capitol Expressway Pedestrian Connection to Eastridge Transit Center. Appropriation for this expenditure is included in the FY18 Adopted VTP Highway Improvement Program Fund Capital Budget. This contract is funded by a combination of Federal Highway Safety Improvement Program (HSIP) and County Expressway Pedestrian Improvement Program (TDA) funds.

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION

Based on identifiable subcontracting opportunities, a Disadvantaged Business Enterprise (DBE) goal of 11.4% was established by the Office of Business Diversity Programs for this contract. The Contractor has met the established goal and has committed to 13.17 % DBE participation for this contract.

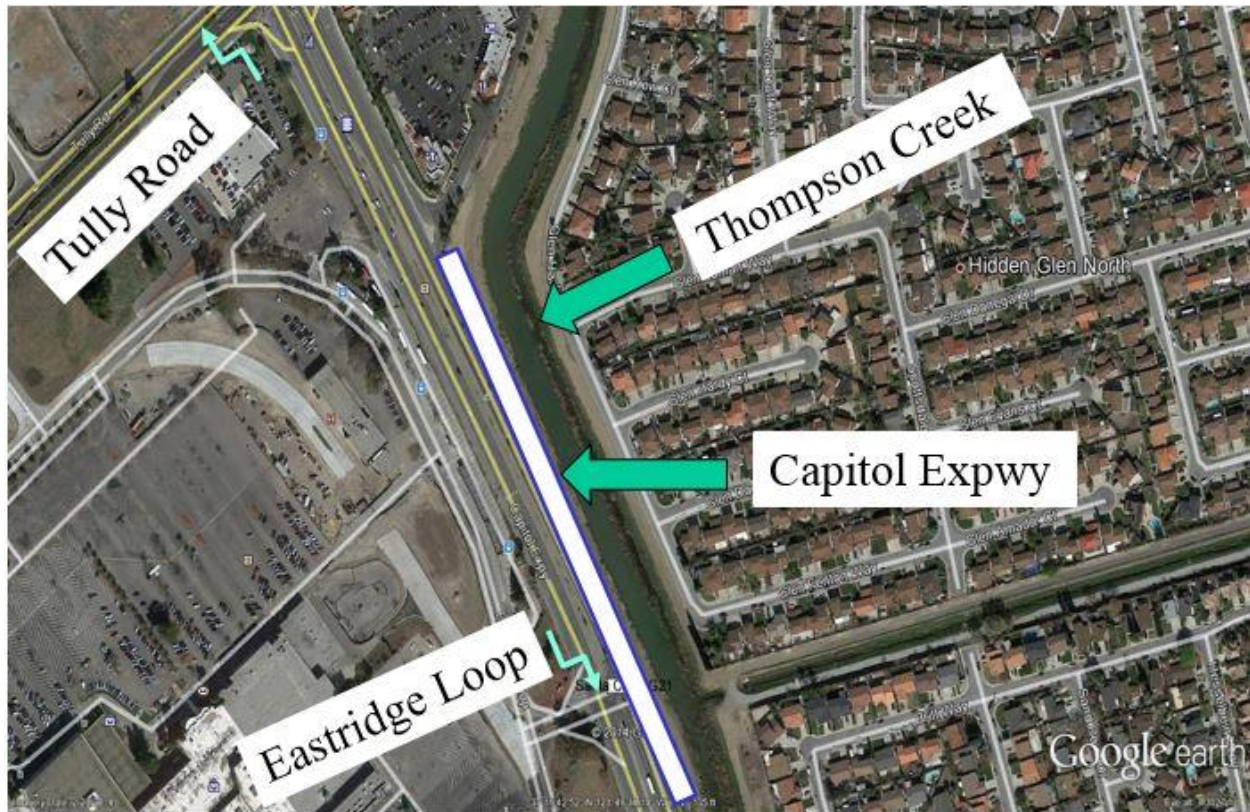
Prepared by: Michelle Jiang, Sr. Transportation Engineer
Memo No. 5163

ATTACHMENTS:

- 5163 Exhibit A- PROJECT LOCATION (PDF)

Exhibit A

Capitol Expressway Pedestrian Connection to Eastridge Transit Center





Date: July 13, 2017
 Current Meeting: August 3, 2017
 Board Meeting: August 3, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Interim Director - Planning & Programming, Carolyn M. Gonot

SUBJECT: Status Report on One Bay Area Grant Cycle 2 Funding

FOR INFORMATION ONLY

BACKGROUND:

In response to the May 2016 competitive call-for-projects, VTA staff received twenty-seven One Bay Area Grant Cycle 2 (OBAG 2) applications, requesting a total of \$73.9 million, approximately \$21 million more than VTA had available. There was an extensive review and evaluation process by a volunteer committee comprised of local jurisdiction staff. Discussions continued in order to consider: 1) geographic equity, 2) an appropriate fund cut-off line, since there was a three-way tie at 70 points, and 3) incentives for 100% county-wide project delivery. Once a cut-off line was established, the shortfall was \$4.2 million.

Over the course of program development, VTA Board of Directors approved several actions to create the program structure, the guarantee local streets and roads preservation formulas, and the competitive project selection criteria. At the January 5, 2017 meeting, the final action was taken to unanimously approve the One Bay Area Grant Cycle 2 program of projects.

DISCUSSION:

During the discussion to approve the program of projects, the Directors requested that staff come back within six months to either:

- a) Identify additional funding to cover the shortfall,
- b) Request more time to find alternatives, and/or
- c) Reduce the recommended list of projects to the funds available.

This memorandum addresses Option A. VTA staff plans to address the \$4.2 million OBAG 2 Competitive Complete Streets program shortfall as follows:

1. Funding from the Vehicle Emissions Based at Schools (VERBS) program
2. Future savings from OBAG 1 and OBAG 2 projects
3. Funds from the State Transportation Improvement Program (STIP)

VERBS Funding

The recent Vehicle Emissions Reductions Based at Schools (VERBS) Cycle 3 call-for-projects was undersubscribed by \$873,000. Two OBAG Cycle 2 projects qualify for the VERBS program. VTA staff is recommending that the VTA Board program the remaining VERBS funds to the City of Santa Clara's *Santa Clara Safe Routes to School* and *Saratoga Creek Trail, Phase 1* projects as part of the VERBS Cycle 3 program action. This will reduce the OBAG 2 program shortfall by \$873,000.

Future Savings from OBAG 1 and OBAG 2 Projects

As OBAG 1 projects close out, VTA staff expects potential cost savings to reprogram. Further, the OBAG 2 program term continues through FY2022. Because of the length of time, staff anticipates that not all approved projects will remain viable and that others will have project savings.

STIP Funds

As a result of a series of State actions over the last 5 years, VTA has a regional requirement from MTC to program at least \$4,330,000 to bicycle and pedestrian projects in the STIP. The Cliff Notes version of what occurred is as follows:

- MTC included Federal Transportation Enhancement (TE) funds in VTA's OBAG 1 program share.
- VTA programmed those TE funds to Palo Alto's Adobe Creek Bicycle & Pedestrian Bridge project.
- The State of California took all TE funding from the regions, put it into the Active Transportation Program (ATP), and replaced it with State Highway Account (SHA) funds from the STIP.
- STIP funding collapsed in 2016, and the State deleted \$750 million worth of programmed projects. One of those projects was Palo Alto's.
- The VTA Board replaced Palo Alto's STIP funding with OBAG 2 funding, but the requirement to replace \$4,330,000 with non-OBAG, non-bicycle/pedestrian-dedicated funds remains.

Staff is currently reviewing the recommended OBAG 2 program of projects to determine which ones would be the most viable STIP candidates, should STIP program capacity become available.

Prepared By: Celeste Fiore
Memo No. 6119



Date: July 28, 2017
 Current Meeting: August 3, 2017
 Board Meeting: August 3, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Interim Director - Planning & Programming, Carolyn M. Gonot

SUBJECT: VERBS Program of Projects - Third Cycle

Policy-Related Action: No

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

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

BACKGROUND:

Under the umbrella of the Climate Initiatives Program, in December 2009, the Metropolitan Transportation Commission (MTC) set aside Federal Highway Administration flexible funds for a Safe Routes to School (SR2S) Program. MTC further split the SR2S program funds into two programs: one administered by MTC, and one delegated to each of the county Congestion Management Agencies (CMAs).

As the CMA for Santa Clara County, Santa Clara Valley Transportation Authority (VTA) developed a county Safe Routes to School program called Vehicle Emissions Reductions Based at Schools (VERBS). VTA staff worked with a coalition of local partners to develop the programming process and criteria through the VTA Technical Advisory Committee's Capital Improvement Program Working Group.

It is important to note that this program is funded exclusively by federal Congestion Mitigation and Air Quality (CMAQ) funds. CMAQ focuses on vehicle emission reductions. As a result, VERBS projects need to target air quality improvements as well as the health and safety of school-aged children.

The VTA Board of Directors approved the original VERBS program evaluation criteria and procedures on September 2, 2010. The Board equally divided VERBS funding between

infrastructure and non-infrastructure project types. Since then, VTA staff issued two call-for-projects using these criteria on September 3, 2010, and on November 19, 2012.

In 2016, MTC discontinued the regional SR2S program, and directed the funds into the One Bay Area Grant program (OBAG). The amount available for the VERBS third cycle is \$6,878,000 for the five-year period 2018 through 2022, based on current K-12 total enrollment for private and public schools as reported by the California Department of Education. In addition, \$1,346,000 of OBAG 1 funds are also available for this program. Combining the OBAG 1 and a portion of OBAG 2 funds, we will only utilize \$6,878,000 for this call of projects. The remaining OBAG 2 amount of \$1,346,000 will be used for another call for VERBS projects in near future.

At its April 6, 2017 meeting, the Board revised the VERBS program to direct all available funds only to infrastructure projects. Currently, VTA staff has proposed that non-infrastructure projects compete for 2016 Measure B Bicycle and Pedestrian Program Education and Encouragement grant funds.

DISCUSSION:

On April 7, 2017, VTA staff issued a VERBS call for projects. Eligible applicants included Santa Clara County (County), the Cities and Towns of the county and the VTA. By the deadline of May 1, 2017, staff received a total of seven projects requesting \$6,025,000 which left the program undersubscribed.

VTA staff evaluated the applications for adherence to the program guidelines shown in Attachment A. Of the seven submittals, VTA staff recommends all projects for funding, as shown in Attachment B. Further details of each project are presented in Attachment C.

In order to partially fill the funding gap in the One Bay Area Grant Cycle 2 (OBAG 2) competitive program, staff proposes the following programming steps:

- 1) Fully fund the approved City of Santa Clara's OBAG 2 project-*Santa Clara Safe Routes to School*;
- 2) Partially fund the approved City of Santa Clara's OBAG 2 project-*Saratoga Creek Trail, Phase 1*.

These actions are possible since both the OBAG 2 competitive program and VERBS program are funded with federal CMAQ funds. Additionally, these two projects address Safe Routes to School infrastructure issues that match the VERBS program.

ALTERNATIVES:

The Board may approve alternative projects.

FISCAL IMPACT:

There is no fiscal impact to VTA as a result of these actions. All projects recommended by the Vehicle Emissions Reductions Based at Schools of Santa Clara County (VERBS) Program will

receive programmed funding through the Federal Highway Administration process administered by Caltrans.

Prepared by: Celeste Fiore
Memo No. 6024

ATTACHMENTS:

- 6024_Attach A (PDF)
- 6024_Attach B (PDF)
- 6024_Attach C (PDF)

ATTACHMENT A

Evaluation Criteria and Procedures

Santa Clara County Vehicle Emissions Reductions Based at Schools (VERBS)

PROJECT EVALUATION

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

SCREENING CRITERIA

Provided Letters of Support from: school officials, school-based associations, local traffic engineers, local elected officials, law enforcement agencies, and other community stakeholders that will inform the evaluation process.

INFRASTRUCTURE IMPROVEMENTS SCORING CRITERIA

(Max Pts)		
1. Infrastructure improvement(s) to school access (Proof of current conditions and map included?)	High: Project will significantly improve access to a school and project will be within 1/3 mile in actual walking/biking distance from a school. <u>Up to 20 pts</u>	<u>20</u>
	Medium: Project will moderately improve access to a school and project will be within 2/3 mile in actual walking/biking distance from a school. <u>Up to 13 pts</u>	
	Low: Project will improve upon limited existing access and project will be 1 mile in actual walking/biking distance from a school. <u>Up to 6 pts</u>	
2. Air Quality Improvements	High: Project will significantly improve air quality. <u>Up to 20 pts</u>	<u>20</u>
	Medium: Project will moderately improve air quality. <u>Up to 13 pts</u>	
	Low: Project will improve air quality. <u>Up to 6 pts</u>	
3. Gap Closure/Connectivity (Map included?)	Project proposes a shorter bicycle or pedestrian route. Score 2 points for each 0.10 mile shorter distance. <u>Up to 15 pts</u>	<u>15</u>
4. Safety	High: Project will significantly improve a demonstrated safety issue with a proven or demonstrated countermeasure. <u>Up to 15 pts</u>	<u>15</u>
	Medium: Project will moderately improve a situation with some safety issues (e.g. some reported collisions, conflicts, near-misses, or evidence of high vehicle traffic volume or speed). <u>Up to 10 pts</u>	
	Low: Project will improve safety, even though there are no known problems. Project will reduce exposure/risk of conflicts between motor-vehicles and bike/pedestrians. <u>Up to 5 pts</u>	
5. Local Match	Agency can commit from 12% to ≥ 21% of total project cost from non- federal sources. (one point for each 1 percent to 10 points max)	<u>10</u>
6. Project Readiness (within 5 years)	High: NEPA, Design and ROW complete. <u>10 pts</u>	<u>10</u>
	Medium: NEPA complete and ROW complete. <u>6 pts</u>	
	Low: ROW complete. <u>3 pts</u>	
7. Community of Concern (Map included?)	Project is in a Community of Concern, which identifies transportation needs and potential social impacts on minority and low-income communities.	<u>5</u>
8. Local Plan(s)	Is the project in a local, county or community-based plan, such as adopted Bicycle Plans, General Plans, Capital Improvement programs, Specific Plans, Park/Trail Master Plans?	<u>5</u>

ATTACHMENT B
2017 Vehicle Emissions Reductions Based at Schools (VERBS)
Cycle 3 Applications Recommended

Agency	Application Name	Requested Amount	Cumulative Amount
Campbell	Eden Avenue Sidewalk Improvements	\$555,000	\$555,000
Los Altos	Miramonte Avenue Bicycle and Pedestrian Access Improvement Project Phase 1	\$1,000,000	\$1,555,000
Palo Alto	Waverley Multi-Use Path, E Meadow Dr. and Fabian Way Enhanced Bikeways	\$919,000	\$2,474,000
San Jose	Mount Pleasant Schools Area Pedestrian & Bicycle Traffic Safety Improvements	\$1,000,000	\$3,474,000
Santa Clara	Santa Clara Schools Access Improvements	\$632,000	\$4,106,000
Sunnyvale	Homestead Road at Homestead High School-Pedestrian & Bicycle Improvements	\$1,000,000	\$5,106,000
Sunnyvale	Pedestrian and Bicyclist Infrastructure Improvements	\$919,000	\$6,025,000
VERBS Grant Amount Available			\$6,898,000
VERBS Amount Requested			\$6,025,000
Santa Clara	Santa Clara Safe Routes to School <i>(approved by Board for One Bay Area Grant Cycle 1)</i>	\$513,500	\$6,538,500
Santa Clara	Saratoga Creek Trail, Phase 1, <i>(approved by Board for One Bay Area Grant Cycle 2)</i>	\$359,500	\$6,898,000
Amount (Over)/Under			\$0

ATTACHMENT C

2017 Vehicle Emissions Reductions Based at Schools (VERBS) Cycle 3 Project Details

Campbell – Eden Avenue Sidewalk Improvements

This project will add sidewalks where gaps exist on the east side of Eden Avenue north of Hamilton Avenue; install a flashing beacons system at the existing marked crosswalk across the north leg of Eden Avenue at Rosemary Lane; and, eliminate an existing flooding problem at the Eden Avenue/Rosemary Lane intersection. The school that would benefit from the project is Rosemary Elementary School (K-4). Filling in the sidewalk in these locations will encourage walking by students and improve pedestrian pathways.

Los Altos - Miramonte Avenue Bicycle & Pedestrian Access Improvement Phase 1

On Miramonte Avenue from Covington Road to Berry Avenue, this project will install new sidewalk and buffered Class II bike lanes, along with improving crosswalks and rechanneled traffic for an improved bicycle and pedestrian access to three schools and a public park within the project vicinity. Miramonte Avenue is the transportation backbone that serves three schools; the Georgina P. Blach Intermediate School, the Miramonte Christian School, and the Loyola Elementary School, all of which are less than 1/3 mile from the proposed project.

Palo Alto - Waverley Multi-Use Path, E Meadow Dr. and Fabian Way Enhanced Bikeways

The proposed South Palo Alto Enhanced Bikeways project consists of work on three connecting corridors. The Fabian Way Enhanced Bikeway reconfigures Fabian Way with a travel lane reduction to add protected bicycle facilities. The west end of the Meadow Drive/El Camino Way/Los Robles Bikeway was recently completed by the City, so this proposal requests funding for the installation of a protected facility on the East Meadow segment only. The third corridor, the Waverley Multi-Use Path, is an essential part of the School Commute Corridors Network. The three components will effect significant safety improvements for students and families accessing the ten public and private schools serviced by Fabian Way and East Meadow Drive, both challenging corridors for young cyclists.

San Jose - Mount Pleasant Schools Area Pedestrian & Bicycle Traffic Safety Improvements

Increase safety and connectivity within a 1/3 Mile radius of the seven area schools namely: Robert Sanders Elementary School, August Boeger Middle School, Ida Jew Academies (TK-81h), Summit Rainier High School, Mount Pleasant High School, Adelante Dual Language Academy (TK-81h), Ocala STEAM Middle School.

Improvements include, but not limited to: providing a missing sidewalk section of 500 feet on the west side of Mt. Pleasant Road just south of Rocky Mountain Drive, along with changes to pavement marking and improvements to signage; increased safety and accessibility of the uncontrolled mid-block school crossing across Marten Avenue east of White Road with RRFB system, bulbouts, curb ramps, parking prohibitions, and enhanced signage and markings; enhanced safety of the uncontrolled school crossing across Ocala Avenue on the westerly leg of its intersection with Oakton Court with RRFB system, and enhanced signage and markings; improved accessibility by providing curb ramps where missing at 52 intersection corners on access streets to the schools.

ATTACHMENT C

2017 Vehicle Emissions Reductions Based at Schools (VERBS) Cycle 3

Project Details

Santa Clara - Santa Clara Schools Access Improvements

This project will improve bicycle and pedestrian access for six Santa Clara schools. Depending on school location, these improvements may include additional sidewalks, ADA ramps, high visibility crosswalks, bulb-outs, RFB's, HAWKS, pedestrian activated signal upgrades, and upgraded school zone signage. The six schools are Central Elementary, Scott Lane Elementary, Briarwood Elementary School, Don Callejon (K-8) School, Sutter Elementary School, and Haman Elementary School.

Santa Clara – Santa Clara Safe Routes to School

City staff contacted parents at seven Santa Clara public schools to determine which safety improvements are needed to enhance student participation in Safe Routes to School programs. These seven schools are Bowers, Briarwood, Haman, Montague, Scott Land, Sutter Elementary school, and Cabrillo Middle school. Those safety improvements are addressed with this infrastructure project. These improvements include, but are not limited to additional sidewalks and ADA ramps, improved crosswalks, additional bike lanes, traffic calming, and signal modifications.

Santa Clara – Saratoga Creek Trail Phase 1

The Saratoga Creek Trail segment from Homeridge Park to Central Park will provide increased connectivity for bicycles and pedestrians to Central Park and the Community Recreation Center, the hub of the City's recreation program. Parents and children walking and biking to Santa Clara High School and Central Park School will benefit from the increased connectivity. The multi-use Class I asphalt/concrete trail will be 10 - 14 feet wide, 1/4 mile in length, with signage, striping and landscaping. Project elements include a pedestrian bridge over the Saratoga Creek west of Kiely Boulevard, and two undercrossings at Homestead Road and Kiely Boulevard. This trail segment is part of the County of Santa Clara's Countywide Trails Master Plan and is in the Bicycle Expenditure Program.

Sunnyvale - Homestead Road at Homestead High School-Pedestrian & Bicycle Improvements

This is a joint project with the City of Cupertino, the Fremont Unified High School District, the Homestead High School and the City of Sunnyvale. The project limits are Homestead Road between Mackenzie Drive and Kennewick Drive including influence areas on all approaches within 250 ft.

The proposed improvements include, but are not limited to updating the phasing from 6 phase to 8 phase at the Mary Avenue intersection, allowing protected left turns for the northbound and southbound directions and timing the pedestrian crosswalks concurrently; tighten the radius of the south-west corner of the intersection, shortening the south and west pedestrian crosswalks; provide direct path for bicycles to high school from EB Homestead Road to Mary Avenue Bridge Trail, install high visibility crosswalks in all directions, install accessible pedestrian system push buttons; upgrade existing traffic signal to allow for in and out circulation at Kennewick Drive signal and install high visibility crosswalks. Additionally, the project will install green buffered bike lane between McKenzie Drive and Mary Avenue on the south side,

ATTACHMENT C

2017 Vehicle Emissions Reductions Based at Schools (VERBS) Cycle 3 Project Details

install green buffered bike lane between Mary Avenue and Kennewick Drive on the north side (south side already has a green buffered bike lane), and update bicycle specific detection in all directions.

Sunnyvale - Pedestrian and Bicyclist Infrastructure Improvements

This project will improve safety for students walking and biking to school in Sunnyvale by enhancing and/or modifying signing and striping and installing ADA compliant curb ramps at thirty-four (34) locations (see table below), and installing Rectangular Rapid Flashing Beacons System (RRFB) at five (5) locations.

Location Number	Intersection	Classification (Based on California Roadway Systems Map)
1	ROOSEVELT AVE/E TAYLOR AVE	Local/Local
2	CASCADE DR/SELO DR	Major Collector/Local
3	JACKSON ST/E ARQUES AVE	Local/Local
4	N BAYVIEW AVE/E ARQUES AVE	Local/Local
5	E MCKINLEY AVE/KENMORE AVE	Local/Local
6	BORREGAS AVE/W FERNDAL AVE	Major Collector/Local
7	N BAYVIEW AVE/E TAYLOR AVE	Local/Local
8	FIRLOCH AVE/E OLIVE AVE	Local/Local
9	OLD SAN FRANCISCO RD/GRAND FIR AVE	Minor Arterial/Collector
10	E AHWANEE AVE/ALTURAS AVE	Major Collector/Local
11	MORSE AVE/WADDINGTON AVE	Major Collector/Local
12	MORSE AVE/S FERNWOOD CR	Major Collector/Local
13	IRIS AVE/LUSTERLEAF DR	Major Collector/Local
14	BRYANT WY/POPLAR AVE	Local/Local
15	BRYANT WY/NORMAN AVE	Local/Local
16	AMADOR AVE/SAN PABLO AVE	Major Collector/Local
17	E AHWANEE AVE/SAN PABLO AVE	Major Collector/Local
18	E AHWANEE AVE/SAN RAMON AVE	Major Collector/Local
19	PALAMOS AVE/FAIRWOOD AVE	Local/Local
20	CUMBERLAND DR/PIPER AVE	Local/Local
21	OWEN SOUND DR/CHEYENNE DR	Local/Local
22	CHEYENNE DR/SASKATCHEWAN DR	Local/Local
23	DUBLIN WY/FLOYD AVE	Local/Local
24	N BAYVIEW AVE/HAZELTON AVE	Local/Local
25	SAN JUNIPERO DR/ALVARADO AVE	Local/Local
26	GAIL AVE/GLADIOLA DR	Major Collector/Local
27	GRAPE AVE/ANDOVER DR	Major Collector/Local
28	BITTERN DR/CONNEMARA WY	Local/Local
29	MORSE AVE/E WEDDELL DR	Local/Local
30	ELIZABETH WY/RAMON DR	Local/Local
31	E AHWANEE AVE/SANTA PAULA AVE	Major Collector/Local
32	PEPPER AVE/W KNICKERBOCKER DR	Local/Local
33	PEACH AVE/HANOVER AVE/HEATHERSTONE AV	Local/Local
34	HANOVER AVE/PIPPIN AVE	Local/Local



Date: July 20, 2017
 Current Meeting: August 3, 2017
 Board Meeting: August 3, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Interim Director - Planning & Programming, Carolyn M. Gonot

SUBJECT: 2016 Monitoring and Conformance Report

Policy-Related Action: No

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Adopt the 2016 Monitoring and Conformance Findings in Compliance with State Congestion Management Legislation.

BACKGROUND:

California State legislation requires counties to create a Congestion Management Program (CMP) to manage traffic congestion and monitor the effects of land use on transportation. VTA, as the Congestion Management Agency (CMA) for Santa Clara County, is responsible for ensuring the elements of the CMP are monitored. As part of the CMP, roadways and intersections are monitored in terms of Level of Service (LOS), a measure of traffic conditions and vehicle delay. The scale ranges from A to F, where LOS A represents free flow traffic and LOS F represents significant delay. The report determines if Member Agencies are conforming to the adopted LOS standard for Santa Clara County. The level of service standard is LOS E.

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

DISCUSSION:

The 2016 Monitoring and Conformance Report covers the CMP data collected from July 1, 2015

through June 30, 2016. As the designated Congestion Management Agency for Santa Clara County, VTA must adopt conformance findings to comply with relevant congestion management program legislation. The report shows that all Member Agencies are in conformance for this cycle.

To compile the report, Member Agencies are required to submit the following information to demonstrate conformance:

- Prepare and submit land-use monitoring data to the CMP on all land-use projects approved in the last fiscal year.
- Prepare Transportation Impact Analyses (TIAs) for projects that generate 100 or more peak hour trips and submit the TIA at least 15 calendar days before the project is scheduled for approval or is “recommended for approval.”
- Member Agencies with adopted Multimodal Improvement Plans must prepare and submit a Multimodal Improvement Plan Status Report summarizing the city’s progress on action items listed in their Deficiency Plans (Cities of San Jose and Sunnyvale only).

To comply with CMP standards, each Member Agency must maintain the CMP standard of LOS E on CMP facilities. Freeway segments and CMP intersections that degrade to LOS F are considered non-conforming.

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

An overview of the results of the 2016 monitoring program is presented below.

CMP Intersections

A total of seven out of 252 CMP intersections operated at LOS F in 2016:

- Page Mill/Oregon Expressway & Foothill Expressway
- San Tomas Expressway & Campbell Avenue
- Capitol Expressway & Aborn Road
- Montague Expressway & Main Street/Old Oakland Road
- Montague Expressway & McCarthy Boulevard/O’Toole Avenue
- Central Expressway & De La Cruz Boulevard

The first five intersections have operated at LOS F since 1991 and are exempt from meeting the CMP LOS standard. Central Expressway & De La Cruz Boulevard has operated at LOS F since 1996. Due to the interchange's close proximity to the US 101 Interchange, there is little that can be done to modify the intersection. The US 101/Trimble/De La Cruz interchange project that is in the development stage may eventually help alleviate traffic at that intersection.

Freeways

In 2016, there were 93 AM freeway segments with a combined length of 95 miles and 77 PM freeway segments with a combined length of 70 miles operating at LOS F during the peak hour. Of these, 24 miles during the AM and 27 miles during the PM were at LOS F in the baseline 1991 year and therefore considered exempt from LOS standards. The remaining 71 directional miles during the AM and 67 directional miles during the PM are considered deficient. However, Member Agencies with deficient freeway segments located within their jurisdictions are considered to be in conformance due to the regional nature of freeway congestion.

In 2016, there were 859 mixed-flow freeway lane miles in Santa Clara County. The percentage of directional miles of each freeway that operated at LOS F in either the AM or PM peak period - or both periods -- is shown in Table 1. In total, 256 and 257 lane-miles operated at LOS F in the AM and PM time periods, respectively, in 2016. This represents an overall increase of lane mileage at LOS F over the 2015 monitoring cycle.

TABLE 1
Percentage of Freeway Facilities at LOS F during AM and/or PM Peak Period

Freeway	Directional Miles	Miles at LOS F (2016)	2016 Percentage	Miles at LOS F (2015)	2015 Percentage
SR 17	28	18	65%	13	48%
SR 85	48	30	63%	27	56%
SR 87	18	13	72%	13	72%
SR 237	20	18	90%	15	73%
US 101	115	48	43%	54	48%
I-280	44	24	55%	32	73%
I-680	20	9	45%	7	35%
I-880	21	19	90%	16	77%

Rural Highways

All 12 rural highway segments operated at LOS E or better in 2016. Overall, volumes on the 12 rural highway segments are higher than they were in 2014. Seven rural highway study segments experienced increases in peak hour traffic volume by 10% or more. All locations are within the range observed since monitoring began in 1991.

Land Use Submittals

All Member Agencies have met the land use data submittal requirement. In 2016, 9,630 dwelling units were approved, an increase of 83 percent from 2015. The estimated number of jobs created by commercial and industrial approvals totaled 24,200, a slight decrease compared to 2015. There are newer development approvals in San Jose's Urban Village Areas and Santa Clara's City Place development.

Transportation Impact Analysis (TIA reports)

All Member Agencies have met the TIA requirement.

Multimodal Improvement Plan Implementation Status Report

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

ALTERNATIVES:

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

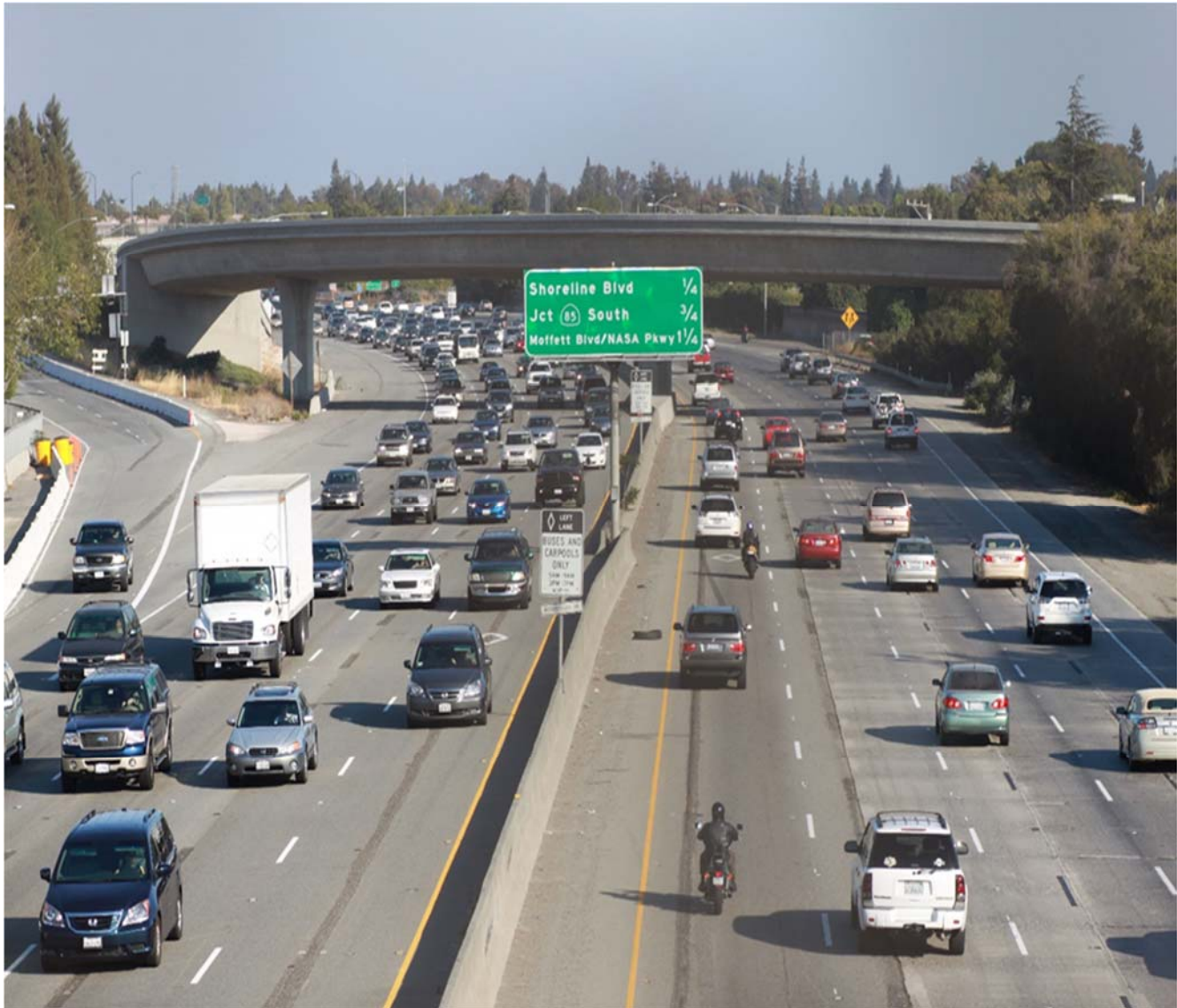
FISCAL IMPACT:

There is no direct fiscal impact to VTA as a result of approving the 2016 Monitoring and Conformance findings.

Prepared by: John Sighamony
Memo No. 6115

ATTACHMENTS:

- Final MC Report 2016 (PDF)



2016 CMP MONITORING AND CONFORMANCE REPORT

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Executive Summary

Introduction

State Statute 65089 requires Congestion Management Agencies (CMAs) to conduct analysis of all Congestion Management Program (CMP) roadways every two years to ensure Member Agencies – the cities, towns and county – are developing in a manner consistent with the CMP level of service standard of LOS E. As the responsible CMA for Santa Clara County, the Valley Transportation Authority (VTA) undertakes this analysis on an annual basis. VTA prepares the annual Monitoring and Conformance Report which documents the CMP conformance findings.

The scope of data collection is reduced every other year during odd-numbered years to minimize the costs of analyzing the CMP network annually. During the “off-years,” the reduced scope of work includes only land use and freeway level of service data, and Deficiency Plan Status Reports. All other CMP elements are collected biennially as part of the full scope.

The 2016 Monitoring and Conformance Report feature the full scope of data collection and analysis of each CMP element. The following summarizes the results of the 2014 Monitoring Program.

Land Use

VTA’s Member Agencies, the cities, towns and County of Santa Clara, submit land use data to VTA in the form of residential and commercial/industrial project approvals for the prior fiscal year. The data reflects changes in residential dwelling units for approvals as well as estimate changes in commercial/industrial job approvals. Job change estimates are determined by applying job density values to square footage and land use type of commercial/industrial projects in order to estimate how many jobs are likely created or lost as a result of the land use approval.

In 2016, 9,630 dwelling units were approved, an increase of 83 percent from 2015. The estimated number of jobs created by commercial and industrial approvals totaled 24,247, a slight decrease compared to 2015.

Freeway

Aerial photography is used to collect traffic data to document congestion on all 313 directional miles of Santa Clara County’s freeway system. The photographs are analyzed to determine the peak period of vehicle density which is used to determine level of service. Mixed-flow lanes are treated as separate facilities from HOV lanes and their levels of service are calculated separately.

In 2016, there were 93 AM freeway segments (95 directional miles) and 77 PM freeway segments (70 directional miles) that operated at LOS F. These numbers are identified as a continuing growth trend in freeway traffic.

Segments that operated at LOS F when monitoring began in 1991 are exempt from CMP level of service standards. Of the freeway segments operating at LOS F, 24 AM and 27 PM freeway segments are considered deficient due to 1991 baseline exemption. Member Agencies with non-conforming facilities within their jurisdiction are encouraged to implement strategies listed in the Immediate Implementation Action List found in VTA's Requirements for Local Deficiency Plans.

CMP Intersections

VTA collected intersection level of service data and conducted LOS analyses for all CMP intersections except for City of Campbell who performed their own LOS analysis. This year, six of the 252 intersections operated at LOS F. Page Mill/Oregon Expressway at Foothill Expressway, San Tomas Expressway at Campbell Avenue, Capitol Expressway at Aborn Road, Montague Expressway at Main Street/Old Oakland Road, Montague Expressway at McCarthy Blvd/O'Toole Avenue, Highway 17 Southbound/San Tomas Expressway are exempt from meeting the level of service requirements due to 1991 baseline exemption. De La Cruz and Central Expressway is a deficient intersection but has been operating at LOS F since 1996.

Rural Highways

VTA recorded 24-hour counts at 12 rural highway locations in Santa Clara County. All count locations operated at or above the CMP standard of LOS E. Segments increasing traffic volume by 10% or more include (#1) State Route 35 north of State Route 9, (#2) State Route 35 south of State Route 9, (#3) State Route 9 west of Sanborn Road, (#5) Saratoga-Sunnyvale Road north of Big Basin Way, (#6) Hamilton Road east of Clayton Road, (#10) State Route 152 east of State Route 156, and (#12) State Route 9 east of State Route 35, while (#11) State Route 152 east of SR 156 had decreasing traffic volumes by more than 10%.

Expressways

Santa Clara County Roads and Airports Department staff last year installed Bluetooth (BT) readers at selected intersections throughout all eight County expressways to collect travel times as part of the Predictive Signal Timing Coordination Project. The BT installation enables County to obtain continuous travel time data on a 24/7 basis where travel time information can be extracted for a moment in time, or an average for a period of times. Unfortunately with limited grant funds, County was not able to install BT units at all expressway signalized intersections nor was able to cover the whole length of all corridors; therefore, revised

segment limits are shown to reflect 2016 study segments. Chapter 6 provides more detailed information on each expressway.

Bicycle and Pedestrian

Bicycle and pedestrian single-day counts are collected each year at 20 new locations to better highlight the usage of bicyclists and pedestrians in the Santa Clara County.

Deficiency Plans

The CMP legislation requires Member Agencies to prepare Deficiency Plans when CMP facilities located within their jurisdiction exceed the CMP traffic LOS standard, or when a project's Transportation Impact Analysis indicates that the LOS standard is expected to be exceeded. Deficiency Plans identify offsetting measures to mitigate transportation conditions on the CMP system in lieu of making physical traffic capacity improvements such as widening an intersection or roadway.

Cities of San Jose and Sunnyvale are two Member Agencies with adopted Deficiency Plans. Both cities submitted Deficiency Plan Implementation Status Reports, which provided a summary of the city's progress on the implementation of the actions in their Deficiency Plans. VTA staff reviewed these reports and found Sunnyvale and San Jose in conformance with this requirement.

Conformance Findings

The 2016 Monitoring and Conformance Report find all Member Agencies in compliance with the CMP monitoring requirements.

1

INTRODUCTION

Introduction

California State Government Code 65089 mandates the creation of a Congestion Management Program (CMP) for each county to manage the effects of transportation and land use. It requires that all elements of the CMP be monitored at least biennially by the designated Congestion Management Agency (CMA) to determine if the county and city governments, known collectively as Member Agencies, are conforming to the level of service standard set by the CMA.

The Santa Clara Valley Transportation Authority (VTA) is the designated CMA for Santa Clara County and is charged with monitoring the CMP network. VTA exceeds the state requirement by collecting data each year and producing an annual Monitoring and Conformance Report.

The high cost of data collection each year has resulted in reduced monitoring scope in the “off-years” or odd-numbered years while still meeting the requirements of the CMP statute. The 2014 report covers the full-scope year and includes all CMP elements for monitoring.

Level of Service

Traffic congestion is monitored on the CMP roadway network which is comprised of freeways, state highways, expressways and principal arterials. Congestion is monitored in terms of level of service (LOS), a sliding scale from A through F where LOS A represents best traffic flow and LOS F represents significant traffic delay. Santa Clara County’s LOS standard is LOS E. Table 1.1 provides a description of LOS standards.

TABLE 1.1 | LEVEL OF SERVICE (LOS) STANDARDS

Level of Service	Description
A B C	Traffic can move relatively freely without significant delay
D	Delay become more noticeable
E	Traffic volumes are at or close to capacity, resulting in significant delays and average speeds that are no more than about one-third the uncongested speed
F	Traffic demand exceeds available capacity. Very slow speeds (stop-and-go), long delays (over one minute) and standing queues at signalized intersections.

Conformance Standard

To comply with the CMP standard, Member Agencies must demonstrate that all CMP roadways (excluding freeways) within their jurisdictions are operating at or above the CMP traffic level of service standard of LOS E. Member Agencies that do not maintain the CMP LOS standard risk

having their Proposition 111 (1991) gas tax subvention withheld. If the LOS standard cannot be met, a deficiency plan must be approved by VTA. Freeway segments and CMP intersections that operated at LOS F when monitoring began in 1991 are exempt from meeting the LOS E standard. Freeway LOS thresholds are taken from the Highway Capacity Manual with the exception of D/E and E/F thresholds which are selected by VTA for Santa Clara County conditions.

2

LAND USE

Introduction

California State CMA legislation requires Congestion Management Agencies to monitor land use changes within its jurisdiction. Each year, VTA monitors land use changes within Santa Clara County by requesting land use data from Member Agencies in terms of residential and commercial/industrial projects that have been approved.

Methodology

VTA collects land use data from Member Agencies each year to track decisions jurisdictions are making about land use. Member Agencies submit land use data for the prior fiscal year in the form of changes in dwelling units for residential approvals and changes in square footage for commercial and industrial approvals. This data is limited to tracking approvals only if those approvals do not result in construction during the reporting year or at all.

For commercial and industrial approvals, changes in square footage are used to estimate the number of jobs created or lost. Jobs are estimated by applying a job density value (measured in jobs per 1,000 sq. ft.) to the size of the site. Job density values vary depending on the specific land use type. The appropriate job density is multiplied by the square footage of each site to determine the number of estimated jobs. Table 2.1 shows the job density values per type of land use.

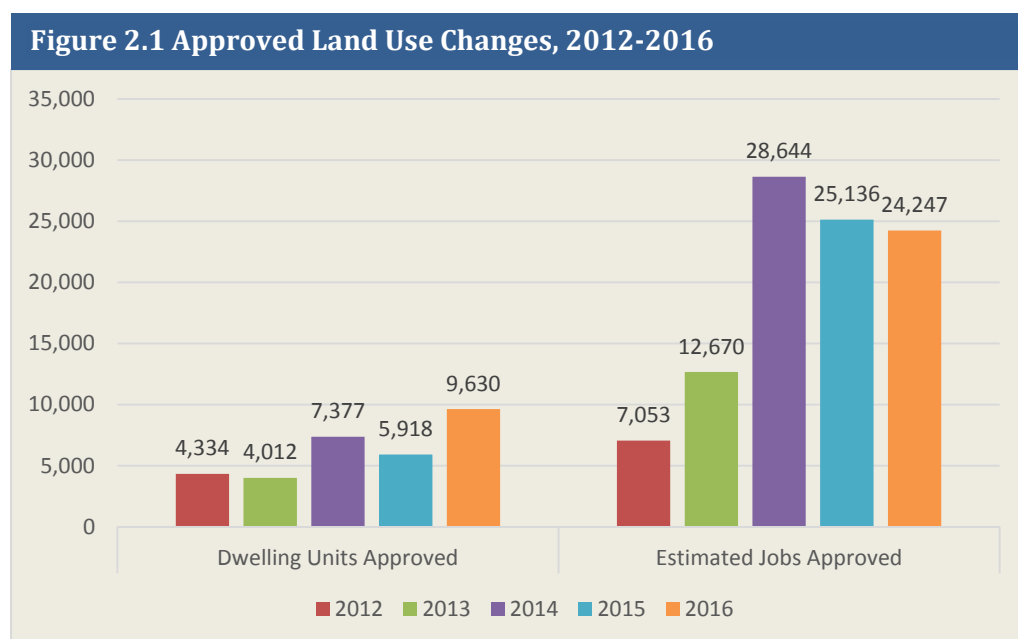
TABLE 2.1 | COMMERCIAL AND INDUSTRIAL JOB DENSITIES (JOBS PER 1,000 SQ. FT.)

Density	Land Use
3.4	Office/Educational/Institutional/Hospital
3.1	Transportation
2.5	R&D Office
2.0	Hotel/Motel
1.75	Retail/Manufacturing
0.75	Non-Manufacturing
0	Park/Recreation/Agriculture/Cemetery/Urban Reserve

The focus of VTA's land use analysis is development approvals that provide the capacity to accommodate population and employment growth. The data is not a reflection in actual changes in residents or job creation. Rather, it is a measure of the trend in allocation of land for different purposes. In addition to the analyses included in this report, the data can be used to understand the current and projected demand in housing and employment. To better understand the employment data it is helpful to understand limitations that affect the data quality but are beyond the control of VTA and the Member Agencies:

- It is assumed commercial and industrial sites were fully occupied for employment uses
- It is assumed that all jobs that can be accommodated on the existing site are lost when a commercial or industrial site is converted to a different type of land use. Under this methodology, commercial/industrial sites that are either underutilized or unoccupied assume a full reduction in employment even if few or any jobs are actually lost. To compensate for this, VTA requests Member Agencies to indicate in their land use data submittal whether jobs were lost during conversions to a different use. Since not all Member Agencies provided this data, our methodology assumes full employment for commercial/industrial conversions, which may negatively impact the job change estimate for 2016.

Despite these limitations, the analysis provides valuable information to illustrate the trend of land use development and where housing and employment growth is likely to occur, and where Member Agencies are actually targeting growth.



Land Use Analysis

As shown in Table 2.2, Member Agencies approved 9,630 residential units in 2016, an 83% increase from the previous year when 5,918 units were approved. Notably, the City of San Jose and Santa Clara saw a large increases in approvals from 2015 to 2016. Santa Clara and Sunnyvale continued to see approvals of several large mixed-use developments and approved the greatest number of units overall in 2016. Most notably, San Jose and Santa Clara have both approved residential developments with urban villages and City Place, respectively.

TABLE 2.2 | APPROVED RESIDENTIAL UNITS, 2011-2016

Member Agency	2011	2012	2013	2014	2015	2016
Campbell	27	195	12	21	273	23
Cupertino	1	0	-30	15	15	788
Gilroy	35	101	278	350	646	810
Los Altos	69	204	20	0	4	4
Los Altos Hills	5	1	7	0	3	20
Los Gatos	31	116	20	23	53	6
Milpitas	2,531	2,243	793	466	857	0
Monte Sereno	0	0	0	0	0	0
Morgan Hill	96	268	544	103	241	372
Mountain View	273	298	537	399	1,051	277
Palo Alto	47	1	2	311	18	38
San Jose	2,496	536	729	3,182	2,112	4,127
Santa Clara	102	48	140	1,363	572	2,512
Santa Clara County	0	0	369	0	0	0
Saratoga	0	2	8	0	0	0
Sunnyvale	315	321	583	1,144	73	653
Total	6,028	4,334	4,012	7,325	5,918	9,630

As shown in Table 2.3, commercial and industrial approvals in 2016 resulted in an estimated total of 24,247. Compared to the previous year, job change estimates have decreased slightly when 25,136 jobs were estimated in 2015. Sunnyvale, San Jose, Palo Alto and Mountain View saw a large increase in available commercial land in 2016 due to mixed-use approvals on former industrial sites near downtown San Jose and major redevelopment projects in Mountain View. Palo Alto approved almost the same amount of development as they did last year.

TABLE 2.3 | JOB CHANGE ESTIMATES BASED ON COMMERCIAL/INDUSTRIAL APPROVALS, 2011-2016

Member Agency	2011	2012	2013	2014	2015	2016
Campbell	-179	-140	0	9	-120	6
Cupertino	-3	432	277	700	21	144
Gilroy	56	0	39	639	10	250
Los Altos	-40	50	211	0	19	1
Los Altos Hills	0	0	0	0	0	0
Los Gatos	264	70	555	23	12	2
Milpitas	706	-1,176	-399	0	0	0
Monte Sereno	0	0	0	0	0	0
Morgan Hill	10	0	57	0	968	170
Mountain View	598	798	1,151	2,304	1,698	3,017
Palo Alto	4,584	585	924	-993	1,840	1,809
San Jose	853	1,247	4,211	7,913	3,510	6,215
Santa Clara	460	2,583	3,407	13,700	14,425	5,733
Santa Clara County	693	80	1,071	318	1,302	0
Saratoga	0	0	0	0	0	0
Sunnyvale	635	2,524	1,179	4,031	1,631	6,900
Total	8,636	7,053	12,683	31,047	25,136	24,247

Proximity to Cores, Corridors, and Station Areas

In 2003, VTA in partnership with Member Agencies developed the Community Design & Transportation (CDT) program to craft best practices for land use and transportation. The CDT program established a framework of Cores, Corridors and Station Areas as priority areas identified by VTA and Member Agencies for targeting future growth and transportation investments. These areas are most likely to benefit from concentrated development due to its location near major transit corridors.

Spatial analysis was conducted on the land use data submitted by Member Agencies to determine the proximity of approved developments to the Cores, Corridors and Station Areas. Proximity is defined as a 1/3 mile within major transit stations and ¼ mile buffer from the cores, and future Bus Rapid Transit (BRT) corridors. The purpose of the spatial analysis is to illustrate where housing and employment growth is likely to occur and trend over time.

As shown in Table 2.4, there were 9,630 total residential units approved in 2016. Of these, 3,667 residential approvals, or 50 percent were located within the Cores, Corridors and Station Areas. This is a slight increase from 2013 when 49 percent of the potential growth in housing was planned near the targeted areas for development.

Of the 24,247 estimated increased jobs due to commercial/industrial development, 9,929 jobs or 41 percent were located within the Cores, Corridors and Station Areas. This is an increase from 2015 when 22 percent of the commercial/industrial approvals were within the Cores,

Corridors and Station Areas. However, it is worth noting that there was an overall decrease in total estimated jobs in 2015.

TABLE 2.4 | LAND USE APPROVALS NEAR CORES, CORRIDORS AND STATION AREAS, 2009-2014

	2016	2015	2014	2013
Residential Unit Approvals within CCSAs	3,586	2,755	2,855	1,982
Total Units	9,630	5,918	7,325	4,012
% near CCSAs	37%	47%	66%	49%
Job Change Estimates within CCSAs	9,929	5,442	2,610	6,966
Total Estimated Jobs	24,247	25,136	28,644	12,683
% near CCSAs	41%	22%	37%	55%

FIGURE 2.2 | APPROVED RESIDENTIAL UNITS NEAR VTA'S CORES, CORRIDORS AND STATION AREAS (2014 NET CHANGE)

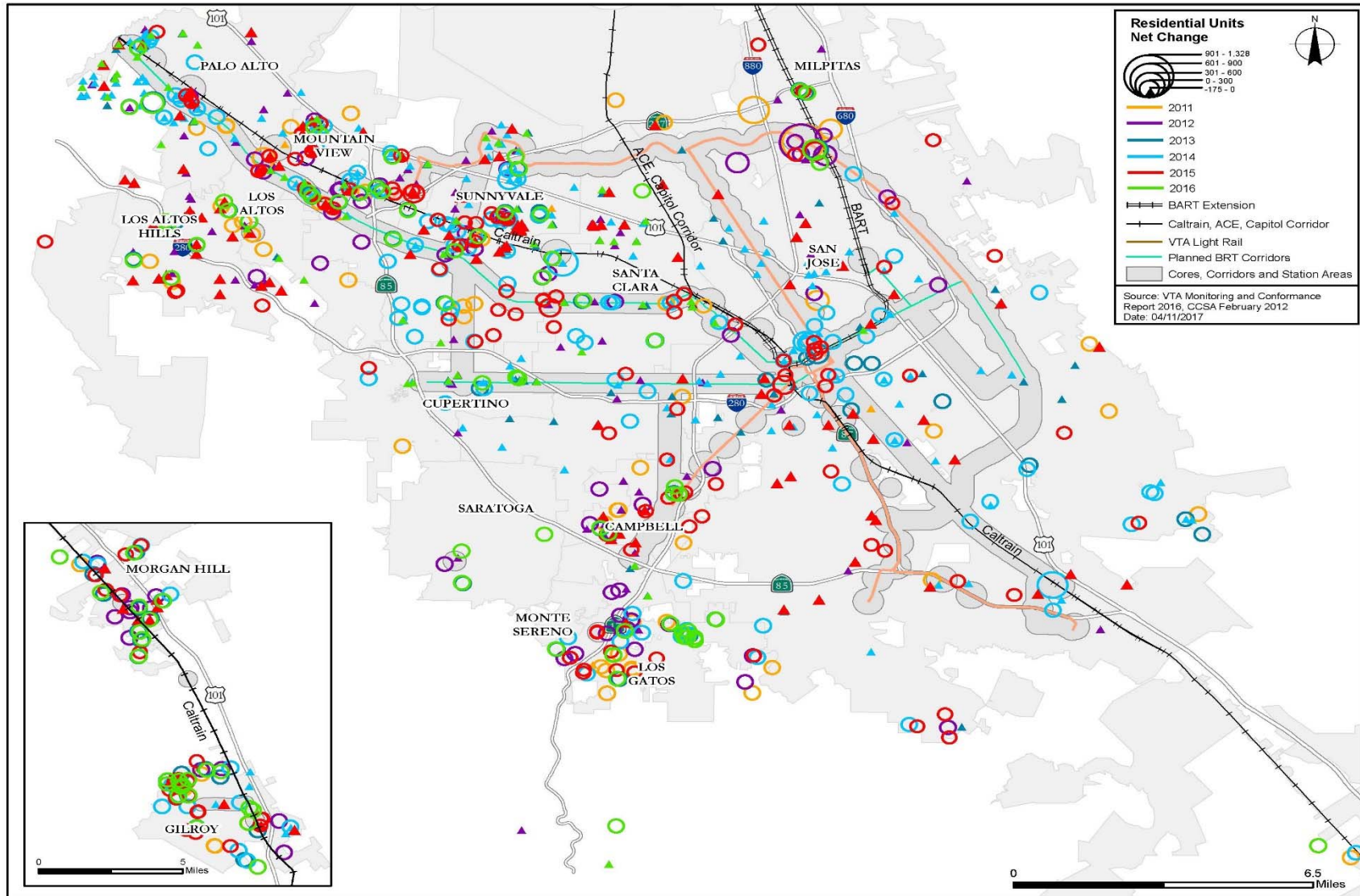


FIGURE 2.3 | APPROVED RESIDENTIAL UNITS NEAR VTA'S CORES, CORRIDORS AND STATION AREAS (2014 NET CHANGE)

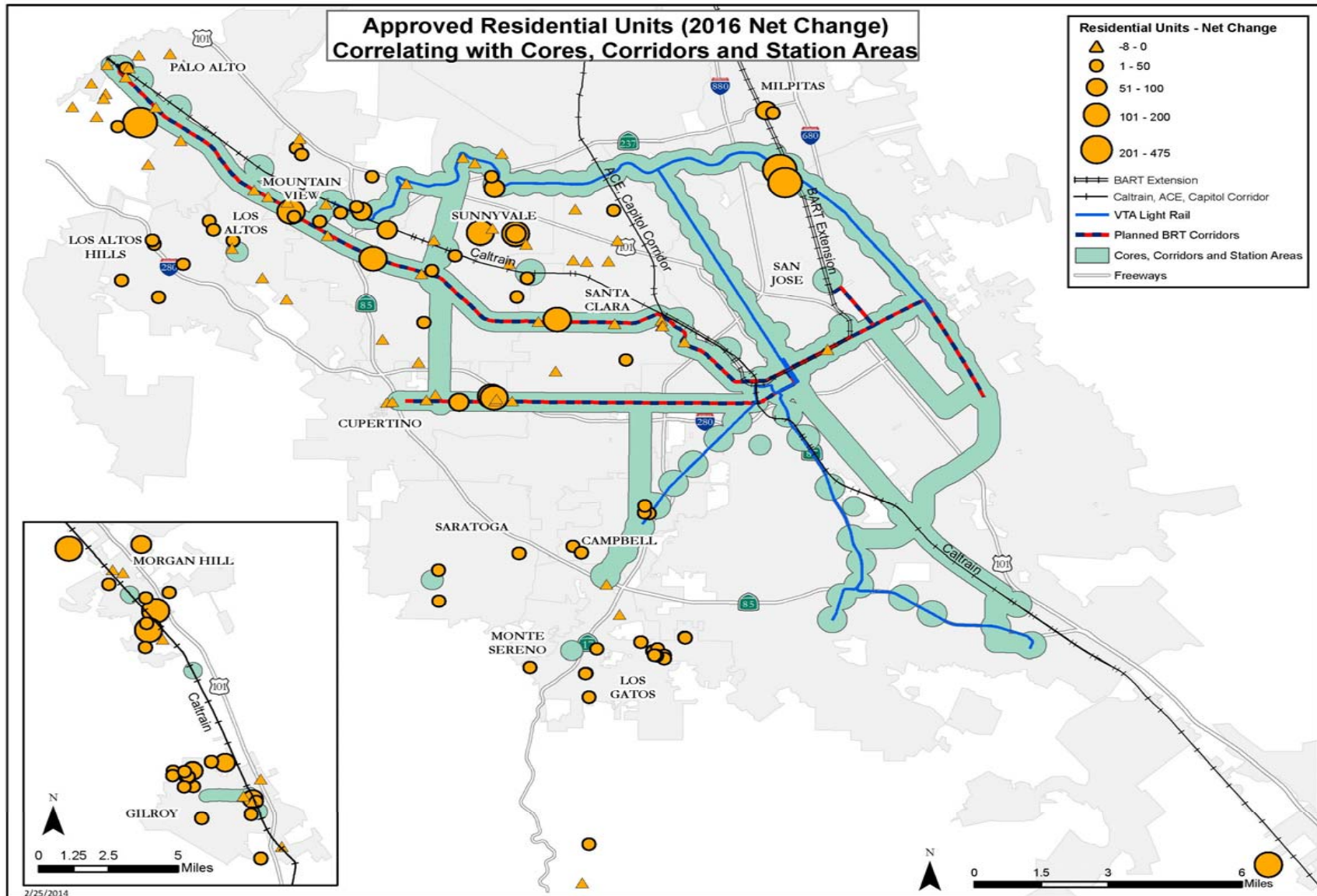


FIGURE 2.4 | JOB CHANGE ESTIMATES NEAR VTA'S CORES, CORRIDORS AND STATION AREAS (2014 NET CHANGE)

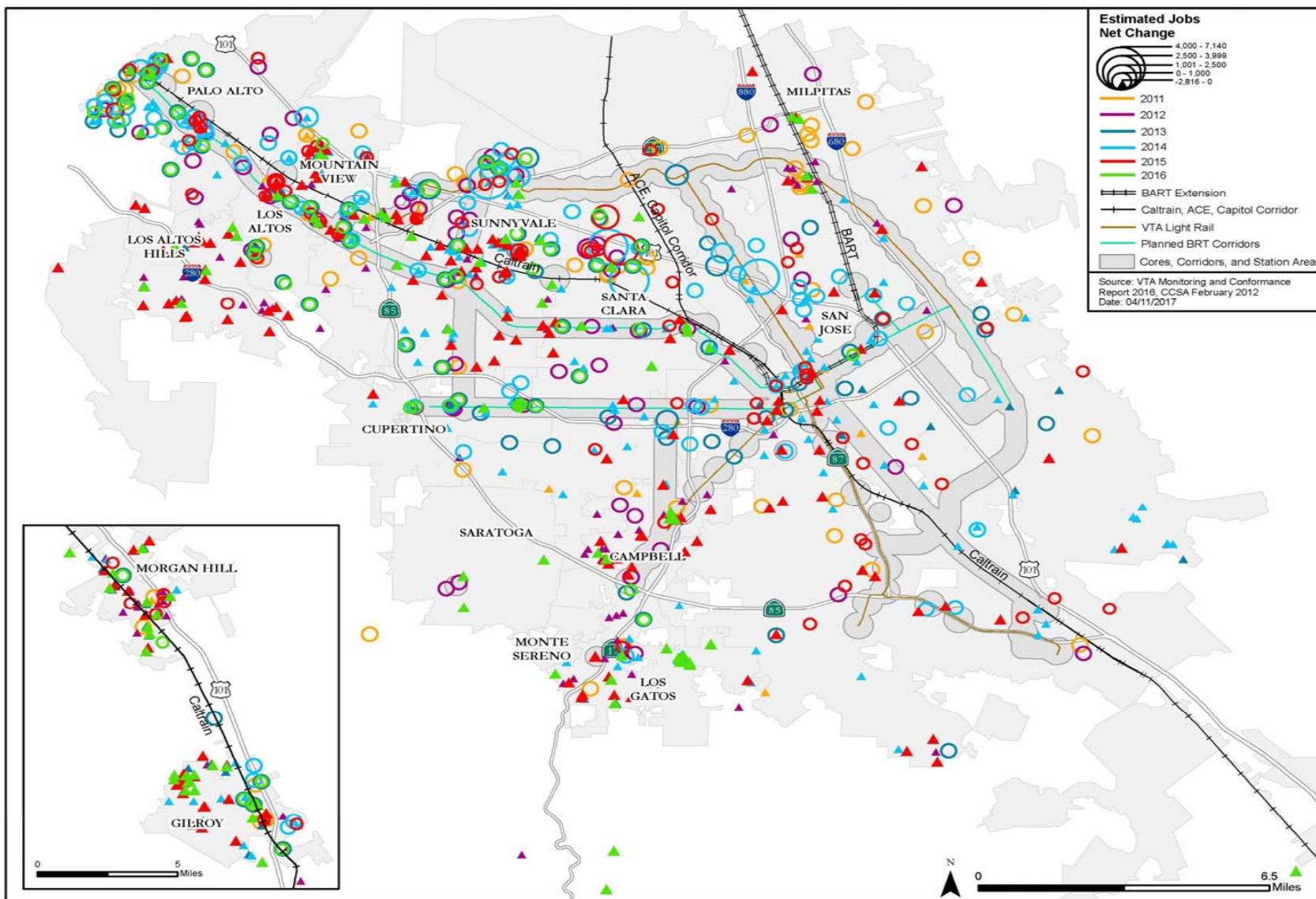
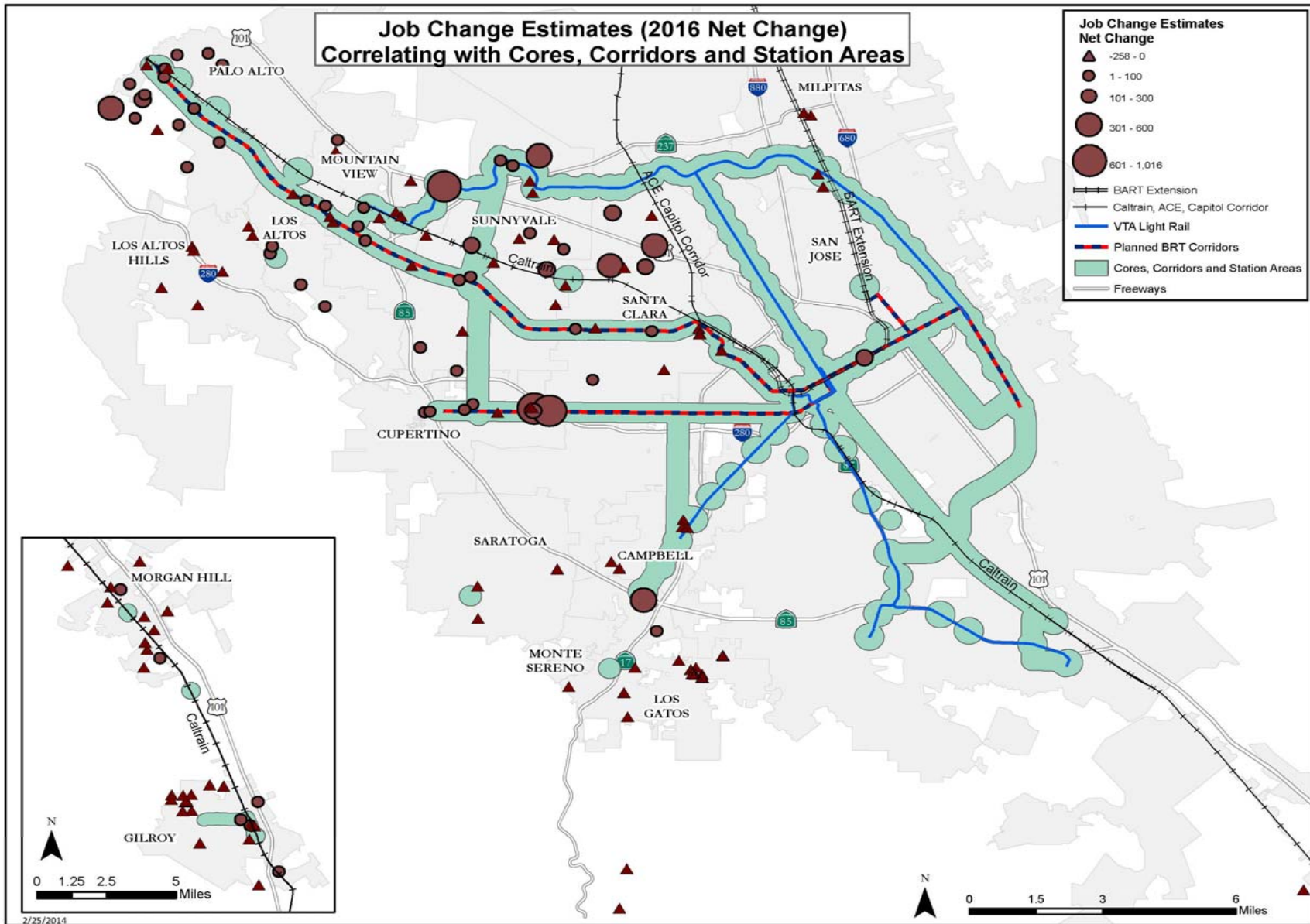


FIGURE 2.5 | JOB CHANGE ESTIMATES NEAR VTA'S CORES, CORRIDORS AND STATION AREAS (2014 NET CHANGE)



3

CMP INTERSECTIONS

Introduction

The CMP arterial system encompasses the county's major arterials. VTA monitors 252 major intersections in Santa Clara County for traffic level-of-service (LOS). CMP intersection LOS data is collected and evaluated every two years. Intersection counts were last collected in 2012.

CMP intersections which operated at LOS F since level of service began in 1991 are exempt from meeting the level of service standard of LOS E. All other intersections that degrade to LOS F since 1991 are considered non-conforming. Non-conforming intersections place the responsible jurisdictions at risk for losing their gas tax subventions under Proposition 111 (1991).

Methodology

The methodology used to determine the level of service for each intersection is consistent with the thresholds outlined in VTA's *Traffic Level of Service Guidelines*, which are based on average control per delay per the 2000 *Highway Capacity Manual*. The average control delay thresholds with their corresponding LOS grades for CMP signalized intersections are presented in Table 3.1.

Data Collection

Similar to the 2012 study, all intersection turn movement counts were collected by Kittelson & Associates (KAI) by using the data collection subconsultants, Wiltec and Quality Counts. Additionally, all intersections, except those within the City of Campbell and the City of Cupertino, were analyzed by KAI. The Cities of Campbell and Cupertino have opted to perform their own analysis of intersection LOS for their respective intersections based on intersection turn movement counts supplied by KAI.

The data collected for this analysis included PM peak period vehicle, pedestrian, and bicycle counts at 242 of the 252 intersections that are part of the CMP network. The ten (10) intersections shown in Table 3.2 were not analyzed due to ongoing construction in 2016.

The average control delay thresholds with plus and minus LOS grades for CMP signalized intersections are presented in Table 3.1. The thresholds in this table still 'nest' within the HCM standards, with the addition of the plus and minus grades. For example, the LOS B+ to B- range is the same as the LOS B range in the HCM.

TABLE 3.1 - LEVEL OF SERVICE THRESHOLDS FOR SIGNALIZED INTERSECTIONS

Level of Service	Average Control Delay (seconds/vehicle)	Description
A	≤ 10	Progression is extremely favorable, and most vehicles arrive during the green phase. Most vehicles do not stop at all.
B+	$10 < \text{delay} \leq 12$	Good progression and/or short cycle lengths. More vehicles stop than for LOS A, causing higher average delays.
B	$12 < \text{delay} \leq 18$	
B-	$18 < \text{delay} \leq 20$	
C+	$20 < \text{delay} \leq 23$	Higher delays may result from fair progression and/or longer cycle lengths. Individual cycle failures may begin to appear in this level. The number of vehicles stopping is significant at this level, although many still pass through the intersection without stopping.
C	$23 < \text{delay} \leq 32$	
C-	$32 < \text{delay} \leq 35$	
D+	$35 < \text{delay} \leq 39$	The influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable progression, long cycle lengths, or high volume-to-capacity (V/C) ratios. Many vehicles stop, and the proportion of vehicles not stopping declines. Individual cycle failures are noticeable.
D	$39 < \text{delay} \leq 51$	
D-	$51 < \text{delay} \leq 55$	
E+	$55 < \text{delay} \leq 60$	This is considered to be the limit of capacity. These high delay values generally indicate poor progression, long cycle lengths, and high V/C ratios. Individual cycle failures are frequent occurrences.
E	$60 < \text{delay} \leq 75$	
E-	$75 < \text{delay} \leq 80$	
F	> 80	This is considered to be unacceptable to most drivers. This condition occurs with over-saturation (i.e., when arrival flow rates exceed the capacity of the intersection). Poor progression and long cycle lengths may also be major contributing causes to such delay levels.

TABLE 3.2 – INTERSECTIONS NOT ANALYZED THIS YEAR

ID	CMP System Roadway	Cross-Street	Location	Jurisdiction
1211	Stevens Creek Blvd.	Lawrence Expwy. (E side)	Santa Clara	Santa Clara
1413	Mathilda Avenue	Maude Av.	Sunnyvale	Sunnyvale
3013	Hwy 87	Julian (East)	San Jose	San Jose
3014	Hwy 87	Julian (West)	San Jose	San Jose
3042	Hwy 680	Alum Rock (East)	San Jose	State
3043	Hwy 680	Alum Rock (West)	San Jose	State
3062	Alum Rock Avenue (Rte. 130)	Capitol Av.	San Jose	State
3063	Alum Rock Avenue (Rte. 130)	Jackson Av.	San Jose	State

ID	CMP System Roadway	Cross-Street	Location	Jurisdiction
5803	Montague Exp.	Capitol Av.	Milpitas	SC County
5804	Montague Exp.	Milpitas Blvd.	Milpitas	SC County

TABLE 3.3 - PEAK PERIOD DATA COLLECTION BY VTA MEMBER AGENCY

Agency	Peak Period	Number of Intersections
City of Campbell	4:30-6:30pm	5
City of Cupertino	4:30-6:30pm	14
City of Gilroy	4:00-6:00pm	1
City of Los Gatos	4:00-6:00pm	3
City of Milpitas	4:00-6:00pm	2
City of Mountain View	4:30-6:30pm	6
City of Palo Alto	4:00-6:00pm	8
City of San Jose	4:00-6:00pm	117
City of Santa Clara	4:00-6:00pm	15
Santa Clara County	4:30-6:30pm	72
City of Saratoga	4:00-6:00pm	1
City of Sunnyvale	4:30-6:30pm	8

Data Collection Quality Assurance

Manual counts for each turn movement were performed in a video reduction center where counters review video of each intersection. It was determined that the use of video data offers a cost-effective and accurate approach to data collection as it allows counters to collect counts in a controlled setting, and return to the video to verify numbers and perform re-counts as necessary without having to return to the field. The counts collected were then reviewed for aspects of quality control which include, but are not limited to accuracy of lane configurations, consistent count volumes between adjacent intersections, accuracy of count details (times, dates, etc), and data integrity. Most sites are then subjected to test counts, which consist of recounting 15-minute segments of a location to verify accuracy.

When the data was submitted to Kittelson & Associates, additional checks were performed which included:

- Comparison of the 2016 counts for each of the 242 CMP intersections collected in 2016 with counts from the 2008, 2010, 2012, and 2014 monitoring reports.
- If the 2016 approach volumes were within 10% of either the 2008, 2010, 2012, or 2016 counts, or the 2016 approach volume fell between 2008 and 2014 counts, no further action was taken.
- Counts that did not meet these criteria were sent back to the data collection subconsultant for review of the video files to verify that the count was accurate.

- The final error-checking was completed when comparing the LOS between 2014 and 2016. All changes in LOS, especially in the LOS D, E, and F range, were investigated. These investigations looked at intersection geometry, counts, and signal timing to verify the cause of the change and to identify if there were significant issues.

Level of Service Analysis

In previous years, VTA member agencies were responsible for inputting all data into a TRAFFIX™ database and running the LOS analysis in TRAFFIX™. This information was then forwarded to the chosen consultant to consolidate the data into one master file. Since 2012, member agencies have the option to have KAI perform the analysis on intersections located within their jurisdiction. Agencies selecting this option were asked to provide any signal timing updates they wanted to include since the 2014 monitoring cycle, while the rest of the data input and analysis was performed by KAI. Table 3.4 presents a list of member agencies, the party responsible for the intersection analysis, and whether signal timing updates were provided to KAI for the 2016 Monitoring Study.

TABLE 3.4 - TRAFFIX™ IMPLEMENTATION ANALYSIS

Member Agency	Number of Intersections	Int. Analysis Performed by:	Signal Timing Changes from 2014
City of Campbell	5	Campbell	N/A
City of Cupertino	14	KAI	Yes
City of Gilroy	1	KAI	No
City of Los Gatos	3	KAI	No
City of Milpitas	2	KAI	No
City of Mountain View	6	KAI	No
City of Palo Alto	8	KAI	No
City of San Jose	117	KAI	Yes
City of Santa Clara	15	KAI	Yes
Santa Clara County	72	KAI	Yes
City of Saratoga	1	KAI	No
City of Sunnyvale	8	KAI	Yes

LOS Analysis Quality Assurance

A quality assurance process was employed to check the accuracy and reasonableness of the intersection LOS evaluations conducted for the 2016 Monitoring Program. The first step in this process was to check that all intersection counts had been entered into the TRAFFIX™ file correctly. This was done by comparing the TRAFFIX™ volume output file to an excel spreadsheet that contained all the counts collected for this monitoring cycle.

Once all of the monitored intersections' volumes were checked, a 'triage' approach was used to identify intersections requiring more detailed review, using the following criteria:

- Intersections at LOS F in 2016 that were at LOS E or better in 2014.
- Intersections at LOS E in 2016 that were at LOS F in 2014.
- Intersections that jumped two levels of service, either up or down, between 2014 and 2016.
- Other intersections identified by local agency staff familiar with local conditions where the computed LOS does not match prevailing field conditions.

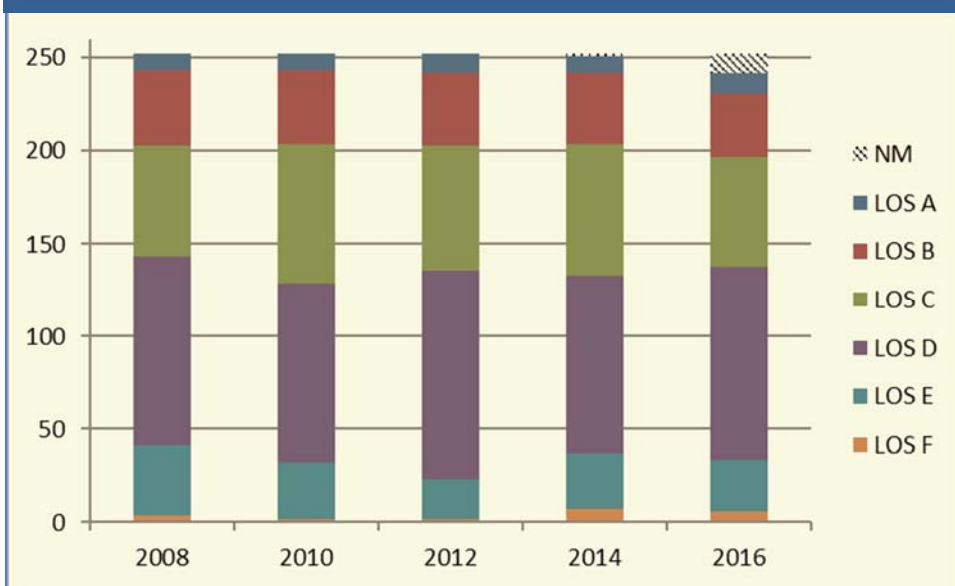
Identified triage intersections were then reviewed to determine whether the resultant 2016 levels of service were reasonable.

Overall Intersection Operations

Since 2004, the VTA monitoring program has been using the LOS methodology described in the 2000 Highway Capacity Manual (HCM). Figure 3.1 presents a graphical view of the number of intersections experiencing the various LOS values over the last five monitoring cycles.

Table 3.10 shows how LOS has varied since the first monitoring cycle in 1991. In the table, the “Location” column is the agency responsible for maintaining the LOS standard, whereas the “Jurisdiction” column is the agency that operates the intersection; occasionally, these agencies are not the same. The PM peak hour TRAFFIX™ LOS analysis calculations for each intersection are available in an electronic TRAFFIX™ file format that will be submitted with this report.

Figure 3.1 Number of Intersections at each LOS, 2008-2016



LOS-exempt Intersections at LOS F

Table 3.5 lists the intersections that operated at LOS F in 2016, but are exempt from the CMP LOS standard. Intersections are defined as exempt if they operated at LOS F under the 1991 baseline conditions. These intersections have generally fluctuated between LOS E and LOS F since 1991. Highway 17 Southbound and San Tomas Expressway is back at LOS F for the first time since

2000. This change is a result in vehicle demand since geometry and signal timing remained unchanged from 2016.

TABLE 3.5 | LOS EXEMPT INTERSECTIONS AT LOS F

ID	CMP System Roadway	Cross-Street	Location	Jurisdiction
5205	Page Mill/Oregon Exp.	Foothill Exp.	Palo Alto	SC County
5430	San Tomas Exp.	Campbell Av.	Campbell	SC County
5432	Hwy 17 (SB)	San Tomas Expwy./Camden Av.	Campbell	SC County
5724	Capitol Exp.	Aborn Rd.	San Jose	SC County
5809	Montague Exp.	McCarthy Blvd./O'Toole Av.	Milpitas	SC County

Deficient Intersections

The Central Expressway & De La Cruz Boulevard intersection (Table 3.6) was found to continue to operate at LOS F in 2014 as it has operated since 1996. This intersection is non-exempt since it operated at LOS E in 1991.

TABLE 3.6 | DEFICIENT INTERSECTIONS

ID	CMP System Roadway	Cross-Street	Location	Jurisdiction
5335	Central Expressway	De la Cruz Blvd.	Santa Clara	SC County

In 2016, twenty-six (26) intersections were operating at LOS E. Twenty-three (23) of these intersections were also at LOS E in 2014 and are shown in Table 3.7. Three (3) intersections operated at LOS D or better in 2014 and are now at LOS E (Table 3.8). All three of these locations have fluctuated between LOS E and LOS D with all three at LOS E in 2012.

TABLE 3.7 | INTERSECTIONS OPERATING AT LOS E IN 2012 & 2014

ID	CMP System Roadway	Cross-Street	Location	Jurisdiction
701	Calaveras Blvd. (Rte. 237)	Abel St.	Milpitas	Milpitas
5012	S. Bascom Av.	Moorpark Av.	San Jose	SC County
5108	Page Mill/Oregon Exp.	Middlefield Rd.	Palo Alto	SC County
5220	Foothill Exp.	Magdalena Av./Springer Rd.	Los Altos	SC County
5305	Central Exp.	Rengstorff Av.	Mountain View	SC County
5320	Central Exp.	Mary Av.	Sunnyvale	SC County
5329	Central Exp.	Bowers Av.	Santa Clara	SC County
5332	Central Exp.	Scott Blvd.	Santa Clara	SC County
5334	Central Exp.	Lafayette St.	Santa Clara	SC County
5405	San Tomas Exp.	Stevens Creek Blvd.	Santa Clara	SC County
5416	San Tomas Exp.	El Camino Real (Rte 82)	Santa Clara	SC County
5419	San Tomas Exp.	Homestead Rd.	Santa Clara	SC County
5422	San Tomas Exp.	Saratoga Av.	Santa Clara	SC County
5429	San Tomas Exp.	Hamilton Av.	Campbell	SC County

ID	CMP System Roadway	Cross-Street	Location	Jurisdiction
5611	Lawrence Exp.	Arques Av.	Sunnyvale	SC County
5613	Lawrence Exp.	Reed Av.	Sunnyvale	SC County
5625	Lawrence Exp.	Homestead Rd.	Sunnyvale	SC County
5633	Lawrence Exp.	Bollinger Rd./Moorpark Av.	San Jose	SC County
5723	Capitol Exp.	Silver Creek Rd.	San Jose	SC County
5732	Capitol Exp.	Story Rd.	San Jose	SC County
5802	Montague Exp.	Trade Zone Blvd./McCandless	Milpitas	SC County
5805	Montague Exp.	Mission College Blvd.	Santa Clara	SC County
5807	Montague Exp.	First St.	San Jose	SC County

TABLE 3.8 | INTERSECTIONS OPERATING AT LOS E IN 2014 AND D OR BETTER IN 2012

ID	CMP System Roadway	Cross-Street	Location	Jurisdiction
1003	El Camino Real (Rte. 82)	Hwy 237/Grant Rd.	Mountain View	State
3088	Camden Avenue	Union Av.	San Jose	San Jose
3095	Monterey Hwy. (Rte. 82)	Curtner Av.	San Jose	San Jose
5408	San Tomas Exp.	Scott Blvd.	Santa Clara	SC County
5720	Capitol Exp.	Senter Rd.	San Jose	SC County
5725	Capitol Exp.	Quimby Rd.	San Jose	SC County
5806	Montague Exp.	De la Cruz Blvd.	Santa Clara	SC County

Intersections Improving From LOS F

Of the seven intersections operating at LOS F in 2014, two intersections shown in Table 3.9 improved to LOS E operations for 2016. The improvements were the result of demand changes at the intersections since geometry and signal timing remained consistent with 2014.

TABLE 3.9 | INTERSECTIONS IMPROVING FROM LOS F OPERATIONS IN 2014

ID	CMP System Roadway	Cross-Street	Location	2016 LOS	Reason (s) for Change
5215	Foothill Exp.	El Monte Av.	Los Altos	E	Decrease in demand
5801	Montague Exp.	Main St./Old Oakland Rd.	Milpitas	E	Decrease in demand

Intersections That Changed Two Levels of Service

In 2016, no intersections were found to have changed by two or more LOS grades since 2014.

LOS Results

This technical memorandum documented the data collection and analysis efforts used to evaluate the Level of Service (LOS) for the Congestion Management Program (CMP) intersections located in Santa Clara County. These evaluations were performed as part of the 2016 Monitoring

& Conformance Report for the Santa Clara Valley Transportation Authority (VTA). A summary of our findings includes:

- 242 of the 252 current CMP intersections were analyzed. Ten intersections were not analyzed due to ongoing construction activities during the data collection period.
- Six intersections were found to operate below the CMP LOS Standard (LOS E). This is one fewer than the 2014 report.
- One of the six intersections, Central Expressway & De La Cruz Boulevard (5335) was not exempt since it operated at LOS E or better in 1991 rather than F. This intersection has been consistently operating at LOS F since 1996.

Comparing the 2016 findings versus the previous 10 years shows that 2016 was consistent with previous monitoring years. The number of intersections operating at LOS D, E, and F are within the range reported since 2006. The number of intersections operating at LOS B and C are at the lowest level since 2006 but this is likely due to the ten intersections not counted in this monitoring study due to construction. Finally, the number of intersections operating at LOS A (11) is the highest it has been since 2006.

Table 3.10 - Intersection LOS, 1991 – 2016

ID	CMP System Roadway	Cross Street	Location	Jurisdiction	1991	1992	1993	1994/5	1996	1997	1998	2000	2001	2002	2004	2006	2008	2010	2012	2014	2016
101	S. Bascom Av.	Campbell Av.	Campbell	Campbell	E	C	NM	B	B	D-	C	C	C	C	C	C-	C-	C	C	C	C
102	Hamilton Av.	Winchester Blvd.	Campbell	Campbell	E	D	NM	D	E	E	D-	D-	D	D	D	D	E+	E+	D	D	D
103	Hwy 17 (NB)	Hamilton Av.	Campbell	State	A	A	NM	C	C	B	C+	C+	C	B-	B-	C	C	C+	C	C+	C
104	Hwy 17 (SB)	Hamilton Av.	Campbell	State	F	F	E	E	E	E	E	E	E	E-	E	E	E	E	E	D	D-
105	Hamilton Av.	Bascom Av.	Campbell	Campbell	D	D	NM	E	E	E	E	E-	E	E	D	D-	E+	E+	D-	D	D-
202	Hwy 280 NB Ramps	Wolfe Rd.	Cupertino	Cupertino					NM	B-	B	B+	B	B	A	B+	B	B	B	B+	B
203	Hwy 280 SB Ramps	Wolfe Rd.	Cupertino	Cupertino					NM	B	B+	A	A	B+	A	B+	A	A	A	A	A
204	Stevens Creek Blvd.	Wolfe Rd./Miller Av.	Cupertino	Cupertino	D	D	D	C	D	C	D+	D+	D+	C	C	D+	D+	D+	D+	D	D
206	Sara-Sunny Rd./De Anza Blvd.	Prospect Rd.	Cupertino	Cupertino	NM	NM	NM	D	D	C-	C	C	D+	D	C	D	C	B-	C	C	C
208	Hwy 85 SB Ramps	Sara-Sunny Rd./De Anza Blvd.	Cupertino	Cupertino	NM	NM	NM	D	D	C+	C	C	C	C-	C-	C	C-	C	C	B	B
209	Hwy 85 NB Ramps	Sara-Sunny Rd./De Anza Blvd.	Cupertino	Cupertino	NM	NM	NM	C	C	C+	C	C+	C+	C-	B	C	D	B	B	B+	B
210	De Anza Blvd. (Rte. 85)	Bollinger Rd.	Cupertino	Cupertino	E	D	D	D	C	C	C	C	C	C	B-	C	C	C	C	C	C
211	De Anza Blvd. (Rte. 85)	Stevens Creek Blvd.	Cupertino	Cupertino	E	D	D	D	D	D	D	D	E	D	C-	D	D-	D	D	D	D
212	Hwy 280 SB Ramps	De Anza Blvd.	Cupertino	Cupertino	D	C	C	C	C	C	D	C	C	C-	B	C	B-	B	B-	C+	C+
213	Hwy 280 NB Ramps	De Anza Blvd.	Cupertino	Cupertino	F	E	D	C	D	C	D+	C-	C	D+	C	C	C+	C+	C-	C	D+
214	De Anza Blvd. (Rte. 85)	Homestead Rd.	Cupertino	Cupertino	E	D	D	D	D	D-	D	D	E+	D+	C-	D+	D+	D+	D+	D+	D+
217	Stevens Creek Blvd.	Stelling Rd.	Cupertino	Cupertino	D	D	D	D	D	D	C	D+	D	D+	D	D	D	D	C-	D	D-
219	Stevens Creek Blvd.	Hwy 85 SB Ramp	Cupertino	Cupertino	C	C	B	C	C	C	B	B-	C+	C+	C	C	C	C	C	C+	C
220	Stevens Creek Blvd.	Hwy 85 NB Ramp	Cupertino	Cupertino	B	B	B	C	D	B-	B-	C+	B-	C	C	C-	C-	C	B-	C+	C
301	Monterey Hwy. (Rte. 152)	Leavesley Rd.	Gilroy	State	C	C	NM	D	D	C	C	C	C	C	C	C	C	C	C	C	C

Table 3.10 - Intersection LOS, 1991 - 2016

ID	CMP System Roadway	Cross Street	Location	Jurisdiction	1991	1992	1993	1994/5	1996	1997	1998	2000	2001	2002	2004	2006	2008	2010	2012	2014	2016
601	Saratoga-Los Gatos (Hwy. 9)	University Av.	Los Gatos	State	C	C	NM	C	C	D	D	C	C-	D	C-	C	C	C	C	C	C
602	Saratoga-Los Gatos (Hwy. 9)	Santa Cruz Av.	Los Gatos	State	D	D	NM	D	D	D	D	D	E+	D	D	D	D	D+	D+	D+	D+
603	Los Gatos Blvd.	Lark Av.	Los Gatos	Los Gatos	C	NM	NM	B	C	C-	D	C-	D	D	D+	C-	E+	D+	D+	C-	D+
701	Calaveras Blvd. (Rte. 237)	Abel St.	Milpitas	Milpitas	E	F	D	E	D	D	D-	D-	D-	D	D	D	D	E+	E	E	E
702	Calaveras Blvd. (Rte. 237)	Milpitas Blvd.	Milpitas	Milpitas	F	F	D	D	D	E+	E+	E	D	D	D+	E+	D	E	D	D	D
1001	El Camino Real (Rte. 82)	Castro St.	Mountain View	State	D	D	D	D	D	E	E+	D	D	D	D	C	D	D+	D	D	D
1002	El Camino Real (Rte. 82)	El Monte Av.	Mountain View	State	C	B	B	B	C	C	D	C-	D+	C-	D+	C	C	C	C-	D	D
1003	El Camino Real (Rte. 82)	Hwy 237/Grant Rd.	Mountain View	State	E	D	D	D	D	F	F	D-	D-	D-	D	D	D-	D-	E+	D	E+
1004	El Camino Real (Rte. 82)	Miramonte Av./Shoreline Blvd.	Mountain View	State	D	D	D	D	C	E	E-	D	D	D	D	D	D-	D	D	D	D-
1005	El Camino Real (Rte. 82)	Rengstorff Av.	Mountain View	State	C	D	D	C	C	D-	C-	C	C	C	C	C+	C	C+	C	C	C
1006	El Camino Real (Rte. 82)	San Antonio Rd.	Mountain View	State	E	D	D	D	D	D-	E	D-	D-	D	D	D	D	D	D	D	D-
1100	El Camino Real (Rte. 82)	Alma Av.	Palo Alto	State	B	B	NM	B	B	B	B	C	D	D+	D	D	D+	D+	D+	C-	C-
1102	El Camino Real (Rte. 82)	Embarcadero Rd./Galvez	Palo Alto	State	D	D	NM	D	D	D	D	D	E	D-	D	D+	D	D	D+	D+	D+
1104	El Camino Real (Rte. 82)	Page Mill Rd./Oregon Exp.	Palo Alto	State	E	D	NM	E	D	E	E	E+	E+	E+	D	D	D	D	D	D	D
1106	El Camino Real (Rte. 82)	Charleston Rd./Arastradero	Palo Alto	State	D	D	NM	D	D	E+	E+	D-	D	D	D	D	D	D	D	D	D
1108	San Antonio Rd.	Charleston Rd.	Palo Alto	Palo Alto	D	D	NM	D	D	D	D	D	D	D	D	D+	D	D	D	D	D

Table 3.10 - Intersection LOS, 1991 – 2016

ID	CMP System Roadway	Cross Street	Location	Jurisdiction	1991	1992	1993	1994/5	1996	1997	1998	2000	2001	2002	2004	2006	2008	2010	2012	2014	2016
1110	San Antonio Rd.	Middlefield Rd.	Palo Alto	Palo Alto	D	D	NM	E	E	E	E+	E	E	D-	D	D+	D	E	D+	D+	D
1112	El Camino Real (Rte. 82)	Palm Dr. (San Mateo Co.)	Palo Alto	Palo Alto	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	C	C	C	C	C	C
1114	El Camino Real (Rte. 82)	University Av. (San Mateo Co.)	Palo Alto	Palo Alto	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	C	C+	C	C-	C	C
1200	Bowers Av.	Scott Blvd.	Santa Clara	Santa Clara	D	D	D	C	C	D+	D	E+	D	D	C-	C	C	C	C	C	C-
1201	El Camino Real (Rte. 82)	Kiely Blvd./Bowers Av.	Santa Clara	State	D	D	NM	D	D	D	D	D	D	D	D	C-	D	C-	C	C-	C
1202	El Camino Real (Rte. 82)	Lafayette St.	Santa Clara	Santa Clara	D	D	D	C	D	D	D+	D+	D	D	D+	D	D+	D+	D	D	D+
1203	El Camino Real (Rte. 82)	Lincoln Av.	Santa Clara	Santa Clara	B	B	NM	B	B	C+	C+	C+	C+	C+	C+	C	C+	C+	C	C	C
1204	El Camino Real (Rte. 82)	Monroe St.	Santa Clara	Santa Clara	B	C	NM	B	C	C	D+	C	D+	D+	C	C-	C-	C-	C	C-	D+
1205	El Camino Real (Rte. 82)	Scott Blvd.	Santa Clara	Santa Clara	D	C	NM	C	C	C-	C-	D+	D	D	D	D+	D	D+	D+	D+	D+
1206	Great America Pkwy.	Mission College Blvd.	Santa Clara	Santa Clara	E	D	D	E	E	E	E	F	E	E-	D-	D-	D-	D	D	D	D
1207	Great America Pkwy.	Tasman Dr.	Santa Clara	Santa Clara	B	B	NM	B	C	C	C	C-	D+	D	C	C	C-	C	C	C	C
1208	Hwy 101 (SB)	Bowers Av.	Santa Clara	State	B	A	NM	A	A	B+	B	B	B-	B	B	B+	A	A	A	A	A
1209	Hwy 101 (NB)	Great America Pkwy.	Santa Clara	State	C	B	NM	B	C	B	B	B	C+	C	B-	A	A	A	A	A	A
1210	Hwy 280 (SB)	Stevens Creek Blvd.	Santa Clara	State	E	D	D	E	D	C	C	C	C-	D	D+	D+	E+	C	C	C	B-
1211	Stevens Creek Blvd.	Lawrence Exp. (E side)	Santa Clara	Santa Clara	B	B	NM	C	B	C+	C	C	D+	D+	D+	C-	C	C	C	C	NM
1212	Stevens Creek Blvd.	Lawrence Exp. (SB ramp)	Santa Clara	Santa Clara	B	A	NM	B	C	C	C	C+	D+	B	C	C	C	C	C	C	C
1213	The Alameda (Rte 82)	El Camino Real (Rte 82)	Santa Clara	State	A	B	NM	B	B	B	C	C+	B-	B	C+	B	C	B	B	B	B
1214	Lawrence Exp.	El Camino Real (Rte 82)	Santa Clara	State	NM	NM	NM	NM	NM	B	C-	D	D+	D	C-	C	C	C	C	C	C

Table 3.10 - Intersection LOS, 1991 – 2016

ID	CMP System Roadway	Cross Street	Location	Jurisdiction	1991	1992	1993	1994/5	1996	1997	1998	2000	2001	2002	2004	2006	2008	2010	2012	2014	2016
1301	Big Basin Way (Hwy 9)	Saratoga-Los Gatos Rd.	Saratoga	State	E	D	NM	C	D	D	D+	D	D	D	C-	D	D+	D+	D+	D+	D+
1401	Saratoga-Sunnyvale Rd.	Fremont Av.	Sunnyvale	Sunnyvale	D	D	NM	D	D	D	D	D	D-	D	D	NM	D	D	D	D	D
1402	Saratoga-Sunnyvale Rd.	Remington Dr.	Sunnyvale	Sunnyvale	E	C	NM	D	D	D	D	D	D	D	D	NM	D	C-	D	D	D
1404	El Camino Real (Rte. 82)	Fair Oaks Av.	Sunnyvale	State	D	E	D	E	D	E+	D-	D	D	D	D	D	D+	D	D	D	D
1405	El Camino Real (Rte. 82)	Wolfe Rd.	Sunnyvale	State	E	E	E	E	E	E	E	E	E	D	D	D-	E-	D	D	D	D
1406	El Camino Real (Rte. 82)	Mary Av.	Sunnyvale	State	D	D	NM	D	D	D	D	D	D	D	D+	D+	D	D	D	D+	D
1407	El Camino Real (Rte. 82)	Mathilda Av.	Sunnyvale	State	D	E	E	D	E	E+	E	F	E+	E+	C-	D	D	D	D	D	D
1412	Mathilda Av.	Java Dr.	Sunnyvale	Sunnyvale	B	B	NM	C	C	C+	NM	C-	C	C	C+	C	C-	C	C	C	C-
1413	Mathilda Av.	Maude Av.	Sunnyvale	Sunnyvale	D	D	NM	C	D	D	D	D	D	D+	C	D+	D+	C-	D+	D+	NM
2001	Saratoga-Los Gatos (Hwy. 9)	Quito Rd.	SC County	State	A	A	NM	A	B	B	B	B	B	B	B+	B+	B+	B+	B+	B+	B
3001	Hwy 85	Bascom Av.(North)	San Jose	San Jose	NM	NM	NM	C	B	B	B	B	B	B-	B	C+	C+	C+	C+	C+	C+
3002	Hwy 85	Bascom Av.(South)	San Jose	San Jose	NM	NM	NM	C	B	B	B	B	B	B	B	C+	C+	C	C	C	C
3003	Hwy 85	Bernal Rd.	San Jose	San Jose	NM	NM	NM	C	C	C	D	D-	D+	D+	C	C	C	C	B	B-	B-
3004	Hwy 85	Blossom Hill Rd. (North)	San Jose	San Jose	NM	NM	NM	C	C	C+	C	D	D+	C-	C	C	C	C	C	C-	C
3005	Hwy 85	Blossom Hill Rd. (South)	San Jose	San Jose	NM	NM	NM	D	E	F	E+	D-	D-	D-	D	F	D-	E+	E+	D	D-
3006	Hwy 85	Camden Av. (North)	San Jose	San Jose	E	NM	C	D	D	D+	C	C	C	C	C	C	C	C	C	C	C
3007	Hwy 85	Camden Av. (South)	San Jose	San Jose	NM	NM	NM	D	D	E	E+	E	D-	E+	D-	D-	E+	E+	D	D	D
3008	Hwy 85	Cottle Rd. (North)	San Jose	San Jose	NM	NM	NM	B	C	C+	B	B-	B	B	B+	B	B	A	B	B+	B
3009	Hwy 85	Cottle Rd. (South)	San Jose	San Jose	NM	NM	NM	C	D	C-	C	C	C	C	C	C	C-	C-	D	C-	D+

Table 3.10 - Intersection LOS, 1991 – 2016

ID	CMP System Roadway	Cross Street	Location	Jurisdiction	1991	1992	1993	1994/5	1996	1997	1998	2000	2001	2002	2004	2006	2008	2010	2012	2014	2016
3010	Hwy 85	Santa Teresa Blvd. (North)	San Jose	San Jose	NM	NM	NM	C	C	D	D	D	D	NM	NM	C	C	C	C	C	C
3011	Hwy 85	Santa Teresa Blvd. (South)	San Jose	San Jose	NM	NM	NM	C	C	C+	C	C	C	C	B	B	B	C+	B-	B-	C+
3012	Hwy 87	Coleman Av.	San Jose	San Jose	C	B	NM	B	B	B	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM
3013	Hwy 87	Julian St. (East)	San Jose	San Jose	D	D	NM	D	D	E	D-	D	D+	D	D+	NM	D	D	D	D	NM
3014	Hwy 87	Julian St. (West)	San Jose	San Jose	B	B	NM	C	C	B	B	B-	B	B	B	B	B	B	B	B-	NM
3015	Hwy 87	E. Santa Clara St. (NB Off)	San Jose	San Jose	NM	NM	NM	C	C	B	B	B	B	B	B	NM	B	B	B	B	B
3016	Hwy 101	Santa Clara (East)	San Jose	State	B	NM	B	C	C	B	B	B	B	B	B	B	B	B	B	B	B
3017	Hwy 101	Bernal Rd.	San Jose	State	A	A	NM	A	B	B	B	B	B	B	B+	B+	B+	B+	B	B	B
3018	Hwy 101	Blossom Hill Rd. (East)	San Jose	State	D	D	NM	D	D	D+	C-	D-	D	D	C-	C	C	C	C	C	C-
3019	Hwy 101	Blossom Hill Rd. (West)	San Jose	State	B	B	NM	B	B	C+	B-	C+	C	C	C+	B	B	C	B	B	C+
3020	Hwy 101	Brokaw Rd.	San Jose	San Jose	B	NM	B	B	C	C	C-	C-	C	C	C	C+	C	C+	C+	B-	C+
3021	Hwy 101	Oakland Rd. (North)	San Jose	State	B	NM	B	C	C	C	C	C	C	C	C+	C+	C	C+	C+	C	C+
3022	Hwy 101	Oakland Rd. (South)	San Jose	State	C	NM	C	C	C	D+	D+	D+	D+	D	C	C-	C	C	C	C-	C-
3023	Hwy 101	Santa Clara St. (West)	San Jose	State	C	NM	C	D	C	B	B	B	B	B	B	B	B	B	B	B	B
3024	Hwy 101	Yerba Buena Rd.(East)	San Jose	State	B	C	NM	C	B	B-	B	C+	C+	C+	C+	B	B	C+	C+	C+	B-
3025	Hwy 101	Yerba Buena Rd.(West)	San Jose	State	C	D	NM	C	C	C	C	C	C	C	C	C+	C	C+	C+	C	C
3026	Hwy 237	First St. (North)	San Jose	State	F	D	NM	NM	C	B-	C+	B	B	B	B	B	B-	B-	B-	B-	B
3027	Hwy 237	First St. (South)	San Jose	State	F	D	NM	NM	C	C	D+	C	C	C+	C+	C+	C+	B-	C+	C+	C+
3028	Hwy 237	Great America Pkwy. (N.)	San Jose	State	F	F	C	NM	B	C	C	C	C	C	C	B	B	B	B	B	B
3029	Hwy 237	Great America Pkwy. (South)	San Jose	State	F	F	C	NM	A	B	B	B	B-	C+	B	B	B+	A	B+	B+	B+
3030	Hwy 237	Zanker Rd. (North)	San Jose	State	F	F	NM	NM	B	B	C+	B	B	B	B+	B+	B+	B	B	B+	B+
3031	Hwy 237	Zanker Rd. (South)	San Jose	State	F	F	NM	NM	B	B	C+	B	B	B	B+	B	B+	B	B	B	B+
3032	Hwy 280	Bird Av. North	San Jose	San Jose	C	C	NM	C	C	C	C-	C	C	C-	C	C-	C	C	C	C	C

Table 3.10 - Intersection LOS, 1991 – 2016

ID	CMP System Roadway	Cross Street	Location	Jurisdiction	1991	1992	1993	1994/5	1996	1997	1998	2000	2001	2002	2004	2006	2008	2010	2012	2014	2016
3033	Hwy 280	Bird Av. South	San Jose	San Jose	B	B	NM	B	C	B	C+	C	C	C	C-	C-	C	C	C	C+	C+
3034	Hwy 280	11th St. North	San Jose	San Jose	B	B	NM	B	B	B	B	B	B	B	B	B	B	B	B	B	B
3035	Hwy 280	11th St. South	San Jose	San Jose	B	B	NM	A	B	B	B	B	B	B	B	B	B	B	B	B	B
3036	Hwy 280	McLaughlin Av.	San Jose	San Jose	B	B	NM	B	B	B-	B	B	B	B	B	B	B	B	B	B	B
3037	Hwy 280	Moorpark Av.	San Jose	San Jose	B	B	NM	C	C	C	C	C	C	C	C	C	B+	B	B	B	B+
3038	Hwy 280	Saratoga Av. North	San Jose	San Jose	B	C	NM	B	C	C+	E	B	B-	C+	B-	C	B-	B-	C+	C+	C
3039	Hwy 280	Saratoga Av. South	San Jose	San Jose	B	B	NM	C	E	F	F	C-	D+	D	D+	D	D	D	C-	C	D+
3040	Hwy 280	10th St. North	San Jose	San Jose	B	B	NM	B	B	B	B	B	B	B	B	B	B	B	B	B	B
3041	Hwy 280	10th St. South	San Jose	San Jose	B	B	NM	B	B	B	B-	B	B	B	B	B	B	B	B-	B	B
3042	Hwy 680	Alum Rock Av. (East)	San Jose	State	B	B	NM	B	B	C	B-	C	C	C	C+	C	C-	C	C	C	NM
3043	Hwy 680	Alum Rock Av. (West)	San Jose	State	B	B	NM	B	B	C+	C+	C	C	C+	C+	C	C	C	C	C	NM
3044	Hwy 680	King Rd. N	San Jose	San Jose	C	C	NM	C	C	C	C-	D+	D+	D+	C-	C-	C	C-	C-	C	C
3045	Hwy 680	King Rd. S	San Jose	San Jose	A	B	NM	B	B	C	C+	D+	D+	C	C-	C	C	C	C	C	C
3046	Hwy 880	The Alameda N	San Jose	San Jose	A	A	NM	B	A	B+	B+	B+	B+	B+	A	B	B	B	B	B	B
3047	Hwy 880	The Alameda S	San Jose	San Jose	A	A	NM	B	B	B+	B	B	B	B+	A	B-	B	C+	B-	C+	C+
3048	Hwy 880	Bascom Av. N	San Jose	San Jose	B	B	NM	B	B	B	B	B	B	B	A	A	A	B+	A	B+	A
3049	Hwy 880	Bascom Av. S	San Jose	San Jose	B	C	NM	B	C	B+	C	A	B	B	B+	A	B+	B+	A	A	A
3050	Hwy 880	Brokaw Rd. E	San Jose	San Jose	B	B	NM	C	C	C+	C+	B-	B	B	C	C-	D+	C	C	C	B+
3051	Hwy 880	Brokaw Rd. W	San Jose	San Jose	D	D	NM	D	D	C-	C-	C	C	C-	D	D	D	D+	D	C-	D
3052	Hwy 880	Coleman Av. N	San Jose	San Jose	B	B	NM	B	B	B	B	B	B	B	B+	NM	A	B+	B+	B+	B-
3053	Hwy 880	Coleman Av. S	San Jose	San Jose	B	B	NM	B	D	B	B-	B	B	B	B	NM	B-	C+	C+	C	C
3054	Hwy 880	N. First St. N	San Jose	San Jose	A	A	NM	A	A	B+	B+	B	B	B	B	B	B-	B	C	C	C
3055	Hwy 880	N. First St. S	San Jose	San Jose	C	B	NM	B	B	B	B	B	B	B	B	B	B	B	B	B	B
3056	Hwy 880	Stevens Creek Blvd.	San Jose	San Jose	C	B	NM	C	C	C+	C	C+	B-	C+	C+	C+	C+	C+	B	NM	C
3057	The Alameda (Rte 82)	Hedding St.	San Jose	San Jose	D	C	NM	C	C	D	D	D	C-	C-	C	C-	C-	C-	D+	D+	D

Table 3.10 - Intersection LOS, 1991 – 2016

ID	CMP System Roadway	Cross Street	Location	Jurisdiction	1991	1992	1993	1994/5	1996	1997	1998	2000	2001	2002	2004	2006	2008	2010	2012	2014	2016
3058	The Alameda (Rte 82)	Naglee Av.	San Jose	San Jose	D	C	NM	C	C	D	C	D	D+	D+	D+	D	D	D	D	D	D
3059	The Alameda (Rte 82)	Race St.	San Jose	San Jose	C	C	NM	C	C	D	C	C	C	C	C	C-	D+	C	C-	D	D+
3060	Monterey Hwy/First St. (SR 82)	Alma Av.	San Jose	San Jose	D	D	NM	D	D	D	D	D	D	D	D+	D	D	D	D	D	D
3061	E. San Carlos St. (Rte 82)	Almaden Blvd.	San Jose	San Jose	D	D	NM	D	D	E	D	D	D+	D+	C-	C-	D	D+	D+	C-	C-
3062	Alum Rock Av. (Rte. 130)	Capitol Av.	San Jose	State	D	D	NM	D	E	D+	D	D+	D+	NM	NM	D+	D	C-	C-	C	NM
3063	Alum Rock Av. (Rte. 130)	Jackson Av.	San Jose	State	D	E	D	D	E	D	D	D+	D+	D	D+	D	D-	D	D	D	NM
3064	Alum Rock Av. (Rte. 130)	King Rd.	San Jose	State	C	C	NM	D	D	D+	D+	D+	D+	D+	C-	C-	D	C-	C-	C-	C-
3065	Alum Rock Av. (Rte. 130)	White Rd.	San Jose	State	D	D	NM	D	D	E+	E+	D	D	D	D	D	D	D	D	D	C-
3066	Autumn St.	Santa Clara St.	San Jose	San Jose	B	B	NM	B	B	B-	B-	B-	B-	B-	B	C	C+	B-	C+	C+	B
3067	S. Bascom Av.	Camden Av.	San Jose	San Jose	D	D	NM	D	D	E	D-	D-	D	D-	D	D	D	D	D	D	D
3068	S. Bascom Av.	Curtner Av.	San Jose	San Jose	C	C	NM	C	B	C	C+	C	D+	C	C-	D+	D	D	D+	D+	D+
3069	S. Bascom Av.	Samaritan Dr.	San Jose	San Jose	D	NM	C	D	D	D	D	D+	C	C+	C	C	D+	C-	D+	D	C-
3070	S. Bascom Av.	Stokes St.	San Jose	San Jose	D	D	NM	D	D	C-	C	C	C	C	C	C	C-	C	C	C	C
3071	S. Bascom Av.	Union Av.	San Jose	San Jose	E	D	NM	D	D	C	D+	C-	D	D	D	C-	D+	D+	D	D	D+
3072	Monterey Hwy. E	Bernal Rd.	San Jose	San Jose	B	B	NM	A	B	E	B	B	B	B-	B	B	B	A	B	B	B+
3073	Monterey Hwy. N	Bernal Rd.	San Jose	San Jose	C	C	NM	B	C	D+	C-	C-	C-	C	C	C	C	C	C	C	C
3074	Monterey Hwy. S	Bernal Rd.	San Jose	San Jose	A	A	NM	A	A	A	A	B	A	A	A	A	A	A	A	A	A
3075	Santa Teresa Blvd.	Bernal Rd.	San Jose	San Jose	E	D	NM	D	D	D+	D	D	D	D+	C-	D+	D	D	D	D	D+

Table 3.10 - Intersection LOS, 1991 – 2016

ID	CMP System Roadway	Cross Street	Location	Jurisdiction	1991	1992	1993	1994/5	1996	1997	1998	2000	2001	2002	2004	2006	2008	2010	2012	2014	2016
3076	Berryessa Rd.	Lundy Av.	San Jose	San Jose	E	E	E	D	D	D	D	D	D-	D	D	D	D	D	D	D	D
3077	Bird Av. (Rte 82)	E. San Carlos St. (Rte 82)	San Jose	San Jose	C	C	NM	D	D	D+	D	D+	D	D	D+	D	D+	D+	D	D	D+
3078	Monterey Hwy. (Rte. 82) N	Blossom Hill Rd.	San Jose	San Jose	C	NM	B	B	C	B	B	B	C+	B	B-	B-	B-	B	C+	C	C
3079	Monterey Hwy. (Rte. 82) S	Blossom Hill Rd.	San Jose	San Jose	D	D	NM	C	C	C	C+	C+	C	B	C	C+	C	C+	C	C	C+
3080	Blossom Hill Rd.	Santa Teresa Blvd.	San Jose	San Jose	D	D	NM	D	D	D	D	D	D	D	D+	D+	D	D	D	D	D+
3081	Blossom Hill Rd.	Snell Avenue	San Jose	San Jose	D	E	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D
3082	Monterey Hwy. (Rte. 82)	Branham Ln.	San Jose	San Jose	D	NM	D	D	C	D	C-	C	C-	C-	C-	C-	D+	D+	D+	C-	D
3083	Brokaw Rd.	First St.	San Jose	San Jose	F	NM	D	D	E	D	E+	D	D	D	D	D	D-	D-	D	D	D
3084	Brokaw Rd.	Old Oakland Rd.	San Jose	San Jose	D	D	NM	C	D	D	D	D	D	D	D	NM	D	D	D	D	D
3085	Brokaw Rd.	Zanker Rd.	San Jose	San Jose	D	D	NM	D	D	E	E+	E+	D	NM	NM	D+	D	D	D	D	D
3086	Hillsdale Av.	Camden Av.	San Jose	San Jose	D	C	NM	C	C	C	C-	C+	C	D+	C+	C+	C	C	C	B-	C
3087	Camden Av.	Leigh Av.	San Jose	San Jose	D	D	NM	D	D	D	D	D	D	D-	E+	D	D	D	D	D	D
3088	Camden Av.	Union Av.	San Jose	San Jose	E	E	E	D	D	D-	D-	D-	E	E	D	E	E	E	E+	D	E+
3089	Hamilton Av.	Campbell Av.	San Jose	San Jose	D	C	NM	C	C	C	C	C	B-	C	C	B-	B	B	B	C+	C
3090	Campbell Av.	Saratoga Av.	San Jose	San Jose	F	F	D	D	D	D	D	D	D	D	D	D-	D-	D-	D-	D	D
3091	Monterey Hwy. (Rte. 82)	Capitol Exp. N	San Jose	San Jose	B	NM	B	B	B	B	B	B	B	B	B	B	B-	B	B	B	B
3092	Monterey Hwy. (Rte. 82)	Capitol Exp. S	San Jose	San Jose	B	NM	A	A	A	B	B	B	B	B	B	B	B	B	B	B	B
3093	Santa Teresa Blvd.	Coleman Rd.	San Jose	San Jose	D	C	NM	C	C	B	C	C	C	C	C	C	C	C	C	C	C
3094	Santa Teresa Blvd.	Cottle Rd.	San Jose	San Jose	E	E	D	D	D	D	D	D	D+	D+	D+	D	D+	D+	D+	D+	D+

Table 3.10 - Intersection LOS, 1991 – 2016

ID	CMP System Roadway	Cross Street	Location	Jurisdiction	1991	1992	1993	1994/5	1996	1997	1998	2000	2001	2002	2004	2006	2008	2010	2012	2014	2016
3095	Monterey Hwy. (Rte. 82)	Curtner Av.	San Jose	San Jose	F	NM	D	D	D	D	D	D	D	D	D	D	E	E+	E	D-	E+
3096	Trimble Rd.	De la Cruz Blvd.	San Jose	San Jose	E	E	E	F	F	D+	E	D-	D	D	D	D	D	C-	C	C-	D
3097	S. First Street (Rte 82)	Keyes St./Goodyear	San Jose	San Jose	C	C	NM	C	C	D	C	C-	C-	C	C	C	C	C	C	C	D+
3098	Trimble Rd.	First St.	San Jose	San Jose	F	E	E	E	E	E	E+	D-	D	D	D	D	D	D	D	D	D
3099	S. First St. (Rte 82)	Willow St.	San Jose	San Jose	A	A	NM	A	A	A	A	B+	A	B+	A	A	A	A	A	A	A
3100	Guadalupe Pkwy.	Hedding St.	San Jose	San Jose	E	E	D	D	D	C-	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM
3101	Guadalupe Pkwy.	Taylor St.	San Jose	San Jose	F	F	E	F	F	F	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM	NM
3102	Hillsdale Av.	Meridian Av.	San Jose	San Jose	E	E	D	D	D	D-	D	D-	D-	D-	D	D	D	D	D-	D	D-
3103	Saratoga Av.	Kiely Blvd.	San Jose	San Jose	D	D	NM	D	D	D	D	D	D	D	D	D	E	D	D	D+	D
3104	Stevens Creek Blvd.	Kiely Blvd.	San Jose	San Jose	E	E	E	E	D	E	D-	D-	D-	D-	D	D	D	D	D+	D+	D+
3105	Tully Rd.	King Rd.	San Jose	San Jose	D	D	NM	D	D	E+	D	D-	D-	D-	D	D	D-	D	D	D	D
3106	Murphy Av.	Lundy Av.	San Jose	San Jose	D	D	NM	D	D	D	D	D	D	D	D	D	D	D	D	C-	D
3107	E. San Carlos St. (Rte 82)	Market St.	San Jose	San Jose	D	D	NM	D	D	D	D	D	D+	D	C-	C-	D+	C-	D+	D+	C
3108	Tully Rd.	McLaughlin Av.	San Jose	San Jose	F	D	NM	D	E	D	E	E	D-	D-	D-	D	D	D-	D	D	D
3109	Monterey Hwy. (Rte. 82)	Senter Rd.	San Jose	San Jose	C	NM	C	C	B	C	C	C	C	C	C	C	C	C	C	C	C
3110	Monterey Hwy. (Rte. 82)	Skyway Dr.	San Jose	San Jose	B	NM	B	B	B	B	B	B	B-	C	C	C	C	C	C	C	C
3111	Monterey Hwy. (Rte. 82)	Tully Rd.	San Jose	San Jose	B	NM	B	B	B	B-	B	C+	B	B-	C+	C	C+	C	C	C+	C
3112	Santa Clara St. (Rte 82)	Montgomery St.	San Jose	San Jose	B	A	NM	B	B	A	B-	C+	B-	B-	B	B-	B	B	A	A	A
3113	Saratoga Av.	Moorpark Av.	San Jose	San Jose	D	D	NM	D	D	D	D	D	D	D	D	D	D	D	D	D	D
3114	Tully Rd.	Quimby Rd.	San Jose	San Jose	D	D	NM	D	D	D	D+	D	D	D	D	D	D	D+	D+	D+	D

Table 3.10 - Intersection LOS, 1991 – 2016

ID	CMP System Roadway	Cross Street	Location	Jurisdiction	Year																	
					1991	1992	1993	1994/5	1996	1997	1998	2000	2001	2002	2004	2006	2008	2010	2012	2014	2016	
3115	Santa Teresa Blvd.	Snell Av.	San Jose	San Jose	E	D	NM	D	D	D	D	C-	C-	C-	C-	C	C	C-	D+	D+	D+	
3116	Stevens Creek Blvd.	Saratoga Av.	San Jose	San Jose	E	E	D	D	D	D	D	D	D	D	D+	D	D+	D+	D+	D+	D	
3117	Tully Rd.	Senter Rd.	San Jose	San Jose	D	D	NM	D	D	NM	D-	D-	D-	D	D	D	D-	D	D	D	D	
3118	Stevens Creek Blvd.	Winchester Blvd.	San Jose	San Jose	E	E	D	D	D	D	D	D-	D	D	D	D	D	D	D-	D	D	
3119	Trimble Rd.	Zanker Rd.	San Jose	San Jose	D	D	NM	C	D	D	D	E+	NM	NM	NM	C-	C-	C-	D+	D+	D+	
3120	Capitol Exp.	Pearl Av.	San Jose	San Jose	D	D	NM	D	D	D	NM	D+	D+	D	C-	D+	C-	C-	D+	C-	D+	
5009	S. Bascom Av.	Fruitvale Av.	San Jose	SC County	B	C	NM	C	C	D	D-	D	D	D+	D+	D+	D+	D	D	D+	D	
5012	S. Bascom Avenue	Moorpark Av.	San Jose	SC County	C	D	NM	D	E	E+	D	D	E	E+	D	D	D	D-	D	E	E	
5108	Page Mill/Oregon Exp.	Middlefield Rd.	Palo Alto	SC County	E	E	E	E	E	E	E	E-	E	E	E	E	E	E+	E+	E+	E+	
5120	Page Mill/Oregon Exp.	Hanover St.	Palo Alto	SC County	D	D	NM	D	D	E	E	E	E+	E+	D	D	D+	D	D	D	D	
5205	Page Mill/Oregon Exp.	Foothill Exp.	Palo Alto	SC County	F	F	F	F	F	F	F	NM	F	F	F	F	F	F	F	E-	F	F
5207	Foothill Exp.	Arastradero Rd.	Palo Alto	SC County	E	E	E	E	E	E	E	E	E	E	E	D-	D-	D	D-	D	D	D-
5213	Foothill Exp.	Main St./Burke Rd.	Los Altos	SC County	C	C	NM	C	B	C-	C	C	C	C+	C+	C	C+	C+	C+	B-	B-	
5214	Foothill Exp.	San Antonio Rd.	Los Altos	SC County	B	B	NM	B	C	C+	B-	B	B-	C+	B	B	B	B	B	E-	E+	
5215	Foothill Exp.	El Monte Av.	Los Altos	SC County	D	D	NM	D	E	E	E	F	F	E	E	E+	E+	E+	D-	E	E	
5220	Foothill Exp.	Magdalena Av./Springer Rd.	Los Altos	SC County	D	E	D	D	E	E	E	E+	E+	E+	D	D	D	D	D	E	E	
5223	Foothill Exp.	Grant Rd./St. Joseph Av.	Los Altos	SC County	C	D	NM	D	D	D-	D-	D-	E	D	D	D	D	D	D	D	D+	
5225	Foothill Exp.	Homestead Rd.	Los Altos	SC County	C	C	NM	C	D	D	D	D	D	D	D	D+	D+	D+	C-	C	C-	
5305	Central Exp.	Rengstorff Av.	Mountain View	SC County	E	E	E	E	E	E	D-	E	E	E+	D	E+	E+	D-	D	E	E	
5308	Central Exp.	Castro St./Moffet Blvd.	Mountain View	SC County	D	D	NM	D	D	D-	D	D	D	D	D	D	D	D	D	E	E	
5310	Central Exp.	Shoreline Blvd. East	Mountain View	SC County	B	B	NM	B	B	D	D	D-	D-	B	A	A	B+	B+	A	A	A	

Table 3.10 - Intersection LOS, 1991 – 2016

ID	CMP System Roadway	Cross Street	Location	Jurisdiction	1991	1992	1993	1994/5	1996	1997	1998	2000	2001	2002	2004	2006	2008	2010	2012	2014	2016
5311	Central Exp.	Shoreline Blvd. West	Mountain View	SC County	B	B	NM	B	B	B	B	B	B	B	A	B+	B+	B	B+	A	A
5313	Central Exp.	Whisman Rd.	Mountain View	SC County	B	B	NM	B	B	B	B	B	B	B	B	B	B	C+	B-	D+	D-
5315	Central Exp.	Hwy 237	Mountain View	SC County	B	B	NM	B	B	B	B	B	B	B	B+	A	A	B	B+	B	A
5320	Central Exp.	Mary Av.	Sunnyvale	SC County	E	E	D	D	D	D-	D	E+	D	D	D	D	D	D	D	E	E
5325	Central Exp.	Corvin Dr./Oakmead Pkwy.	Santa Clara	SC County	C	C	NM	C	D	D	E+	D-	D-	C-	C	C	C+	C+	C	D-	D
5329	Central Exp.	Bowers Av.	Santa Clara	SC County	D	D	NM	E	E	F	F	F	F	E	E+	E	E	E	D	E	E
5332	Central Exp.	Scott Blvd.	Santa Clara	SC County	E	D	NM	D	E	E+	E+	E-	E	D	D+	D	D	D-	D	E	E
5334	Central Exp.	Lafayette St.	Santa Clara	SC County	D	D	NM	E	F	F	F	F	F	E	E+	D-	E	E	D-	E	E
5335	Central Exp.	De la Cruz Blvd.	Santa Clara	SC County	E	E	E	E	F	F	F	F	F	F	F	F	F	F	F	F	F
5405	San Tomas Exp.	Stevens Creek Blvd.	Santa Clara	SC County	F	F	F	F	F	F	F	F	F	F	F	F	F	E	E	E	E
5406	San Tomas Exp.	Moorpark Av.	San Jose	SC County	E	D	NM	D	D	E+	D-	F	E+	E+	D	D	D	D	D-	D	D-
5408	San Tomas Exp.	Scott Blvd.	Santa Clara	SC County	F	F	F	F	NM	F	F	E-	E	E	D	D	D-	D	D	D-	E+
5414	San Tomas Exp.	Monroe St.	Santa Clara	SC County	E	D	NM	D	D	E	E	D-	E+	E+	D	D	D+	D+	D+	D+	D
5416	San Tomas Exp.	El Camino Real (Rte 82)	Santa Clara	SC County	F	F	F	F	F	F	F	F	F	F	E	E	E	E+	E+	E-	F
5419	San Tomas Exp.	Homestead Rd.	Santa Clara	SC County	F	E	E	E	E	E-	F	E	F	E+	E	E	E	E+	E+	E	E+
5422	San Tomas Exp.	Saratoga Av.	Santa Clara	SC County	E	E	E	E	F	F	F	F	F	F	E+	E	E+	E+	D	E+	E
5429	San Tomas Exp.	Hamilton Av.	Campbell	SC County	E	E	E	E	E	F	F	F	F	F	E	E	E+	D	D	E	E
5430	San Tomas Exp.	Campbell Av.	Campbell	SC County	F	F	E	F	F	F	F	E-	E-	E	E+	E-	E-	E	E	F	F
5432	Hwy 17 (SB)	San Tomas Expwy./Camden Av.	Campbell	SC County	F	D	NM	E	E	E-	F	F	E	D+	D+	D	E	E+	E	E-	E
5433	Hwy 17 (NB)	San Tomas Expwy./Camden Av.	Campbell	SC County	C	C	NM	C	D	E	D	F	E+	D	D	D	E+	D	D	D	D
5505	Almaden Exp.	Koch Ln.	San Jose	SC County	B	B	NM	B	B	B+	B	B+	B	B	A	A	A	A	A	B-	B-

Table 3.10 - Intersection LOS, 1991 – 2016

ID	CMP System Roadway	Cross Street	Location	Jurisdiction	Year																
					1991	1992	1993	1994/5	1996	1997	1998	2000	2001	2002	2004	2006	2008	2010	2012	2014	2016
5512	Almaden Exp.	Branham Ln.	San Jose	SC County	F	E	E	D	D	E+	D-	E+	D-	D-	D	D	D	D	D	D-	D-
5513	Almaden Exp.	Blossom Hill Rd.	San Jose	SC County	F	E	E	E	E	E	E	F	F	F	E	E-	E	E	E+	E+	D-
5516	Almaden Exp.	Coleman Rd.	San Jose	SC County	F	F	F	D	E	E	D-	D-	E+	E	D	D-	D	D	D	D	D
5520	Almaden Exp.	Camden Av.	San Jose	SC County	E	D	NM	D	E	E+	E	D-	E	E	D	D	D	D	D	D	D
5522	Almaden Exp.	Hwy 85 N. ramp	San Jose	SC County	NM	NM	NM	C	B	C+	C	C+	C	D-	E	D	E	D	D	D	D
5523	Almaden Exp.	Hwy 85 S. ramp	San Jose	SC County	NM	NM	NM	B	C	C	F	D-	C-	D	C	C	C	C	C	B-	B-
5603	Lawrence Exp.	Tasman Dr.	Sunnyvale	SC County	D	D	NM	D	NM	E+	NM	F	D-	D	D	D-	E+	D-	D-	E+	D-
5611	Lawrence Exp.	Arques Av.	Sunnyvale	SC County	E	D	NM	E	NM	D-	E+	F	F	F	E	D	D-	E+	E+	E	E
5613	Lawrence Exp.	Reed Av.	Sunnyvale	SC County	E	E	E	D	NM	E	E-	E	F	F	D	D	D-	D+	D	E	E
5625	Lawrence Exp.	Homestead Rd.	Sunnyvale	SC County	F	F	F	E	NM	E+	E+	E+	E+	E	D	D-	D	D	D	E	E
5633	Lawrence Exp.	Bollinger Rd./Moorpark Av.	San Jose	SC County	D	D	NM	D	D	D	E+	E	E	E+	E+	E+	E+	D	D	E	E+
5635	Lawrence Exp.	Prospect Rd.	San Jose	SC County	E	E	E	D	D	D-	D-	D-	E+	E+	D	D-	D	D	D	D	D
5636	Lawrence Exp.	Calvert Dr. (I-280 on-ramp)	San Jose	SC County	NM	NM	NM	C	NM	C	D+	C	D	D	D	D	D+	C-	C-	C	D+
5640	Lawrence Exp.	Saratoga Av.	San Jose	SC County	F	F	F	E	E	E+	F	E+	E	E+	D	D	D	D	D	D-	D
5711	Capitol Exp.	Narvaez Av.	San Jose	SC County	NM	NM	NM	D	D	D	D+	D	D+	D+	C-	D	D	D	D	D	D
5713	Capitol Exp.	Hwy 87 on/off ramp	San Jose	SC County	NM	NM	NM	D	D	D-	D	E-	D-	D	C-	D	D-	D	D	D	D
5715	Capitol Exp.	Snell Rd.	San Jose	SC County	D	D	NM	D	D	D	D	D	D	D	D+	D+	D+	D	D	D	D
5720	Capitol Exp.	Senter Rd.	San Jose	SC County	F	F	E	E	E	E	E	E	E+	E+	D	D-	D	D	D	D-	E+
5721	Capitol Exp.	McLaughlin Av.	San Jose	SC County	D	D	NM	D	E	E	E	D	D	D	D	D	D-	D	D	E+	D-
5723	Capitol Exp.	Silver Creek Rd.	San Jose	SC County	F	D	NM	D	E	D	F	F	F	F	F	E	E+	E	E+	E+	E+
5724	Capitol Exp.	Aborn Rd.	San Jose	SC County	F	F	F	E	E	D	E	D	E	E+	D	E	E-	E	E	F	F
5725	Capitol Exp.	Quimby Rd.	San Jose	SC County	E	E	E	E	E	D-	D	E	E+	E-	D-	E-	E-	E	E	D-	E+
5727	Capitol Exp.	Tully Rd.	San Jose	SC County	D	E	D	E	E	D	D	E+	D	D-	D	D	D-	D	D	D	D

Table 3.10 - Intersection LOS, 1991 – 2016

ID	CMP System Roadway	Cross Street	Location	Jurisdiction	1991	1992	1993	1994/5	1996	1997	1998	2000	2001	2002	2004	2006	2008	2010	2012	2014	2016
5732	Capitol Exp.	Story Rd.	San Jose	SC County	F	F	E	E	F	F	F	F	F	F	E+	E	E	E	E+	E	E
5734	Capitol Exp.	Excalibur Dr. (Capitol Av.)	San Jose	SC County	F	D	NM	D	D	F	D-	F	E+	E	F	E+	E+	E+	D-	D	D
5801	Montague Exp.	Main St./Old Oakland Rd.	Milpitas	SC County	F	F	E	E	E	F	F	F	F	E	F	NM	E+	D	D-	F	E
5802	Montague Exp.	Trade Zone Blvd./McCandless	Milpitas	SC County	F	F	F	F	F	F	F	F	F	F	F	F	F	F	E-	E+	E
5803	Montague Exp.	Capitol Av.	Milpitas	SC County	F	E	E	E	F	F	F	F	F	E	E	E+	E+	D-	D-	E+	NM
5804	Montague Exp.	Milpitas Blvd.	Milpitas	SC County	F	E	E	E	F	F	F	F	F	F	D+	D	D+	D	D+	C-	NM
5805	Montague Exp.	Mission College Blvd.	Santa Clara	SC County	F	D	NM	D	D	D	D+	D	D	D	D	D+	D+	D	D	E	E
5806	Montague Exp.	De la Cruz Blvd.	Santa Clara	SC County	C	C	NM	C	D	C-	C	C	C	D	D	D+	D	D+	D	D-	E+
5807	Montague Exp.	First St.	San Jose	SC County	F	E	E	E	F	F	F	F	F	F	E	F	F	E+	E	E+	E
5808	Montague Exp.	Trimble Rd.	San Jose	SC County	F	F	F	F	F	F	F	F	F	E+	D	E+	E+	D	D	D-	D
5809	Montague Exp.	McCarthy Blvd./O'Toole Av.	Milpitas	SC County	F	F	F	F	F	F	F	F	F	F	E	E	E	E	F	F	F
5812	Montague Exp.	Zanker Rd.	San Jose	SC County	E	D	NM	D	E	D-	D-	E	E+	E	D-	E+	E	D	D-	D-	D-

4

FREEWAYS

Introduction

Level of service data is collected each year for all freeway segments in Santa Clara County. Two travel directions for each freeway produce approximately 310 directional miles and multiple travel lanes in each direction yield 859 mixed-flow and 190 HOV lane miles.

Since 1991, level of service data has been collected for freeway segments in the County to identify those segments that are operating below the CMP standard of LOS E. This chapter features an analysis of traffic conditions during the AM and PM peak periods for the freeway system in Santa Clara County. For the purpose of this analysis, mixed-flow and HOV lanes are treated as separate facilities. In addition to collecting freeway level of service data, traffic counts were collected at six freeway “gateway” locations at or near the county line to measure traffic flows in and out of Santa Clara County.

Methodology

Prior to the 1997 CMP Monitoring and Conformance Report, floating vehicle techniques were used to collect the travel speed data needed to monitor freeway operations. Since 1997, VTA has used aerial photography to collect traffic data for freeway segments. This approach allows for the collection of a more comprehensive set of data that could be used to determine density, travel speed and flow rate for each freeway segment in both the AM and PM peak periods. From the aerial photographs, density is directly measured by counting vehicles in the freeway segments. Travel speeds and flow rate, or traffic volumes, are estimated using classic speed-density-volume equations calibrated for Santa Clara County conditions.

Level of Service Definitions

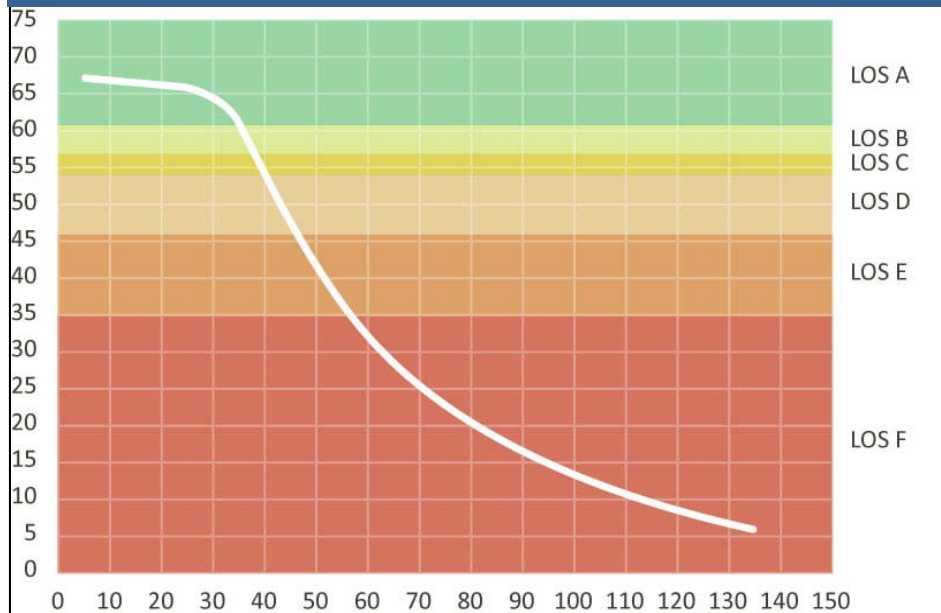
Table 4.1 defines the level of service thresholds used for freeway segments. Level of service is determined based on density in terms of passenger cars per mile per lane. The LOS density thresholds are based on VTA’s Level of Service Analysis Guidelines (June 2003), which adopts the Highway Capacity Manual’s (2000) values for LOS A/B, B/C and C/D. The D/E and E/F thresholds are calibrated for Santa Clara County conditions.

TABLE 4.1 | FREEWAY LEVEL OF SERVICE DEFINITIONS

Level of Service	Density (passenger cars/mile/lane)	Travel Speed (MPH)	Description
A	≤ 11	60 – 65	Free Flow. Vehicles are completely unimpeded in their ability to maneuver within the traffic stream. The effects of minor incidents are easily absorbed.
B	$11 < \text{density} \leq 18$	57 – 60	Reasonably Free Flow. The ability to maneuver within the traffic stream is only slightly restricted, and the general level of physical and psychological comfort provided to drivers is still high. The effects of minor incidents are easily absorbed.
C	$18 < \text{density} \leq 26$	54 – 57	Stable Flow. Flows are approaching the range where small increases in traffic flows will cause substantial deterioration in service. Freedom to maneuver within the traffic stream is noticeably restricted, and lane changes require additional care and vigilance by the driver. Minor incidents may still be absorbed, but the local deterioration in service will be substantial. Queues may be expected to form behind any significant blockage.
D	$26 < \text{density} \leq 46$	46 – 54	Unstable Flow. Small increases in traffic flows cause substantial deterioration in service. Freedom to maneuver within the traffic stream is severely limited, and the driver experiences drastically reduced physical and psychological comfort levels. Even minor incidents can be expected to create substantial queuing because the traffic stream has little space to absorb disruptions.
E	$46 < \text{density} \leq 58$	35 – 46	Capacity Flow. Operations are extremely unstable, because there are virtually no usable gaps in the traffic stream. Any incident can be expected to produce a serious breakdown with extensive queuing.
F	> 58	< 35	Forced Flow. Level of service F describes forced or breakdown flow. Such conditions generally exist within queues forming behind breakdown points. Such breakdowns occur for a number of reasons: a temporary reduction in capacity caused by a traffic incident, or a recurring point of congestion caused by a merge, a weave segment, or lane drop.

Speed Model Calibration

While research shows that there is a direct relationship between speed and density, this relationship is less straightforward than the relationship between density and speed and volume when two of the three are known. The speed density curve was re-calibrated in 2001 to account for possible travel condition differences between 2001 and 1997, when the previous curve was calibrated. Research and review of several speed-density curves resulted in a new, single regime curve based on the Van Aerde equation which is shown in Figure 4.1.

Figure 4.1 Speed Density Curve

Data Collection

Two flight patterns are used to photograph Santa Clara County's freeway system. These patterns were defined such that each freeway segment could be photographed at a frequency of approximately one sample every 40 minutes, or four times each flight. The morning surveys were conducted approximately from 6:15 AM to 9:45 AM and the evening surveys were conducted from approximately 3:15 PM to 6:45 PM. Two morning and two evening flights were scheduled of each roadway, providing a total of 16 photographs – 8 morning and 8 evening – of each freeway segment.

Aerial photography is traditionally scheduled for September but on occasion, can extend into October depending on the weather. This year, cloudy weather was not an encumbrance during the data collection effort. Table 4.2 shows the data collection dates for the morning and evening flights.

TABLE 4.2 AERIAL PHOTOGRAPHY DATA COLLECTION SCHEDULE

AM Flights	PM Flights
Wednesday, September 7	Wednesday, September 7
Tuesday, September 27	Thursday, September 8

The density of traffic between each pair of interchanges was estimated by counting the number of vehicles between each interchange in each photo. The photo that displayed the greatest vehicle density for each freeway segment was considered to represent the peak period and was selected for analysis in the chapter. The corresponding lengths and the number of lanes were also verified from the photos. Vehicle counts were performed using four different categories: cars, buses,

trucks and tractor-trailers. The buses, trucks and tractor-trailers were assigned passenger car equivalents (PCE) by applying a 1.5 PCE for trucks and buses, and 2.0 PCE for tractor-trailers.

The AM and PM peak period densities were compared to identify the most congested time for each segment. Then, using the speed-density curve described previously, the peak density is converted to speed, level of service and volume for each freeway segment. The LOS was determined directly from the density value using the thresholds listed in Table 4.1.

Deficient Freeway Segments

Directional miles represent the number of miles of freeway for the two travel directions. For the 2016 Monitoring Program, 93 segments, with a combined length of 95 miles, are operating at LOS F in the AM peak hour and 77 segments, with a combined length of 70 miles, are at LOS F in the PM peak hour. This includes two segments observed operating at LOS F for the first time since the baseline was established in 1991. In total, 177 out of 313 directional miles of freeway segments were found to be operating at LOS F in at least one of the peak periods. This is about 6 more directional miles than the 2015 results.

Of these miles, 24 miles during the AM and 27 miles during the PM were at LOS F in the baseline 1991 year and therefore considered LOS-exempt. The remaining 71 directional miles during the AM and 67 directional miles during the PM are considered deficient.

Table 4.3 presents the mixed-flow freeway segments that were operating at LOS F in 2016 and operated at LOS F under the 1991 baseline conditions making them exempt from CMP conformance requirements. The duration of congestion, in hours, is shown in parentheses in each of these tables. Duration of congestion was determined by reviewing the data to see how long congestion lasted for each segment.

TABLE 4.3 EXEMPT MIXED-FLOW SEGMENTS OPERATING AT LOS F IN 2016

Exempt Segments at LOS F in 2016						
#	Fwy	Dir	AM/PM	Segment	Length	2016
125	I-280	WB	AM	Meridian Av. to SR 17 (I-880)	1.40	F (3.0)
124	I-280	WB	AM	SR 17 (I-880) to Winchester Blvd.	0.55	F (2.5)
123	I-280	WB	AM	Winchester Bl. to Saratoga Av.	1.37	F (2.5)
122	I-280	WB	AM	Saratoga Av. to Lawrence Expwy.	1.19	F (2.5)
121	I-280	WB	AM	Lawrence Expwy. to Wolfe Rd.	1.24	F (1.5)
40	I-680	SB	AM	Capitol Expwy. to King Rd.	1.00	F (0.5)
39	I-680	SB	AM	King Rd. to US 101	0.40	F (0.5)
12	I-880	NB	AM	I-280 to Stevens Creek Blvd.	0.41	F (0.5)
11	I-880	NB	AM	Stevens Creek Blvd. to Bascom Av.	0.84	F (0.5)
10	I-880	NB	AM	Bascom Av. to The Alameda	0.82	F (0.5)
9	I-880	NB	AM	The Alameda to Coleman Av.	0.59	F (1.5)
8	I-880	NB	AM	Coleman Av. to SR 87	0.51	F (1.0)
7	I-880	NB	AM	SR 87 to N. First St.	0.40	F (1.0)
6	I-880	NB	AM	First St. to US 101	0.49	F (0.5)
17	I-880	SB	AM	Brokaw Rd. to US 101	1.29	F (1.5)
30	SR 17	NB	AM	Bear Creek to Saratoga-Los Gatos Rd.	2.90	F (1.0)

Exempt Segments at LOS F in 2016						
#	Fwy	Dir	AM/PM	Segment	Length	2016
89	SR 237	WB	AM	I-880 to McCarthy Blvd.	0.40	F (3.0)
90	SR 237	WB	AM	McCarthy Blvd. to Zanker Rd.	0.94	F (2.5)
171	SR 85	NB	AM	I-280 to Homestead Rd.	0.34	F (2.0)
170	SR 85	NB	AM	Homestead Rd. to Fremont Rd.	1.00	F (1.5)
289	US 101	NB	AM	I-280 to Santa Clara St.	0.88	F (2.0)
290	US 101	NB	AM	Santa Clara St. to McKee Rd.	0.39	F (3.5)
291	US 101	NB	AM	McKee Rd. to Old Oakland Rd.	1.58	F (2.5)
292	US 101	NB	AM	Old Oakland Rd. to I-880	0.57	F (2.5)
293	US 101	NB	AM	I-880 to Old Bayshore Rd.	0.50	F (2.0)
294	US 101	NB	AM	Old Bayshore Rd. to N. First St.	0.49	F (3.0)
295	US 101	NB	AM	N. First St. to SR 87	0.64	F (3.5)
305	US 101	NB	AM	SR 85 to Shoreline Blvd.	0.28	F (0.5)
306	US 101	NB	AM	Shoreline Blvd. To Rengstorff Av.	1.01	F (2.0)
135	I-280	EB	PM	Foothill Expwy. to SR 85	0.70	F (0.5)
136	I-280	EB	PM	SR 85 to DeAnza Blvd.	1.31	F (2.5)
137	I-280	EB	PM	DeAnza Blvd. to Wolfe Rd.	1.06	F (1.5)
138	I-280	EB	PM	Wolfe Rd. to Lawrence Expwy.	1.24	F (0.5)
139	I-280	EB	PM	Lawrence Expwy. to Saratoga Rd.	1.19	F (1.0)
140	I-280	EB	PM	Saratoga Rd. to Winchester Blvd.	1.37	F (1.5)
16	I-880	SB	PM	Montague Expwy to Brokaw Rd.	1.35	F (2.0)
17	I-880	SB	PM	Brokaw Rd. to US 101	1.29	F (2.0)
18	I-880	SB	PM	US 101 to N First St.	0.49	F (0.5)
19	I-880	SB	PM	N. First St. to SR 87	0.40	F (1.5)
20	I-880	SB	PM	SR 87 to Coleman Rd.	0.51	F (0.5)
85	SR 237	EB	PM	Middlefield Rd./Maude Ave. to US 101	0.71	F (1.0)
81	SR 237	EB	PM	Lawrence Expwy. to Great America Pkwy.	1.27	F (3.0)
79	SR 237	EB	PM	First St. to Zanker Rd.	1.61	F (1.5)
187	SR 85	SB	PM	SR 237 to El Camino Real	0.41	F (2.5)
188	SR 85	SB	PM	El Camino Real to Fremont Rd.	1.89	F (0.5)
308	US 101	NB	PM	San Antonio Rd. to Rengstorff Av.	0.71	F (3.5)
274	US 101	SB	PM	Oregon Expwy. to San Antonio Rd.	1.85	F (2.0)
273	US 101	SB	PM	S Antonio Rd. to Rengstorff Av.	0.71	F (2.5)
264	US 101	SB	PM	Great America Pkwy to Montague Exp	0.75	F (3.5)
263	US 101	SB	PM	Montague Expy to De La Cruz Blvd.	1.28	F (3.5)
261	US 101	SB	PM	SR 87 to N. First St.	0.64	F (1.0)
260	US 101	SB	PM	N. First St. to Old Bayshore Rd.	0.49	F (3.0)
259	US 101	SB	PM	Old Bayshore Rd. to I-880	0.50	F (3.5)
258	US 101	SB	PM	I-880 to Old Oakland Rd.	0.57	F (3.5)

TABLE 4.4 NON-EXEMPT MIXED-FLOW SEGMENTS OPERATING AT LOS F IN 2016

Non-Exempt Segments at LOS F in 2016						
#	Fwy	Dir	AM/PM	Segment	Length	2016
130	I-280	WB	AM	US 101 to McLaughlin Av.	0.37	F (2.5)
129	I-280	WB	AM	McLaughlin Av. to 10th St.	0.92	F (3.0)
128	I-280	WB	AM	10th St. to SR 87	1.20	F (0.5)
127	I-280	WB	AM	SR 87 to Bird Av.	0.35	F (1.5)
126	I-280	WB	AM	Bird Av. to Meridian Av.	1.07	F (1.5)
120	I-280	WB	AM	Wolfe Rd. to DeAnza Blvd.	1.06	F (1.0)
119	I-280	WB	AM	De Anza Blvd. To SR 85	1.31	F (1.0)
118	I-280	WB	AM	SR 85 to Foothill Expwy.	0.70	F (0.5)

Non-Exempt Segments at LOS F in 2016						
#	Fwy	Dir	AM/PM	Segment	Length	2016
52	I-680	NB	AM	King Rd. to Capitol Expwy	1.00	F (1.0)
53	I-680	NB	AM	Capitol Expwy to Alum Rock Av.	0.31	F (2.0)
54	I-680	NB	AM	Alum Rock Av. to McKee Rd.	0.64	F (0.5)
42	I-680	SB	AM	McKee Rd. to Alum Rock Av.	0.64	F (1.5)
41	I-680	SB	AM	Alum Rock Av. to Capitol Expwy.	0.31	F (2.0)
15	I-880	SB	AM	Great Mall Pkwy. to Montague Expwy.	0.98	F (0.5)
16	I-880	SB	AM	Montague Expwy. to E Brokaw Rd	1.35	F (1.0)
18	I-880	SB	AM	US 101 to N. First St.	0.49	F (2.0)
19	I-880	SB	AM	N. First St. to SR 87	0.40	F (2.5)
23	I-880	SB	AM	N. Bascom Av. to Stevens Cr	0.84	F (0.5)
31	SR 17	NB	AM	Summit Rd. to Bear Creek Rd.	4.06	F (2.0)
25	SR 17	NB	AM	Hamilton Av. to I-280	1.61	F (0.5)
87	SR 237	EB	AM	SR 85 to Central Expwy.	0.63	F (0.5)
91	SR 237	WB	AM	Zanker Rd. to N. First St.	1.61	F (1.5)
92	SR 237	WB	AM	N. First St. to Grt. America Pkwy.	1.00	F (2.0)
93	SR 237	WB	AM	Grt. America Pkwy. to Lawrence Expwy.	1.27	F (2.0)
94	SR 237	WB	AM	Lawrence Expwy. to N. Fair Oaks Av.	0.63	F (2.0)
95	SR 237	WB	AM	N. Fair Oaks Av. to Mathilda Av.	0.96	F (2.5)
100	SR 237	WB	AM	SR 85 to El Camino Real	0.40	F (0.5)
183	SR 85	NB	AM	Cottle Rd. to Blossom Hill Rd.	1.96	F (0.5)
182	SR 85	NB	AM	Blossom Hill Rd. to SR 87	1.27	F (2.0)
181	SR 85	NB	AM	SR 87 to Almaden Expwy.	0.94	F (2.5)
180	SR 85	NB	AM	Almaden Expwy. to Camden Av.	1.97	F (3.0)
179	SR 85	NB	AM	Camden Av. to Union Av.	1.17	F (2.5)
178	SR 85	NB	AM	Union Ave. to Bascom Av.	1.13	F (2.5)
177	SR 85	NB	AM	Bascom Av. to SR 17	0.27	F (3.0)
176	SR 85	NB	AM	SR 17 to Winchester Blvd.	0.50	F (3.0)
175	SR 85	NB	AM	Winchester Blvd. to Saratoga Av.	2.68	F (1.5)
174	SR 85	NB	AM	Saratoga Av. to De Anza Blvd.	2.19	F (0.5)
172	SB 85	NB	AM	Stevens Creek Blvd. to I-280	0.75	F (1.0)
169	SR 85	NB	AM	Fremont Ave. to El Camino Real	1.89	F (1.0)
70	SR 87	NB	AM	SR 85 to Capitol Expwy.	1.09	F (2.0)
71	SR 87	NB	AM	Capitol Expwy. to Curtner Av.	1.49	F (3.0)
72	SR 87	NB	AM	Curtner Av. to Almaden Expwy.	0.73	F (3.0)
75	SR 87	NB	AM	I-280 to Julian St.	0.96	F (1.0)
76	SR 87	NB	AM	Julian St. to Coleman St.	0.38	F (2.5)
416	SR 87	NB	AM	Taylor St. to Airport Pkwy.	1.87	F (0.5)
418	SR 87	NB	AM	Airport Pkwy. to US 101	0.67	F (3.0)
309.02	US 101	NB	AM	San Martin Av. to Tennant Av.	3.55	F (1.5)
309.01	US 101	NB	AM	Tennant Av. to E. Dunne Av.	0.96	F (2.0)
282	US 101	NB	AM	Bernal Rd. to Silver Crk Valley Rd.	1.57	F (0.5)
283	US 101	NB	AM	Silver Crk Valley Rd. to Hellyer Rd.	1.84	F (3.0)
284	US 101	NB	AM	Hellyer Rd. to Yerba Buena Rd.	0.90	F (3.0)
285	US 101	NB	AM	Yerba Buena Rd. to Capitol Expwy.	0.80	F (3.0)
286	US 101	NB	AM	Capitol Expwy. to Tully Rd.	1.33	F (3.0)
287	US 101	NB	AM	Tully Rd. to Story Rd	1.46	F (1.5)
288	US 101	NB	AM	Story Rd to I-280	0.38	F (2.0)
296	US 101	NB	AM	SR 87 (Guadalupe) to De La Cruz Blvd.	0.77	F (3.5)
297	US 101	NB	AM	De La Cruz Blvd. to Montague Expwy.	1.28	F (2.5)

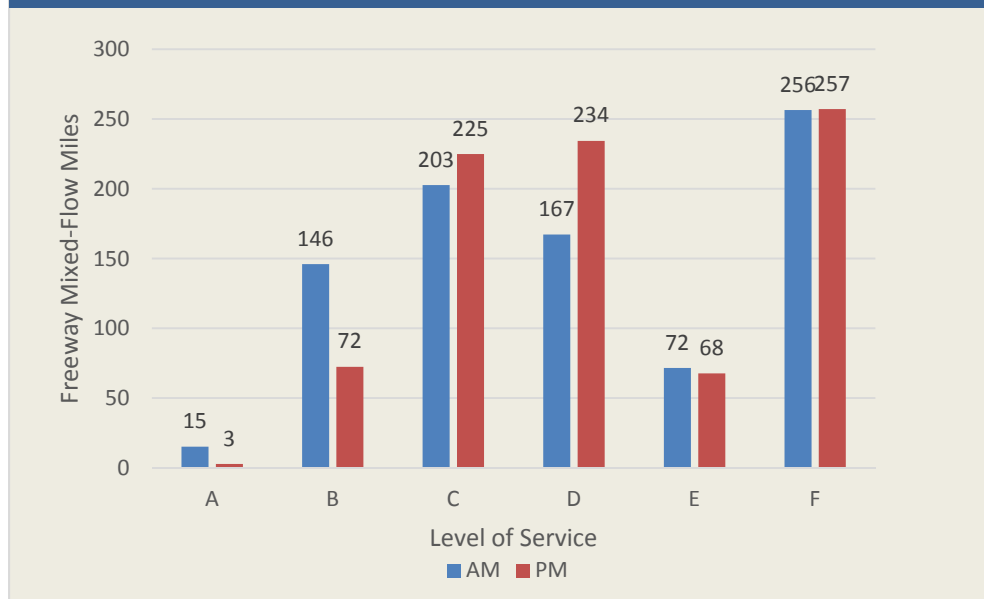
Non-Exempt Segments at LOS F in 2016						
#	Fwy	Dir	AM/PM	Segment	Length	2016
298	US 101	NB	AM	Montague to Bower Av./Great America Pkwy.	0.75	F (2.5)
299	US 101	NB	AM	Bower Av./Great America Pkwy. to Lawrence Expwy.	1.12	F (2.0)
300	US 101	NB	AM	Lawrence Expwy. to N. Fair Oaks Av.	0.98	F (2.5)
301	US 101	NB	AM	N. Fair Oaks Av. to N. Mathilda Av.	0.85	F (0.5)
303	US 101	NB	AM	SR 237 to Moffett Blvd.	1.68	F (1.0)
304	US 101	NB	AM	Moffett Blvd. to SR 85	0.33	F (2.0)
309	US 101	NB	AM	Oregon Expwy. to Embarcadero Rd.	0.15	F (0.5)
131	I-280	EB	PM	Page Mill Rd. to La Barranca Rd.	1.73	F (1.0)
132	I-280	EB	PM	La Barranca Rd. to El Monte Av.	1.60	F (1.5)
133	I-280	EB	PM	El Monte Av. to Magdalena Av.	0.95	F (3.5)
141	I-280	EB	PM	Winchester Blvd. to I-880	0.55	F (2.0)
142	I-280	EB	PM	I-880 to Meridian Av.	1.40	F (3.5)
143	I-280	EB	PM	Meridian Av. to Bird Av.	1.07	F (3.0)
144	I-280	EB	PM	Bird Av. to SR 87	0.35	F (3.0)
145	I-280	EB	PM	SR 87 to 10 th St.	1.20	F (2.0)
127	I-280	WB	PM	SR 87 to Bird Av.	0.35	F (1.0)
113.1	I-280	WB	PM	Page Mill Rd. to Alpine Rd.	2.25	F (0.5)
49	I-680	SB	PM	Jacklin Rd. to SR 237	0.85	F (0.5)
48	I-680	SB	PM	SR 237 to Yosemite Dr.	0.69	F (1.5)
47	I-680	SB	PM	Yosemite Dr. to Montague Expwy.	0.77	F (2.0)
46	I-680	SB	PM	Montague Expwy. to Capitol Av.	1.00	F (2.0)
45	I-680	SB	PM	Capitol Av. to Hostetter Rd.	0.31	F (2.5)
44	I-680	SB	PM	Hostetter Rd. to Berryessa Rd.	0.94	F (1.0)
11	I-880	NB	PM	Stevens Creek Blvd. to N. Bascom Av.	0.84	F (1.0)
10	I-880	NB	PM	N. Bascom Av. to The Alameda	0.82	F (2.0)
9	I-880	NB	PM	The Alameda to Coleman Av.	0.59	F (3.0)
8	I-880	NB	PM	Coleman Av. to SR 87	0.51	F (3.0)
7	I-880	NB	PM	SR 87 to N. First St.	0.40	F (1.0)
6	I-880	NB	PM	N. First St. to US 101	0.49	F (0.5)
14	I-880	SB	PM	SR 237/ Great Mall Pkwy.	0.72	F (0.5)
15	I-880	SB	PM	Great Mall Pkwy. to Montague Expwy.	0.98	F (1.5)
21	I-880	SB	PM	Coleman Av. to The Alameda	0.59	F (0.5)
35	SR 17	SB	PM	SR 85 to Lark Av.	0.46	F (0.5)
36	SR 17	SB	PM	Lark Av. to Saratoga Av.	1.81	F (0.5)
37	SR 17	SB	PM	Saratoga to Bear Creek Rd.	2.90	F (0.5)
38	SR 17	SB	PM	Bear Creek Rd. to Summit Rd.	4.06	F (0.5)
84	SR 237	EB	PM	US 101 to Mathilda Av.	0.53	F (2.0)
83	SR 237	EB	PM	Mathilda Av. to N. Fair Oaks Av.	0.96	F (2.0)
82	SR 237	EB	PM	N. Fair Oaks Av. to Lawrence Expwy.	0.63	F (2.5)
80	SR 237	EB	PM	Great America Pkwy. to N. First St.	1.00	F (3.0)
94	SR 237	WB	PM	Lawrence Expwy. to N. Fair Oaks Av.	0.63	F (0.5)
95	SR 237	WB	PM	N. Fair Oaks Av. to Mathilda Av.	0.96	F (1.0)
96	SR 237	WB	PM	Mathilda Av. to US 101	0.53	F (0.5)
97	SR 237	WB	PM	US 101 to Middlefield Rd./Maude Av.	0.71	F (0.5)
98	SR 237	WB	PM	Maude Av. to Central Expwy.	0.53	F (1.0)
99	SR 237	WB	PM	Central Expwy. to SR 85	0.63	F (1.0)
185	SR 85	SB	PM	US 101 to Central Expwy.	1.24	F (1.0)
186	SR 85	SB	PM	Central Expwy. to SR 237	0.47	F (2.0)
191	SR 85	SB	PM	I-280 to Stevens Creek Blvd.	0.75	F (0.5)

Non-Exempt Segments at LOS F in 2016						
#	Fwy	Dir	AM/PM	Segment	Length	2016
192	SR 85	SB	PM	Stevens Creek Blvd. to Saratoga-Sunny Rd.	1.83	F (3.0)
193	SR 85	SB	PM	Saratoga-Sunny Rd. to Saratoga Av.	1.83	F (1.0)
195	SR 85	SB	PM	Winchester Blvd. to SR 17	0.50	F (1.0)
196	SR 85	SB	PM	SR 17 to Bascom Av.	0.27	F (1.5)
197	SR 85	SB	PM	Bascom Av. to Union Av.	1.13	F (3.0)
201	SR 85	SB	PM	SR 87 to Blossom Hill Rd.	1.27	F (0.5)
419	SR 87	SB	PM	US 101 to Airport Pkwy.	0.67	F (1.0)
417	SR 87	SB	PM	Airport Pkwy. to Taylor St.	1.87	F (2.5)
415	SR 87	SB	PM	Taylor St. to Coleman Av.	0.41	F (3.0)
68	SR 87	SB	PM	Julian St. to I-280	0.96	F (1.0)
67	SR 87	SB	PM	I-280 to Alma Av.	0.90	F (2.5)
66	SR 87	SB	PM	Alma Av. to Almaden Expwy.	0.69	F (1.5)
304	US 101	NB	PM	Moffett Blvd. to SR 85	0.33	F (1.0)
305	US 101	NB	PM	SR 85 to Shoreline Blvd.	0.38	F (1.0)
306	US 101	NB	PM	Shoreline Blvd. to Rengstorff Av.	1.01	F (2.5)
307	US 101	NB	PM	Rengstorff Av. to San Antonio Rd.	0.71	F (3.5)
309	US 101	NB	PM	Oregon Expwy. to Embarcadero Rd.	0.15	F (1.0)
275.08	US 101	SB	PM	Monterey Rd. to Bloomfield Av.	1.85	F (1.0)
243	US 101	SB	PM	Burnett Av. (Lane Drop) to Cochrane Rd.	0.87	F (1.0)
244	US 101	SB	PM	Sheller Av./Coyote Crk to Burnett Av. (Lane Drop)	2.57	F (0.5)
265	US 101	SB	PM	Lawrence Expwy. to Great America Pkwy	1.12	F (3.5)
266	US 101	SB	PM	N. Fair Oaks Av. to Lawrence Expwy.	0.98	F (0.5)
267	US 101	SB	PM	Mathilda Av. to N. Fair Oaks Av.	0.85	F (0.5)
268	US 101	SB	PM	SR 237 to Mathilda Av.	0.35	F (1.0)
269	US 101	SB	PM	Moffett Blvd. to SR 237	1.68	F (1.5)
270	US 101	SB	PM	SR 85 to Moffett Blvd.	0.33	F (1.0)
275	US 101	SB	PM	Embarcadero Rd. to Oregon Expwy.	0.15	F (1.5)

Mixed-Flow Level of Service Analysis

In 2016, there were 859 mixed-flow lane-miles of freeway in Santa Clara County. Figure 4.2 summarizes the overall operation of the freeway system, including lane miles operating at each LOS, regardless of CMP exemption. These values are based on the most congested time recorded for each segment during the aerial data collection.

Figure 4.2 2016 Freeway Mixed-Flow Lane Mile Operation



In total, 256 (30%) and 257 (30%) lane-miles operated at LOS F in the AM and PM time periods, respectively, in 2016. This represents a decrease of 16 lane-miles in the AM period and an increase of 29 lane-miles in the PM period from 2015. For the AM time period, LOS E increased by 4% while both LOS C and D decreased by 1 to 2%. LOS B showed minimal difference in lane-miles, and LOS A increased 1% in lane-miles. For the PM time period, lane-miles operating at LOS E increased by 1% between 2015 and 2016 while LOS D and A lane-miles decreased by 1%. LOS C showed minimal difference, and LOS B lane-miles decreased by 4%.

Figures 4.3 and 4.4 detail the percent of mixed flow lane-miles operating at each LOS over the last five (5) years for the AM and PM peak periods, respectively. Comparing 2015 AM results to the previous years, the number of lane-miles operating at LOS D, E, or F has remained in the range of 55% to 60% of all mixed flow lane-miles. The 2016 AM monitoring shows the number of mixed flow lane-miles at LOS D decreased by 14 lane-miles, LOS E increased by 35 lane-miles, and LOS F decreased by 14 lane-miles from 2015 monitoring.

During the PM peak over the last five (5) years, the number of lane-miles operating at LOS D, E, or F has remained in the range of 60% to 65% of all mixed flow lane-miles. The 2016 PM monitoring shows the number of mixed flow lane-miles at LOS D decreased by 8 lane-miles, LOS E increased by 10 lane-miles, and LOS F increased by 29 lane-miles from 2015 monitoring.

Figure 4.3 Mixed Flow Lane Miles at Each LOS, 2012-2016 (AM Peak)

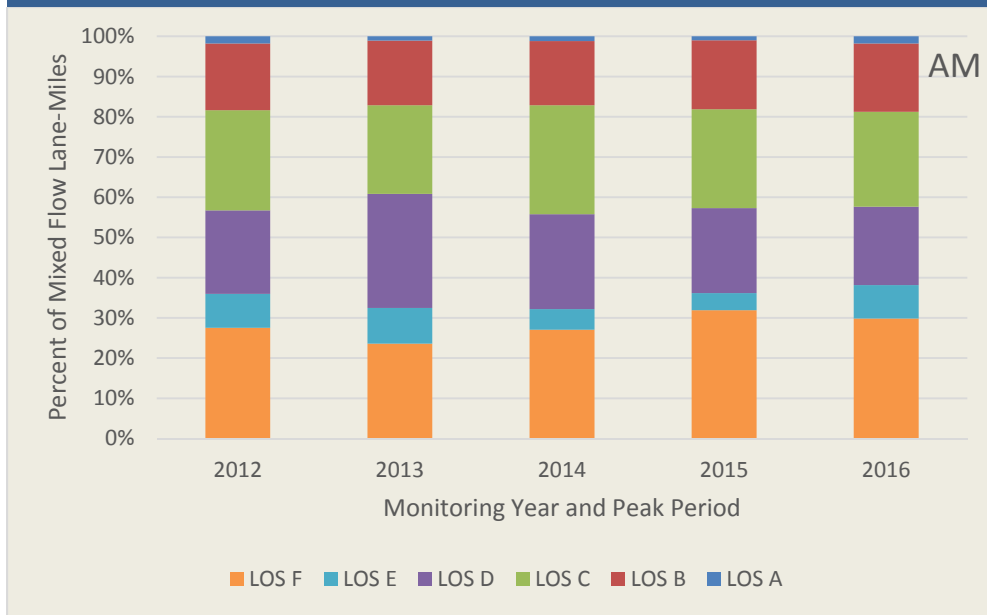


Figure 4.4 Mixed Flow Lane Miles at Each LOS, 2012-2016 (PM Peak)

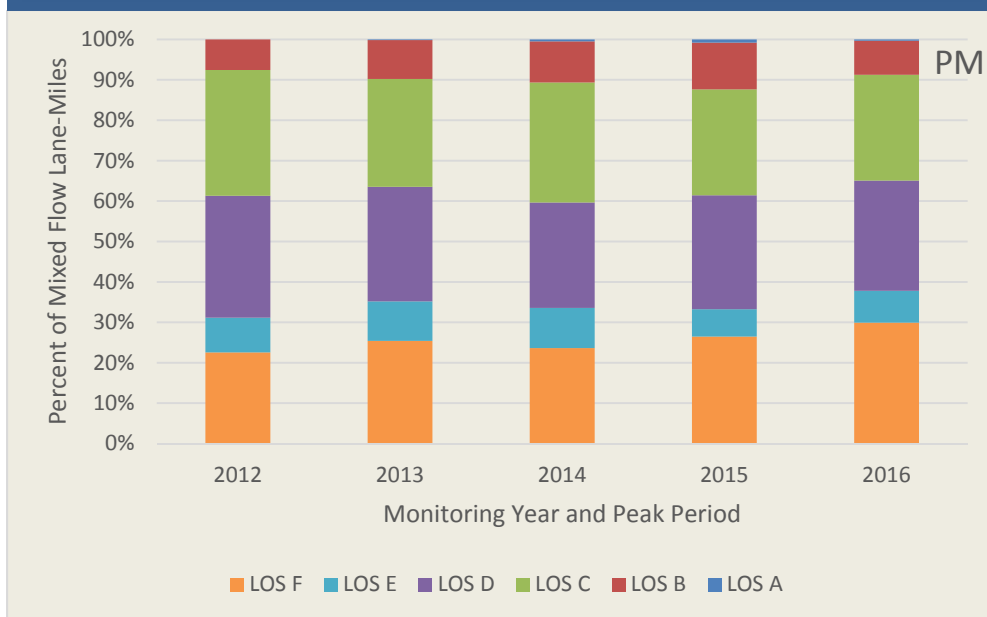


Figure 4.5 Mixed Flow Level of Service in the AM Peak Period

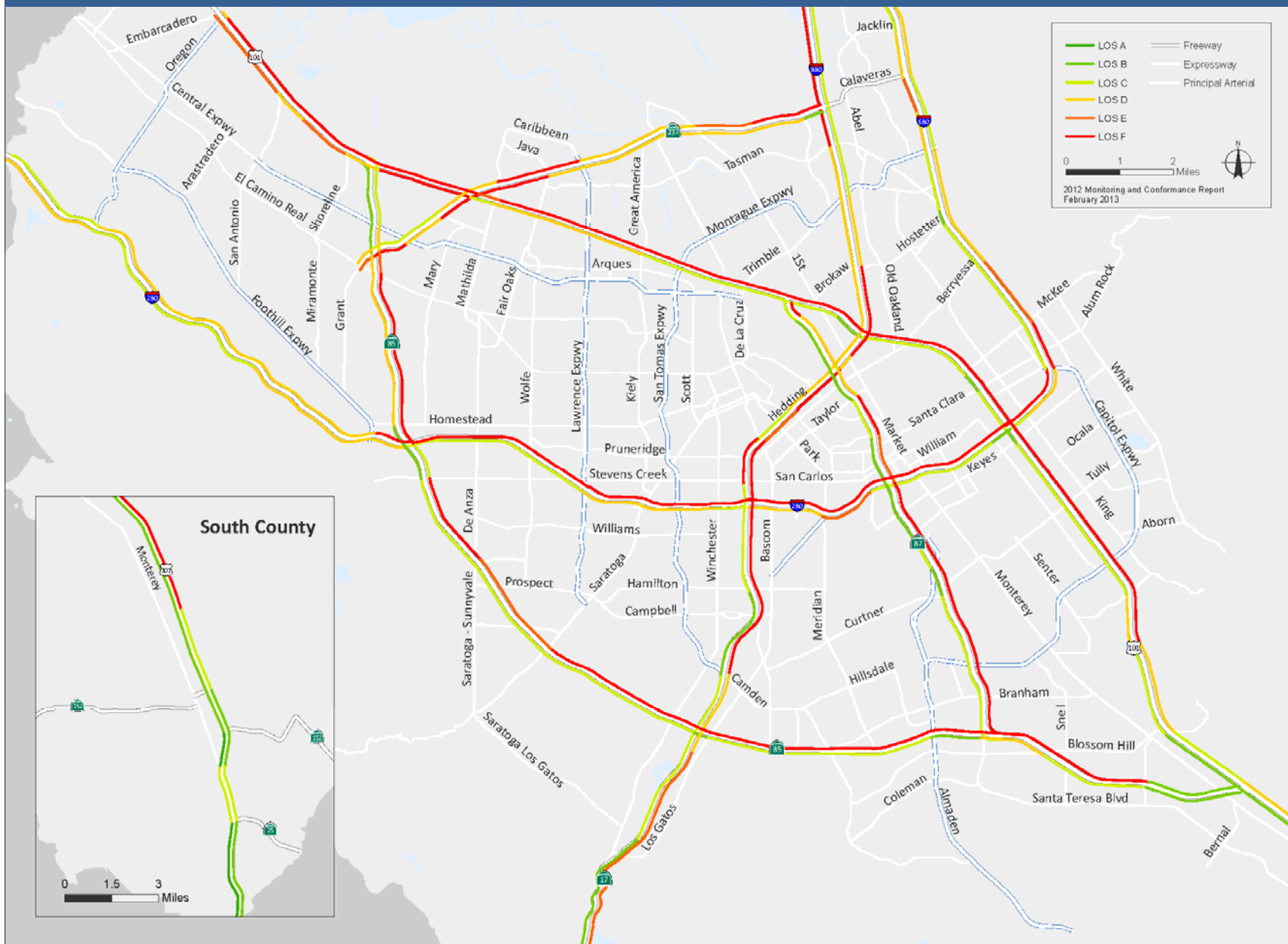
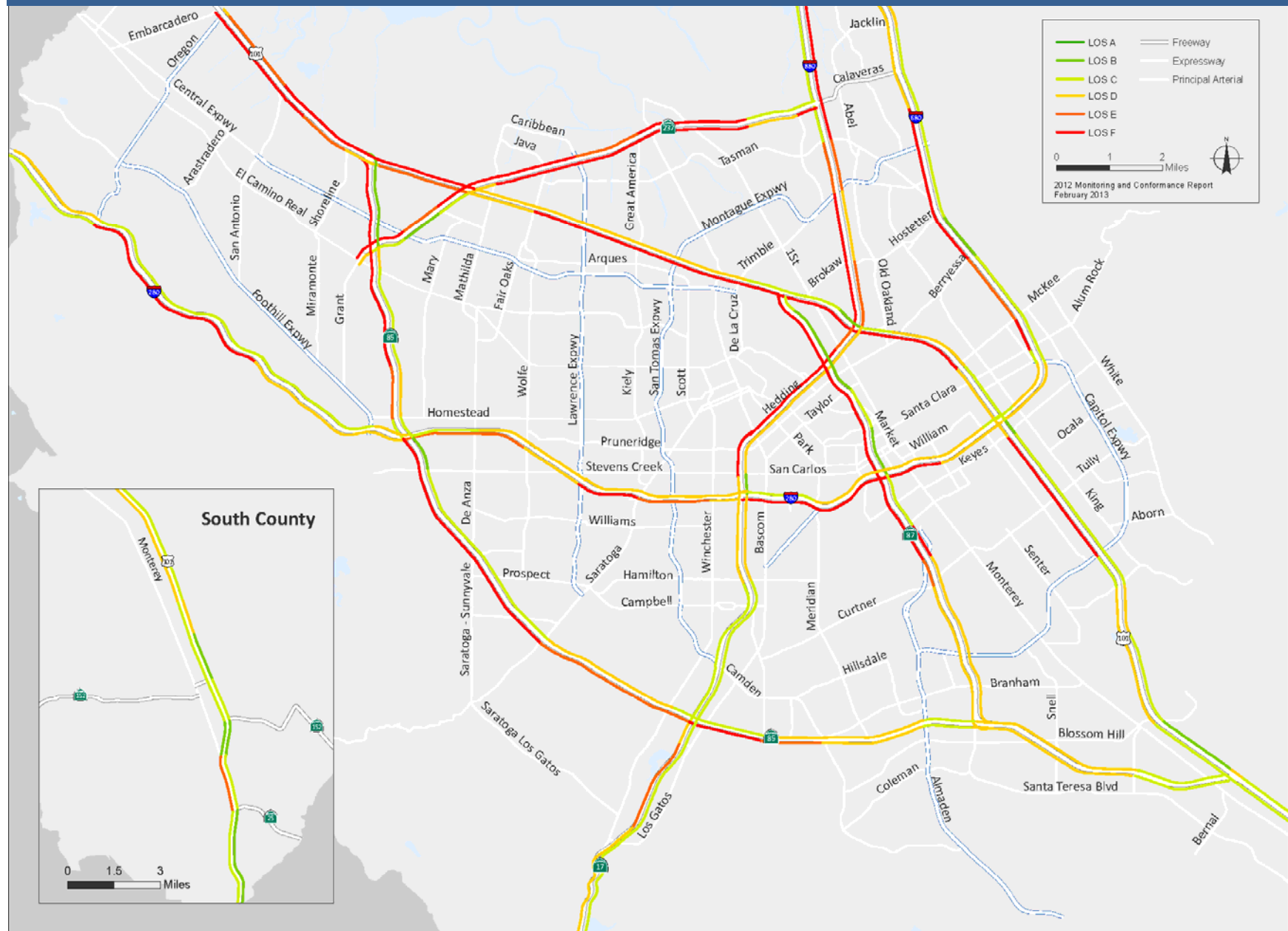


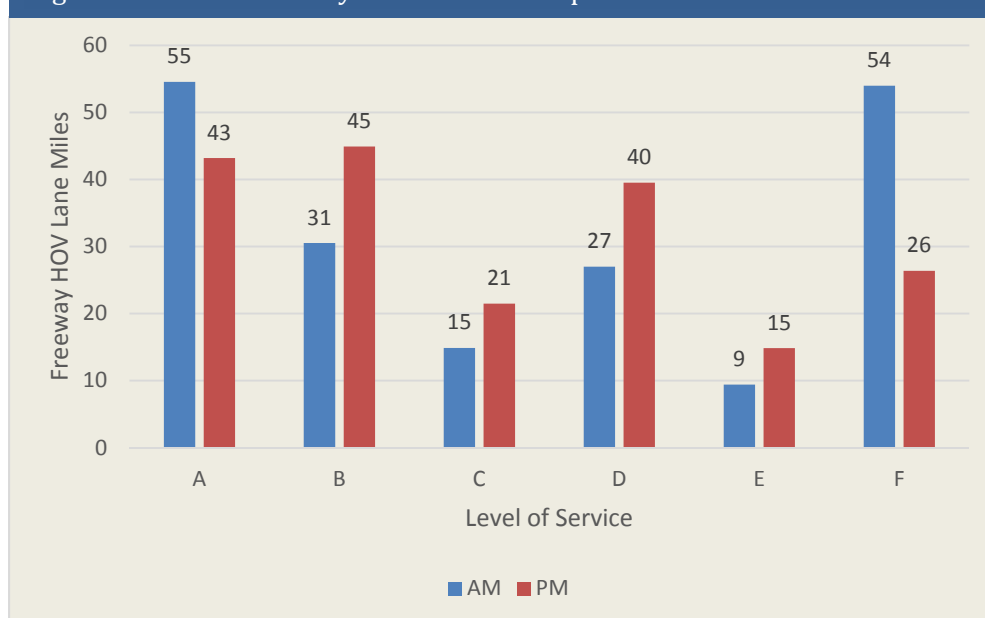
Figure 4.6 Mixed Flow Level of Service in the PM Peak Period



HOV Level of Service Analysis

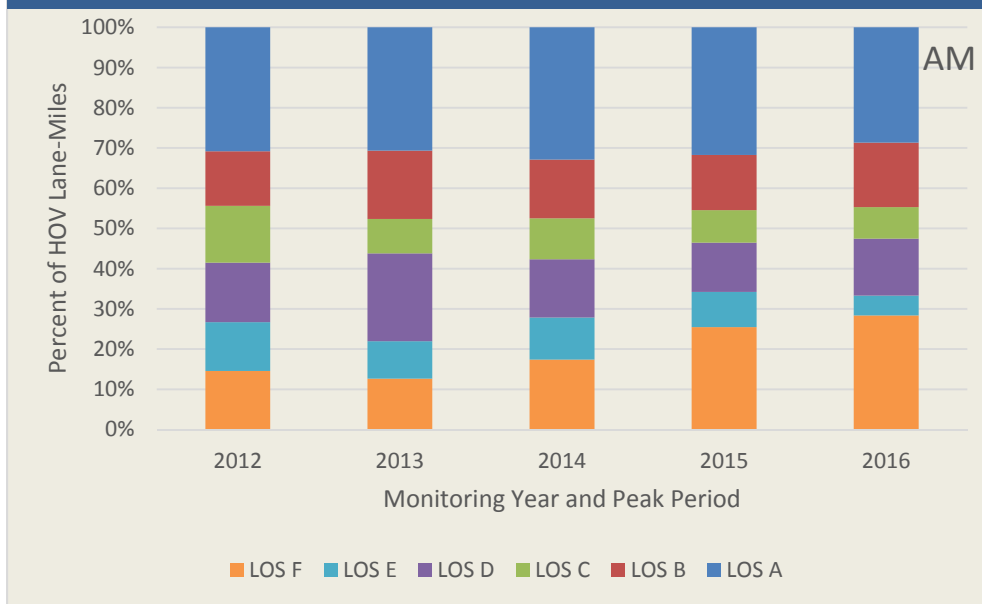
There are 185 directional miles of HOV lanes throughout the freeway network in Santa Clara County. Figure 4.7 shows the results of the HOV lane LOS analysis for 2016. About 67% of the HOV lanes operate at LOS D or better in the AM peak down from 69% in 2015, while 78% operate at LOS D or better in the PM peak hour, down from 85% in 2015. Fewer segments operating at LOS E and LOS F in the PM peak than in the AM peak suggests that HOV lane use is more concentrated in the AM peak, resulting in slower speeds and a worse LOS during the morning. The overall decrease in HOV lanes operating at LOS D or better suggests generally higher concentrations of HOV lane use across the network, a trend observed across recent years.

Figure 4.7 2016 Freeway HOV Lane Mile Operation



HOV operates at a much higher level of service compared to mixed-flow lanes. However, some segments of the HOV system operate at LOS F. These 83 segments (16 more than in 2015) account for 54 lane-miles (10 more than in 2015) during the AM peak and 26 lane-miles (9 more than in 2015) during the PM peak. This is approximately 28% of the HOV system in the AM peak and 14% of the HOV system in the PM peak.

Figure 4.8 HOV Lane Miles at Each LOS, 2012-2016 (AM Peak)



In addition to the results for 2016, Figure 4.8 and 4.9 detail the percent of HOV lane-miles operating at each LOS grade over the last five (5) years for the AM and PM peak periods, respectively. Comparing 2016 AM results to those of the previous years, the number of lane-miles operating at LOS D, E, or F has been rising from around 40% in 2012 to 47% in 2016. The 2016 AM monitoring shows the number of HOV lane-miles at LOS D increased by 4 lane-miles, LOS E decreased by 8 lane-miles, and LOS F increased by 6 lane-miles from 2015 monitoring.

Figure 4.9 HOV Lane Miles at Each LOS, 2010-2014 (PM Peak)

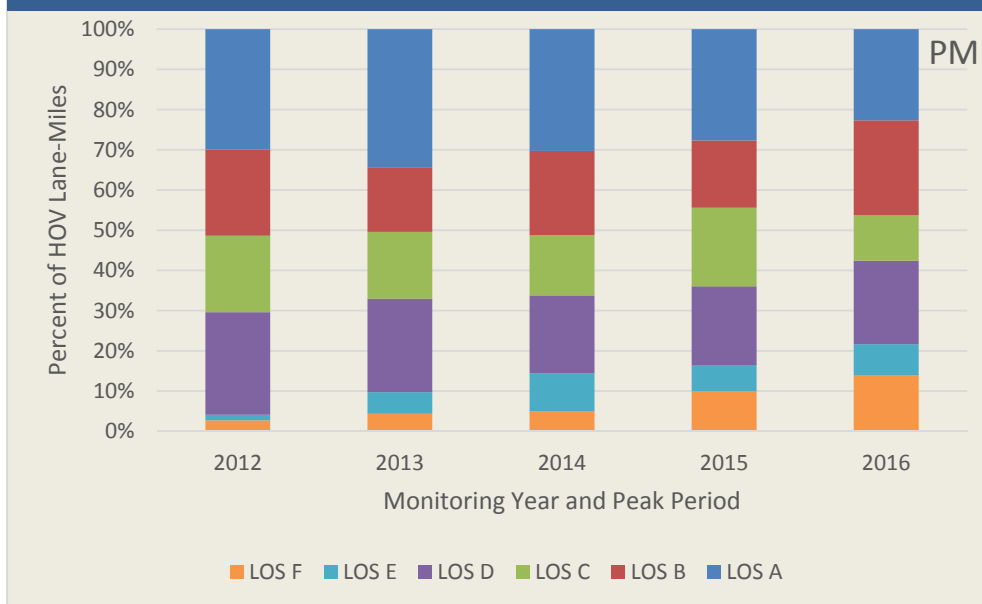


Table 4.5 and Table 4.6 present the list of HOV segments operating at LOS F in the AM and PM peaks, respectively. All segments in which the HOV lane operated at LOS F also had mixed flow operations at LOS F for 2016 except the two following segments:

- I-880 southbound – Dixon Landing to SR 237: The HOV lane operated at LOS F for 30 minutes during the AM peak due to spillback of congestion from SR 237 westbound. It is important to note however, that the intersection of I-880 and SR 237 is a freeway off-ramp and the exit freeway geometry is different versus at Dixon Landing Rd.
- US 101 northbound – Mathilda to SR 237: The HOV lane operated at LOS F for 30 minutes during the AM peak. This segment is at the end of a 12-mile section of congested mixed flow and HOV lanes. The congestion in the mixed flow lanes extends to the downstream segment (N. Fair Oaks to N. Mathilda Ave) while congestion in the HOV lane extends a little farther. Historical data show this segment has fluctuated between being congested and not congested in recent years.

HOV lanes experience two types of weaving movements: one in which drivers wishing to use the HOV lane merge from the adjacent mixed flow lanes and one in which HOV drivers wishing to exit the freeway merge into adjacent mixed flow lanes. When adjacent mixed flow lanes are congested, these merge movements can slow down vehicles in the HOV lane. The LOS F results in the HOV lanes may be the result of weaving movements rather than demand exceeding capacity. If this is the case, conditions could be improved through operational improvements such as direct interchange HOV lane connections or direct HOV-lane-to-off-ramp connections.

Figure 4.10 HOV Level of Service in the AM Peak Period

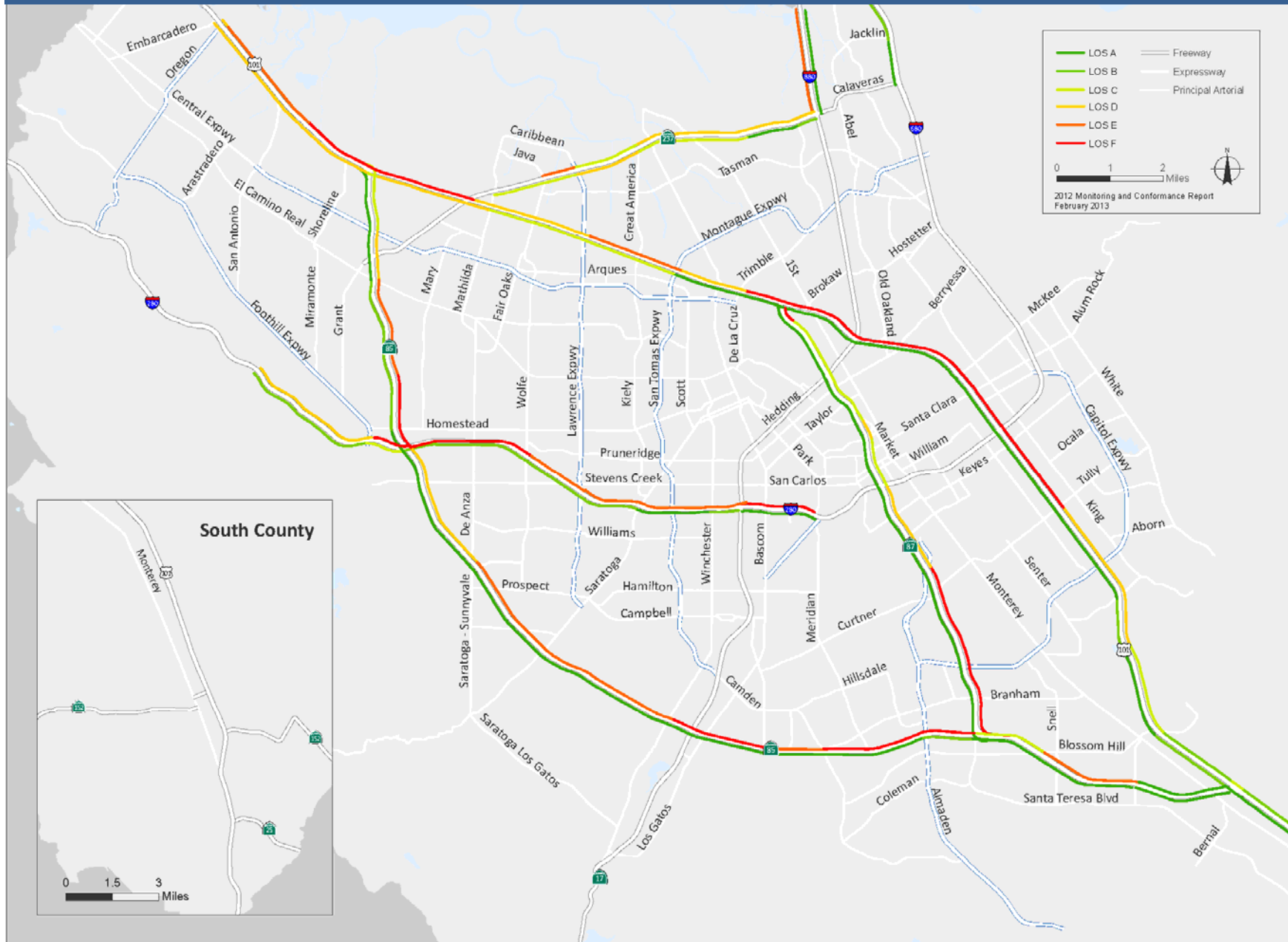


Figure 4.11 HOV Level of Service in the PM Peak Period

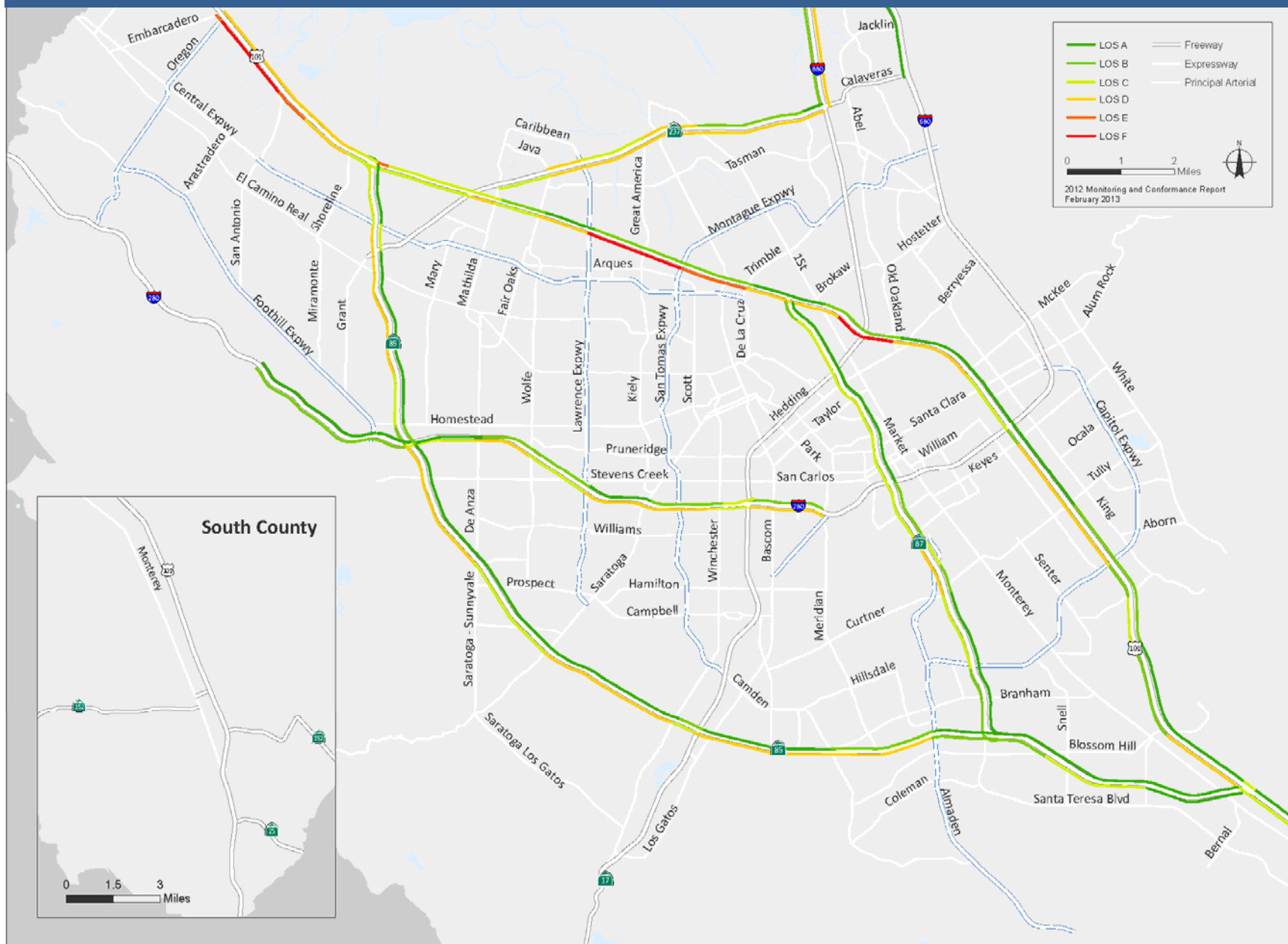


TABLE 4.5 HOV SEGMENTS AT LOS F – AM PEAK PERIOD

ID	Freeway	Dir	From	To	Length
118	I-280	WB	SR 85	Foothill Expwy.	0.7
121	I-280	WB	Lawrence Expwy.	Wolfe Rd.	1.2
122	I-280	WB	Saratoga Av.	Lawrence Expwy	1.2
123	I-280	WB	Winchester Blvd.	Saratoga Av.	1.4
124	I-280	WB	SR 17 (I-880)	Winchester Blvd.	0.6
125	I-280	WB	Meridian Av.	SR 17 (I-880)	1.4
5	I-880	NB	US 101	Brokaw Rd.	1.3
13	I-880	SB	Dixon Landing Rd.	SR 237	2.0
17	I-880	SB	Brokaw Rd.	US 101	1.3
89	SR 237	WB	I-880	McCarthy Blvd.	0.4
90	SR 237	WB	McCarthy Blvd.	Zanker Rd.	0.9
91	SR 237	WB	Zanker Rd.	N. First St	1.6
92	SR 237	WB	N. First St.	Grt. America Pkwy.	1.0
93	SR 237	WB	Grt. America Pkwy.	Lawrence Expwy	1.3
94	SR 237	WB	Lawrence Expwy.	N. Fair Oaks Av.	0.6
169	SR 85	NB	Fremont Av.	El Camino Real	1.9
170	SR 85	NB	Homestead Rd.	Fremont Rd.	1.0
171	SR 85	NB	I-280	Homestead Rd.	0.3
172	SR 85	NB	Stevens Creek Blvd.	I-280	0.8
175	SR 85	NB	Winchester Blvd.	Saratoga Av.	2.7
176	SR 85	NB	SR 17	Winchester Blvd.	0.5
177	SR 85	NB	Bascom Av.	SR 17	0.3
178	SR 85	NB	Union Av.	Bascom Av.	1.1
179	SR 85	NB	Camden Av.	Union Av.	1.2
180	SR 85	NB	Almaden Expwy.	Camden Av.	2.0
181	SR 85	NB	SR 87	Almaden Expwy.	0.9
182	SR 85	NB	Blossom Hill Rd.	SR 87	1.3
70	SR 87	NB	SR 85	Capitol Expwy.	1.1
71	SR 87	NB	Capitol Expwy.	Curtner Av.	1.5
72	SR 87	NB	Curtner Av.	Almaden Expwy.	0.7
75	SR 87	NB	I-280	Julian St.	1.0
76	SR 87	NB	Julian St.	Coleman St.	0.4
418	SR 87	NB	Airport Rd.	US 101	0.7
283	US 101	NB	Silver Crk Valley Rd.	Hellyer Rd.	1.8
284	US 101	NB	Hellyer Rd.	Yerba Buena Rd.	0.9
286	US 101	NB	Capitol Expwy.	Tully Rd.	1.3
287	US 101	NB	Tully Rd.	Story Rd.	1.5
288	US 101	NB	Story Rd.	I-280	0.4
295	US 101	NB	N. First St.	SR 87	0.6

297	US 101	NB	De La Cruz Blvd.	Montague Expwy.	1.3
298	US 101	NB	Montague Expwy.	Bower Av./Great American Pkwy.	0.8
300	US 101	NB	Lawrence Expwy.	N. Fair Oaks Av.	1.0
302	US 101	NB	Mathilda Av.	SR 237	0.4
304	US 101	NB	Moffett Blvd.	SR 85	0.3
309	US 101	NB	Oregon Expwy.	Embarcadero Rd.	0.2
285	US 101	NB	Yerba Buena Rd.	Capitol Expwy.	0.8
289	US 101	NB	I-280	Santa Clara St.	0.9
290	US 101	NB	Santa Clara St.	McKee Rd.	0.4
291	US 101	NB	McKee Rd.	Old Oakland Rd.	1.6
292	US 101	NB	Old Oakland Rd.	I-880	0.6
293	US 101	NB	I-880	Old Bayshore Rd.	0.5
294	US 101	NB	Old Bayshore Rd.	N. First St.	0.5
296	US 101	NB	SR 87	De La Cruz Blvd.	0.8
299	US 101	NB	Bower Av./Great American Pkwy.	Lawrence Expwy.	1.1
303	US 101	NB	SR 237	Moffett Blvd.	1.7
Total Congested Miles on I-280					6.5
Total Congested Miles on I-880					4.6
Total Congested Miles on SR 237					5.9
Total Congested Miles on SR 85					13.9
Total Congested Miles on SR 87					5.3
Total Congested Miles on US-101					19.2

TABLE 4.6 HOV SEGMENTS AT LOS F – PM PEAK PERIOD

ID	Freeway	Dir	From	To	Length
136	I-280	EB	SR 85	DeAnza Blvd.	1.3
137	I-280	EB	DeAnza Blvd.	Wolfe Rd.	1.1
140	I-280	EB	Saratoga Rd.	Winchester Blvd.	1.4
141	I-280	EB	Winchester Blvd.	I-880	0.6
142	I-280	EB	I-880	Meridian Av.	1.4
80	SR 237	EB	Great America Pkwy.	N. First St.	1.0
81	SR 237	EB	Lawrence Expwy.	Great America Pkwy.	1.3
82	SR 237	EB	N. Fair Oaks Av.	Lawrence Expwy.	0.6
83	SR 237	EB	Mathilda Av.	N. Fair Oaks Av.	1.0
185	SR 85	SB	US 101	Central Expwy.	1.2
186	SR 85	SB	Central Expwy.	SR 237	0.5
187	SR 85	SB	SR 237	El Camino Real	0.4
191	SR 85	SB	I-280	Stevens Creek Blvd.	0.8
192	SR 85	SB	Stevens Creek Blvd.	Saratoga-Sunnyvale Rd.	1.8
196	SR 85	SB	SR 17	Bascom Av.	0.3

ID	Freeway	Dir	From	To	Length
197	SR 85	SB	Bascom Av.	Union Av.	1.1
309	US 101	NB	Oregon Expwy.	Embarcadero Rd.	0.2
244	US 101	SB	Sheller Av./Coyote Crk	Burnett Av. (Lane Drop)	2.6
258	US 101	SB	I-880	Old Oakland Rd.	0.6
259	US 101	SB	Old Bayshore Rd.	I-880	0.5
260	US 101	SB	N. First St.	Old Bayshore Rd.	0.5
261	US 101	SB	SR 87	N. First St.	0.6
263	US 101	SB	Montague Expwy.	De La Cruz Blvd.	1.3
264	US 101	SB	Great America Pkwy.	Montague Expwy.	0.8
265	US 101	SB	Lawrence Expwy.	Great America Pkwy.	1.1
266	US 101	SB	N. Fair Oaks Av.	Lawrence Expwy.	1.0
267	US 101	SB	Mathilda Av.	N. Fair Oaks Av.	0.9
268	US 101	SB	SR 237	Mathilda Av.	0.4
270	US 101	SB	SR 85	Moffett Blvd.	0.3
275	US 101	SB	Embarcadero Rd.	Oregon Expwy	0.2
Total Congested Miles on I-280					5.7
Total Congested Miles on SR 237					3.9
Total Congested Miles on SR 85					6.1
Total Congested Miles on US 101					10.7

Table 4.7 2016 Freeway LOS – AM Peak Period

ID	Facility	Dir	From/To		Miles	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
			From/To	From/To		Total	Mixed	HOV		Mixed	HOV	Mixed	HOV	Mixed	HOV	Mixed	HOV
31	SR 17	NB	Summit Rd.	Bear Creek Rd.	4.06	2	2	0	07:40 - 08:00	92	0	F		16		2950	
30	SR 17	NB	Bear Creek Rd.	Saratoga Av.	2.90	2	2	0	08:20 - 08:40	63	0	F		31		3910	
29	SR 17	NB	Saratoga Av.	Lark Av.	1.81	2	2	0	08:20 - 08:40	50	0	E		42		4200	
28	SR 17	NB	Lark Av.	SR 85	0.46	2	2	0	07:20 - 07:40	32	0	D		64		4100	
27	SR 17	NB	SR 85	San Tomas Expwy. / Camden Av.	1.17	3	3	0	06:40 - 07:00	24	0	C		66		4760	
26	SR 17	NB	San Tomas Expwy. / Camden Av.	Hamilton Av.	1.82	3	3	0	08:20 - 08:40	52	0	E		40		6240	
25	SR 17	NB	Hamilton Av.	I-280	1.61	3	3	0	06:40 - 07:00	59	0	F		34		6020	
184	SR 85	NB	US 101	Cottle Rd.	1.79	3	2	1	07:00 - 07:20	46	44	D	D	47	50	4330	2200
183	SR 85	NB	Cottle Rd.	Blossom Hill Rd.	1.96	3	2	1	08:00 - 08:20	78	48	F	E	22	45	3440	2160
182	SR 85	NB	Blossom Hill Rd.	SR 87	1.27	3	2	1	08:00 - 08:20	103	101	F	F	13	14	2680	1420
181	SR 85	NB	SR 87	Almaden Expwy.	0.94	3	2	1	08:00 - 08:20	116	102	F	F	10	13	2320	1330
180	SR 85	NB	Almaden Expwy.	Camden Av.	1.97	3	2	1	08:40 - 09:00	107	100	F	F	12	14	2570	1400
179	SR 85	NB	Camden Av.	Union Av.	1.17	3	2	1	07:00 - 07:20	107	81	F	F	12	21	2570	1710
178	SR 85	NB	Union Av.	S. Bascom Av.	1.13	3	2	1	07:00 - 07:20	91	100	F	F	17	14	3100	1400
177	SR 85	NB	S. Bascom Av.	SR 17	0.27	3	2	1	08:40 - 09:00	114	116	F	F	10	10	2280	1160
176	SR 85	NB	SR 17	Winchester Blvd.	0.50	3	2	1	08:20 - 08:40	117	122	F	F	10	9	2340	1100
175	SR 85	NB	Winchester Blvd.	Saratoga Av.	2.68	3	2	1	07:00 - 07:20	81	65	F	F	21	29	3410	1890
174	SR 85	NB	Saratoga Av.	Saratoga-Sunnyvale Rd.	2.19	3	2	1	07:00 - 07:20	64	50	F	E	30	42	3840	2100
173	SR 85	NB	Saratoga-Sunnyvale Rd.	Stevens Creek Blvd.	1.83	3	2	1	07:00 - 07:20	49	33	E	D	43	64	4220	2120
172	SR 85	NB	Stevens Creek Blvd.	I-280	0.75	3	2	1	08:20 - 08:40	72	106	F	F	25	12	3600	1280
171	SR 85	NB	I-280	W. Homestead Rd.	0.34	3	2	1	08:40 - 09:00	111	126	F	F	11	8	2940	1010
170	SR 85	NB	W. Homestead Rd.	W. Fremont Av.	1.00	3	2	1	08:40 - 09:00	103	109	F	F	13	12	2680	1310
169	SR 85	NB	W. Fremont Av.	El Camino Real	1.89	3	2	1	09:00 - 09:20	73	78	F	F	25	22	3650	1720
168	SR 85	NB	El Camino Real	SR 237	0.41	3	2	1	08:40 - 09:00	41	42	D	D	54	52	4430	2190
167	SR 85	NB	SR 237	Central Expwy.	0.47	3	2	1	08:00 - 08:20	21	22	C	C	66	66	2780	1460
166	SR 85	NB	Central Expwy.	US 101	1.24	3	2	1	08:20 - 08:40	34	32	D	D	63	64	4290	2050

Table 4.7 2016 Freeway LOS – AM Peak Period

ID	Facility	Dir	From/To		Miles	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
			From/To	From/To		Total	Mixed	HOV		Mixed	HOV	Mixed	HOV	Mixed	HOV	Mixed	HOV
70	SR 87	NB	SR 85	Capitol Expwy.	1.09	3	2	1	07:40 - 08:00	95	137	F	F	15	6	2850	830
71	SR 87	NB	Capitol Expwy.	Curtner Av.	1.49	3	2	1	07:40 - 08:00	113	100	F	F	11	14	2490	1400
72	SR 87	NB	Curtner Av.	Almaden Rd.	0.73	3	2	1	07:20 - 07:40	108	80	F	F	12	21	2600	1680
73	SR 87	NB	Almaden Rd.	Alma Av.	0.69	3	2	1	08:00 - 08:20	58	49	E	E	35	43	4060	2110
74	SR 87	NB	Alma Av.	I-280	0.90	3	2	1	08:40 - 09:00	35	27	D	D	62	66	4340	1790
75	SR 87	NB	I-280	Julian St.	0.96	3	2	1	08:00 - 08:20	93	72	F	F	16	25	2980	1800
76	SR 87	NB	Julian St.	Coleman Av.	0.38	3	2	1	08:00 - 08:20	102	63	F	F	13	31	2660	1960
414	SR 87	NB	Coleman St.	Taylor St.	0.41	3	2	1	08:40 - 09:00	51	46	E	D	41	47	4190	2170
416	SR 87	NB	Taylor St.	Skyport Dr.	1.87	3	2	1	08:40 - 09:00	62	36	F	D	32	61	3970	2200
418	SR 87	NB	Skyport Dr.	US 101	0.67	3	2	1	09:00 - 09:20	128	102	F	F	8	13	2050	1330
309.1 1	US 101	NB	SR 156	SR 129	1.78	2	2	0	07:40 - 08:00	15	0	B		67		2000	
309.1	US 101	NB	SR 129	Betabel Rd.	1.61	2	2	0	07:20 - 07:40	16	0	B		67		2130	
309.0 9	US 101	NB	Betabel Rd.	Bloomfield Av.	4.15	2	2	0	06:40 - 07:00	17	0	B		67		2270	
309.0 8	US 101	NB	Bloomfield Av.	Monterey Rd.	1.85	2	2	0	08:00 - 08:20	24	0	C		66		3170	
309.0 7	US 101	NB	Monterey Rd.	Pacheco Pass Hwy.	1.11	3	3	0	08:00 - 08:20	21	0	C		66		4160	
309.0 6	US 101	NB	Pacheco Pass Hwy.	Leavesley Rd.	1.46	3	3	0	08:40 - 09:00	21	0	C		66		4160	
309.0 5	US 101	NB	Leavesley Rd.	Buena Vista Av.	1.60	3	3	0	06:20 - 06:40	22	0	C		66		4360	
309.0 4	US 101	NB	Buena Vista Av.	Masten Av.	1.16	3	3	0	07:40 - 08:00	20	0	C		66		3960	
309.0 3	US 101	NB	Masten Av.	San Martin Av.	2.17	3	3	0	06:20 - 06:40	24	0	C		66		4760	
309.0 2	US 101	NB	San Martin Av.	Tennant Av.	3.55	3	3	0	06:20 - 06:40	83	0	F		20		4980	
309.0 1	US 101	NB	Tennant Av.	East Dunne Av.	0.96	3	3	0	06:40 - 07:00	92	0	F		16		4420	
276	US 101	NB	East Dunne Av.	Cochrane Rd.	1.82	3	3	0	06:20 - 06:40	51	0	E		41		6280	
277	US 101	NB	Cochrane Rd.	Burnett Av. (Lane Drop)	0.87	4	3	1	06:40 - 07:00	32	23	D	C	64	66	6150	1520
278	US 101	NB	Burnett Av. (Lane Drop)	Sheller Av.	2.57	4	3	1	06:40 - 07:00	31	35	D	D	65	62	6050	2170
279	US 101	NB	Sheller Av.	Lane Drop (SB)	4.32	4	3	1	06:20 - 06:40	27	30	D	D	66	65	5310	1950

Table 4.7 2016 Freeway LOS – AM Peak Period

ID	Facility	Dir	From/To		Miles	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
						Total	Mixed	HOV		Mixed	HOV	Mixed	HOV	Mixed	HOV	Mixed	HOV
280	US 101	NB	Lane Drop (SB)	SR 85	1.00	4	3	1	08:20 - 08:40	23	17	C	B	66	67	4560	1140
281	US 101	NB	SR 85	Bernal Rd.	0.20	4	3	1	08:20 - 08:40	35	25	D	C	62	66	6510	1650
282	US 101	NB	Bernal Rd.	Silver Creek Valley Rd.	1.48	4	3	1	07:40 - 08:00	60	21	F	C	33	66	5940	1390
283	US 101	NB	Silver Creek Valley Rd.	Hellyer Av.	1.84	4	3	1	07:40 - 08:00	120	92	F	F	9	16	3240	1480
284	US 101	NB	Hellyer Av.	Yerba Buena Rd.	0.90	4	3	1	08:20 - 08:40	111	72	F	F	11	25	3670	1800
285	US 101	NB	Yerba Buena Rd.	Capitol Expwy.	0.80	4	3	1	08:20 - 08:40	101	63	F	F	14	31	4250	1960
286	US 101	NB	Capitol Expwy.	Tully Rd.	1.33	4	3	1	08:20 - 08:40	80	60	F	F	21	33	5040	1980
287	US 101	NB	Tully Rd.	Story Rd.	1.46	4	3	1	09:00 - 09:20	78	84	F	F	22	19	5150	1600
288	US 101	NB	Story Rd.	I-280	0.38	4	3	1	08:00 - 08:20	89	84	F	F	18	19	4810	1600
289	US 101	NB	I-280	Santa Clara St.	0.88	4	3	1	07:40 - 08:00	120	122	F	F	9	9	3240	1100
290	US 101	NB	Santa Clara St.	McKee Rd.	0.39	4	3	1	08:20 - 08:40	110	97	F	F	11	15	3630	1460
291	US 101	NB	McKee Rd.	Oakland Rd.	1.58	4	3	1	08:20 - 08:40	112	87	F	F	11	18	3700	1570
292	US 101	NB	Oakland Rd.	I-880	0.57	4	3	1	08:00 - 08:20	107	100	F	F	12	14	3860	1400
293	US 101	NB	I-880	Old Bayshore Hwy.	0.50	4	3	1	09:00 - 09:20	127	98	F	F	8	15	3050	1470
294	US 101	NB	Old Bayshore Hwy.	N. First St.	0.49	4	3	1	08:20 - 08:40	122	108	F	F	9	12	3300	1300
295	US 101	NB	N. First St.	Guadalupe Pkwy.	0.64	4	3	1	08:20 - 08:40	108	110	F	F	12	11	3890	1210
296	US 101	NB	Guadalupe Pkwy.	De La Cruz Blvd.	0.77	4	3	1	07:40 - 08:00	127	107	F	F	8	12	3050	1290
297	US 101	NB	De La Cruz Blvd.	Montague Expwy. / Santa Tomas Expwy.	1.28	4	3	1	08:00 - 08:20	76	71	F	F	23	26	5250	1850
298	US 101	NB	Montague Expwy. / Santa Tomas Expwy.	Bower Av. / Great America Pkwy.	0.75	4	3	1	07:40 - 08:00	97	86	F	F	15	19	4370	1640
299	US 101	NB	Bower Av. / Great American Pkwy.	Lawrence Expwy.	1.12	4	3	1	09:00 - 09:20	93	81	F	F	16	21	4470	1710
300	US 101	NB	Lawrence Expwy.	N. Fair Oaks Av.	0.98	4	3	1	09:00 - 09:20	84	73	F	F	19	25	4790	1830
301	US 101	NB	N. Fair Oaks Av.	N. Mathilda Av.	0.85	4	3	1	07:20 - 07:40	60	54	F	E	33	38	5940	2060
302	US 101	NB	N. Mathilda Av.	SR 237	0.35	4	3	1	07:20 - 07:40	49	71	E	F	43	26	6330	1850
303	US 101	NB	SR 237	Moffett Blvd.	1.68	4	3	1	07:40 - 08:00	67	64	F	F	28	30	5630	1920
304	US 101	NB	Moffett Blvd.	SR 85	0.33	4	3	1	08:20 - 08:40	97	67	F	F	15	28	4370	1880
305	US 101	NB	SR 85	N. Shoreline Blvd.	0.38	5	4	1	07:20 - 07:40	75	34	F	D	24	63	7200	2150
306	US 101	NB	N. Shoreline Blvd.	Rengstorff Av.	1.01	5	3	2	07:40 - 08:00	70	34	F	D	26	63	5460	4290

Table 4.7 2016 Freeway LOS – AM Peak Period

ID	Facility	Dir	From/To		Miles	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
						Total	Mixed	HOV		Mixed	HOV	Mixed	HOV	Mixed	HOV	Mixed	HOV
307	US 101	NB	Rengstorff Av.	San Antonio Av.	0.71	5	3	2	07:20 - 07:40	54	25	E	C	38	66	6160	3300
308	US 101	NB	San Antonio Av.	Oregon Expwy.	1.85	5	3	2	08:20 - 08:40	58	40	E	D	35	55	6090	3520
309	US 101	NB	Oregon Expwy.	Embarcadero Rd.	0.15	4	3	1	07:40 - 08:00	68	72	F	F	27	25	5510	1800
88	SR 237	EB	El Camino Real	SR 85	0.40	2	2	0	09:00 - 09:20	44	0	D		50		4400	
87	SR 237	EB	SR 85	Central Pkwy.	0.63	2	2	0	08:40 - 09:00	73	0	F		25		3650	
86	SR 237	EB	Central Pkwy.	Maude Av.	0.80	2	2	0	08:20 - 08:40	51	0	E		41		4190	
85	SR 237	EB	Maude Av.	US 101	0.71	2	2	0	08:00 - 08:20	23	0	C		66		3040	
84	SR 237	EB	US 101	Mathilda Av.	0.53	2	2	0	09:00 - 09:20	40	0	D		55		4400	
83	SR 237	EB	Mathilda Av.	N. Fair Oaks Av.	0.96	3	2	1	07:20 - 07:40	33	12	D	B	64	67	4230	810
82	SR 237	EB	N. Fair Oaks Av.	Lawrence Expwy.	0.63	3	2	1	07:20 - 07:40	33	19	D	C	64	66	4230	1260
81	SR 237	EB	Lawrence Expwy.	Great America Pkwy.	1.27	3	2	1	08:00 - 08:20	32	18	D	B	64	67	4100	1210
80	SR 237	EB	Great America Pkwy.	N. First St.	1.00	3	2	1	08:40 - 09:00	32	21	D	C	64	66	4100	1390
79	SR 237	EB	N. First St.	Zanker Rd.	1.61	3	2	1	08:40 - 09:00	45	15	D	B	48	67	4320	1010
78	SR 237	EB	Zanker Rd.	McCarthy Blvd.	0.94	3	2	1	08:40 - 09:00	28	15	D	B	66	67	3670	1010
77	SR 237	EB	McCarthy Blvd.	I-880	0.40	3	2	1	08:20 - 08:40	21	7	C	A	66	67	2860	470
130.1	I-280	EB	Alpine Rd.	Page Mill Rd.	2.25	4	4	0	08:00 - 08:20	29	0	D		65		7540	
131	I-280	EB	Page Mill Rd.	La Barranca Rd.	1.73	4	4	0	08:20 - 08:40	22	0	C		66		5810	
132	I-280	EB	La Barranca Rd..	El Monte Rd	1.60	4	4	0	08:00 - 08:20	15	0	B		67		3990	
133	I-280	EB	El Monte Rd.	Magdalena Av.	0.95	4	4	0	09:00 - 09:20	24	0	C		66		6340	
134	I-280	EB	Magdalena Av.	Foothill Expwy.	2.65	4	3	1	08:20 - 08:40	25	10	C	A	66	67	4950	670
135	I-280	EB	Foothill Expwy.	SR 85	0.70	4	3	1	07:40 - 08:00	23	11	C	A	66	67	4560	740
136	I-280	EB	SR 85	De Anza Blvd.	1.31	4	3	1	08:00 - 08:20	22	12	C	B	66	67	4360	810
137	I-280	EB	De Anza Blvd.	Wolfe Rd.	1.06	4	3	1	07:40 - 08:00	22	22	C	C	66	66	4360	1460
138	I-280	EB	Wolfe Rd.	Lawrence Expwy.	1.24	4	3	1	08:00 - 08:20	21	12	C	B	66	67	4160	810
139	I-280	EB	Lawrence Expwy.	Saratoga Av.	1.19	4	3	1	08:20 - 08:40	37	14	D	B	59	67	6550	940
140	I-280	EB	Saratoga Av.	Winchester Blvd.	1.37	4	3	1	08:00 - 08:20	34	13	D	B	63	67	6430	880
141	I-280	EB	Winchester Blvd.	I-880	0.55	4	3	1	07:40 - 08:00	22	16	C	B	66	67	4360	1080

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ID	Facility	Dir	From/To		Miles	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
						Total	Mixed	HOV		Mixed	HOV	Mixed	HOV	Mixed	HOV	Mixed	HOV
142	I-280	EB	I-880	Meridian Av.	1.40	4	3	1	08:20 - 08:40	23	12	C	B	66	67	4560	810
143	I-280	EB	Meridian Av.	Bird Av.	1.07	4	4	0	08:20 - 08:40	46	0	D		47		8650	
144	I-280	EB	Bird Av.	SR 87	0.35	4	4	0	08:20 - 08:40	21	0	C		66		5550	
145	I-280	EB	SR 87	10th St.	1.20	4	4	0	08:00 - 08:20	17	0	B		67		4530	
146	I-280	EB	10th St.	McLaughlin Av.	0.92	4	4	0	07:00 - 07:20	21	0	C		66		5550	
147	I-280	EB	McLaughlin Av.	US 101	0.37	4	4	0	08:00 - 08:20	18	0	B		67		4790	
51	I-680	NB	US 101	King Rd.	0.40	4	4	0	07:40 - 08:00	25	0	C		66		6600	
52	I-680	NB	King Rd.	Capitol Expwy.	1.00	4	4	0	07:40 - 08:00	80	0	F		21		6720	
53	I-680	NB	Capitol Expwy.	Alum Rock Av.	0.31	4	4	0	08:20 - 08:40	85	0	F		19		6460	
54	I-680	NB	Alum Rock Av.	McKee Rd.	0.64	4	4	0	08:20 - 08:40	71	0	F		26		7390	
55	I-680	NB	McKee Rd.	Berryessa Rd.	1.47	4	4	0	08:20 - 08:40	46	0	D		47		8650	
56	I-680	NB	Berryessa Rd.	Hostetter Rd.	0.94	4	4	0	08:20 - 08:40	41	0	D		54		8860	
57	I-680	NB	Hostetter Rd.	Capitol Av.	0.31	4	4	0	08:20 - 08:40	50	0	E		42		8400	
58	I-680	NB	Capitol Av.	Montague Expwy.	1.00	4	4	0	08:20 - 08:40	55	0	E		37		8140	
59	I-680	NB	Montague Expwy.	Yosemite Dr.	0.77	4	4	0	07:20 - 07:40	23	0	C		66		6080	
60	I-680	NB	Yosemite Dr.	Calaveras Blvd./ SR 237	0.69	4	4	0	06:40 - 07:00	22	0	C		66		5810	
61	I-680	NB	Calaveras Blvd./ SR 237	Jacklin Rd.	0.85	3	3	0	09:00 - 09:20	39	0	D		57		6670	
62	I-680	NB	Jacklin Rd.	Scott Creek Rd.	1.57	3	3	0	08:20 - 08:40	28	0	D		66		5510	
12	I-880	NB	I-280	Stevens Creek Blvd.	0.41	3	3	0	08:40 - 09:00	98	0	F		15		4410	
11	I-880	NB	Stevens Creek Blvd.	N. Bascom Av.	0.84	3	3	0	08:40 - 09:00	116	0	F		10		3480	
10	I-880	NB	N. Bascom Av.	The Alameda	0.82	3	3	0	08:00 - 08:20	68	0	F		27		5510	
9	I-880	NB	The Alameda	Coleman Av.	0.59	3	3	0	09:00 - 09:20	95	0	F		15		4280	
8	I-880	NB	Coleman Av.	SR 87	0.51	3	3	0	08:00 - 08:20	86	0	F		19		4910	
7	I-880	NB	SR 87	N. 1st St.	0.40	3	3	0	08:40 - 09:00	61	0	F		32		5860	
6	I-880	NB	N. 1st St.	US 101	0.49	3	3	0	09:00 - 09:20	67	0	F		28		5630	
5	I-880	NB	US 101	E. Brokaw Rd.	1.29	4	3	1	08:00 - 08:20	48	14	E	B	45	67	6480	940
4	I-880	NB	E. Brokaw Rd.	Montague Expwy.	1.35	4	3	1	08:20 - 08:40	24	18	C	B	66	67	4760	1210

Table 4.7 2016 Freeway LOS – AM Peak Period

ID	Facility	Dir	From/To	From/To	Miles	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
						Total	Mixed	HOV		Mixed	HOV	Mixed	HOV	Mixed	HOV	Mixed	HOV
3	I-880	NB	Montague Expwy.	Great Mall Pkwy.	0.98	4	3	1	06:40 - 07:00	22	17	C	B	66	67	4360	1140
2	I-880	NB	Great Mall Pkwy.	SR 237	0.72	4	3	1	06:20 - 06:40	27	27	D	D	66	66	5310	1790
1	I-880	NB	SR 237	Dixon Landing Rd.	1.99	4	3	1	08:00 - 08:20	24	11	C	A	66	67	5390	740
32	SR 17	SB	I-280	Hamilton Av.	1.61	3	3	0	08:20 - 08:40	32	0	D		64		6150	
33	SR 17	SB	Hamilton Av.	San Tomas Expwy. / Camden Av.	1.82	3	3	0	08:20 - 08:40	20	0	C		66		4490	
34	SR 17	SB	San Tomas Expwy / Camden Av.	SR 85	1.17	3	3	0	08:40 - 09:00	19	0	C		66		3770	
35	SR 17	SB	SR 85	Lark Av.	0.46	2	2	0	08:40 - 09:00	19	0	C		66		2510	
36	SR 17	SB	Lark Av.	Saratoga Av.	1.81	2	2	0	08:00 - 08:20	54	0	E		38		4110	
37	SR 17	SB	Saratoga Av.	Bear Creek Rd.	2.90	2	2	0	09:20 - 09:40	21	0	C		66		2780	
38	SR 17	SB	Bear Creek Rd.	Summit Rd.	4.06	2	2	0	08:20 - 08:40	19	0	C		66		2510	
185	SR 85	SB	US 101	Central Expwy.	1.24	3	2	1	07:20 - 07:40	16	5	B	A	67	67	2130	340
186	SR 85	SB	Central Expwy.	SR 237	0.47	3	2	1	07:20 - 07:40	15	7	B	A	67	67	2000	470
187	SR 85	SB	SR 237	EL Camino Real	0.41	4	3	1	07:20 - 07:40	31	14	D	B	65	67	5040	940
188	SR 85	SB	EL Camino Real	W. Fremont Av.	1.89	3	2	1	08:00 - 08:20	38	16	D	B	58	67	4410	1080
189	SR 85	SB	W. Fremont Av.	W. Homestead Rd.	1.00	3	2	1	08:00 - 08:20	39	18	D	B	57	67	4450	1210
190	SR 85	SB	W. Homestead Rd.	I-280	0.41	3	2	1	07:00 - 07:20	17	9	B	A	67	67	2270	610
191	SR 85	SB	I-280	Stevens Creek Blvd.	0.75	3	2	1	08:40 - 09:00	14	9	B	A	67	67	2240	610
192	SR 85	SB	Stevens Creek Blvd.	Saratoga-Sunnyvale Rd.	1.83	3	2	1	07:20 - 07:40	15	7	B	A	67	67	2000	470
193	SR 85	SB	Saratoga-Sunnyvale Rd.	Saratoga Av.	2.19	3	2	1	08:40 - 09:00	18	8	B	A	67	67	2400	540
194	SR 85	SB	Saratoga Av.	Winchester Blvd.	2.68	3	2	1	08:00 - 08:20	24	7	C	A	66	67	3170	470
195	SR 85	SB	Winchester Blvd.	SR 17	0.50	3	2	1	07:20 - 07:40	12	10	B	A	67	67	1600	670
196	SR 85	SB	SR 17	S. Bascom Av.	0.27	3	2	1	08:00 - 08:20	18	11	B	A	67	67	2400	740
197	SR 85	SB	S. Bascom Av.	Union Av.	1.13	3	2	1	07:20 - 07:40	22	7	C	A	66	67	2910	470
198	SR 85	SB	Union Av.	Camden Av.	1.17	3	2	1	07:20 - 07:40	33	5	D	A	64	67	4230	340
199	SR 85	SB	Camden Av.	Almaden Expwy.	1.97	3	2	1	08:00 - 08:20	21	6	C	A	66	67	2780	410
200	SR 85	SB	Almaden Expwy.	SR 87	0.94	3	2	1	08:00 - 08:20	14	8	B	A	67	67	1870	540

Table 4.7 2016 Freeway LOS – AM Peak Period

ID	Facility	Dir	From/To		Miles	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
						Total	Mixed	HOV		Mixed	HOV	Mixed	HOV	Mixed	HOV	Mixed	HOV
201	SR 85	SB	SR 87	Blossom Hill Rd.	1.27	3	2	1	08:00 - 08:20	31	10	D	A	65	67	4030	670
202	SR 85	SB	Blossom Hill Rd.	Cottle Rd.	1.96	3	2	1	08:00 - 08:20	32	8	D	A	64	67	4100	540
203	SR 85	SB	Cottle Rd.	US 101	1.79	3	2	1	08:20 - 08:40	17	7	B	A	67	67	2270	470
419	SR 87	SB	US 101	Skyport Dr.	0.67	3	2	1	08:00 - 08:20	21	8	C	A	66	67	2780	540
417	SR 87	SB	Skyport Dr.	Taylor St.	1.87	3	2	1	07:00 - 07:20	23	4	C	A	66	67	3040	270
415	SR 87	SB	Taylor St.	Coleman St.	0.41	3	2	1	09:00 - 09:20	23	6	C	A	66	67	3040	410
69	SR 87	SB	Coleman Av.	Julian St.	0.38	3	2	1	07:20 - 07:40	30	7	D	A	65	67	3900	470
68	SR 87	SB	Julian St.	I-280	0.96	3	2	1	07:40 - 08:00	14	6	B	A	67	67	1870	410
67	SR 87	SB	I-280	Alma Av.	0.90	3	2	1	08:40 - 09:00	15	8	B	A	67	67	2000	540
66	SR 87	SB	Alma Av.	Almaden Av.	0.69	3	2	1	07:40 - 08:00	27	6	D	A	66	67	3540	410
65	SR 87	SB	Almaden Av.	Curtner Av.	0.73	3	2	1	08:40 - 09:00	20	8	C	A	66	67	2640	540
64	SR 87	SB	Curtner Av.	Capitol Expwy.	1.49	3	2	1	08:40 - 09:00	16	6	B	A	67	67	2130	410
63	SR 87	SB	Capitol Expwy.	SR 85	1.09	3	2	1	08:00 - 08:20	23	6	C	A	66	67	3040	410
275	US 101	SB	Embarcadero Rd.	Oregon Expwy.	0.15	4	3	1	09:20 - 09:40	27	36	D	D	66	61	5310	2200
274	US 101	SB	Oregon Expwy.	San Antonio Av.	1.85	5	3	2	08:20 - 08:40	37	19	D	C	59	66	6550	2010
273	US 101	SB	San Antonio Av.	Rengstorff Av.	0.71	5	3	2	08:20 - 08:40	50	19	E	C	42	66	6300	2510
272	US 101	SB	Rengstorff Av.	N. Shoreline Blvd.	1.01	5	3	2	08:20 - 08:40	38	22	D	C	58	66	6620	2910
271	US 101	SB	N. Shoreline Blvd.	SR 85	0.38	4	3	1	08:00 - 08:20	38	37	D	D	58	59	6620	2190
270	US 101	SB	SR 85	Moffett Blvd.	0.33	4	3	1	08:00 - 08:20	31	17	D	B	65	67	6050	1140
269	US 101	SB	Moffett Blvd.	SR 237	1.68	4	3	1	08:20 - 08:40	44	31	D	D	50	65	6600	2020
268	US 101	SB	SR 237	N. Mathilda Av.	0.35	4	3	1	08:20 - 08:40	23	40	C	D	66	55	4560	2200
267	US 101	SB	N. Mathilda Av.	N. Fair Oaks Av.	0.85	4	3	1	09:00 - 09:20	24	18	C	B	66	67	4760	1210
266	US 101	SB	N. Fair Oaks Av.	Lawrence Expwy.	0.98	4	3	1	08:00 - 08:20	28	17	D	B	66	67	5510	1140
265	US 101	SB	Lawrence Expwy.	Bower Av. / Great American Pkwy.	1.12	4	3	1	08:20 - 08:40	35	15	D	B	62	67	6510	1010
264	US 101	SB	Bower Av. / Great American Pkwy.	Montaque Expwy. / Santa Tomas Expwy.	0.75	4	3	1	06:40 - 07:00	21	14	C	B	66	67	4160	940
263	US 101	SB	Montaque Expwy. / Santa Tomas Expwy.	De La Cruz Blvd.	1.28	4	3	1	08:00 - 08:20	25	11	C	A	66	67	4950	740

Table 4.7 2016 Freeway LOS – AM Peak Period

ID	Facility	Dir	From/To		Miles	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
						Total	Mixed	HOV		Mixed	HOV	Mixed	HOV	Mixed	HOV	Mixed	HOV
262	US 101	SB	De La Cruz Blvd.	Guadalupe Pkwy.	0.77	4	3	1	08:20 - 08:40	25	6	C	A	66	67	4950	410
261	US 101	SB	Guadalupe Pkwy.	N. First St.	0.64	4	3	1	08:20 - 08:40	16	3	B	A	67	67	3200	210
260	US 101	SB	N. First St.	Old Bayshore Hwy.	0.49	4	3	1	07:40 - 08:00	13	2	B	A	67	67	2600	140
259	US 101	SB	Old Bayshore Hwy.	I-880	0.50	4	3	1	08:00 - 08:20	18	6	B	A	67	67	3600	410
258	US 101	SB	I-880	Oakland Rd.	0.57	4	3	1	06:20 - 06:40	18	7	B	A	67	67	3600	470
257	US 101	SB	Oakland Rd.	McKee Rd.	1.58	4	3	1	07:20 - 07:40	16	4	B	A	67	67	3200	270
256	US 101	SB	McKee Rd.	Santa Clara St.	0.39	4	3	1	06:40 - 07:00	19	10	C	A	66	67	3770	670
255	US 101	SB	Santa Clara St.	I-280	0.88	4	3	1	08:00 - 08:20	16	4	B	A	67	67	3200	270
254	US 101	SB	I-280	Story Rd.	0.38	4	3	1	08:00 - 08:20	14	5	B	A	67	67	2800	340
253	US 101	SB	Story Rd.	Tully Rd.	1.46	4	3	1	07:40 - 08:00	19	4	C	A	66	67	3770	270
252	US 101	SB	Tully Rd.	Capitol Expwy.	1.33	4	3	1	07:40 - 08:00	20	7	C	A	66	67	3960	470
251	US 101	SB	Capitol Expwy.	Yerba Buena Rd.	0.80	4	3	1	07:40 - 08:00	21	7	C	A	66	67	4160	470
250	US 101	SB	Yerba Buena Rd.	Hellyer Av.	0.90	4	3	1	07:40 - 08:00	28	7	D	A	66	67	5510	470
249	US 101	SB	Hellyer Av.	Silver Creek Valley Rd.	1.84	4	3	1	07:20 - 07:40	22	7	C	A	66	67	4360	470
248	US 101	SB	Silver Creek Valley Rd.	Bernal Rd.	1.48	4	3	1	07:40 - 08:00	13	8	B	A	67	67	2600	540
247	US 101	SB	Bernal Rd.	SR 85	0.20	4	3	1	07:40 - 08:00	15	5	B	A	67	67	3000	340
246	US 101	SB	SR 85	Lane Drop (SB)	1.00	5	4	1	07:40 - 08:00	15	8	B	A	67	67	3990	540
245	US 101	SB	Lane Drop (SB)	Sheller Av.	4.32	4	3	1	08:00 - 08:20	17	12	B	B	67	67	3400	810
244	US 101	SB	Sheller Av.	Burnett Av. (Lane Drop)	2.57	4	3	1	08:20 - 08:40	16	8	B	A	67	67	3200	540
243	US 101	SB	Burnett Ave (Lane Drop)	Cochrane Rd.	0.87	3	3	0	09:20 - 09:40	17	0	B		67		3400	
242	US 101	SB	Cochrane Rd.	East Dunne Av.	1.82	3	3	0	09:00 - 09:20	15	0	B		67		3000	
275.0 1	US 101	SB	East Dunne Av.	Tennant Av.	0.96	3	3	0	08:40 - 09:00	18	0	B		67		3600	
275.0 2	US 101	SB	Tennant Av.	San Martin Av.	3.55	3	3	0	07:40 - 08:00	14	0	B		67		2800	
275.0 3	US 101	SB	San Martin Av.	Masten Ave	2.17	3	3	0	08:20 - 08:40	13	0	B		67		2600	
275.0 4	US 101	SB	Masten Av.	Buena Vista Av.	1.16	3	3	0	08:40 - 09:00	16	0	B		67		3200	
275.0 5	US 101	SB	Buena Vista Av.	Leavesley Rd.	1.60	3	3	0	08:20 - 08:40	13	0	B		67		2600	

Table 4.7 2016 Freeway LOS – AM Peak Period

ID	Facility	Dir	From/To		Miles	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
						Total	Mixed	HOV		Mixed	HOV	Mixed	HOV	Mixed	HOV	Mixed	HOV
275.0 6	US 101	SB	Leavesley Rd.	Pacheco Pass Hwy.	1.46	3	3	0	07:40 - 08:00	12	0	B		67		2400	
275.0 7	US 101	SB	Pacheco Pass Hwy.	Monterey Rd.	1.11	3	3	0	07:20 - 07:40	10	0	A		67		2010	
275.0 8	US 101	SB	Monterey Rd.	Bloomfield Av.	1.85	2	2	0	08:40 - 09:00	18	0	B		67		2400	
275.0 9	US 101	SB	Bloomfield Av.	Betabel Rd.	4.15	2	2	0	06:40 - 07:00	11	0	A		67		1480	
275.1	US 101	SB	Betabel Rd.	SR 129	1.61	2	2	0	08:20 - 08:40	30	0	D		65		3900	
275.1 1	US 101	SB	SR 129	SR 156	1.78	2	2	0	06:40 - 07:00	9	0	A		67		1210	
89	SR 237	WB	I-880	McCarthy Blvd.	0.40	3	2	1	07:20 - 07:40	113	65	F	F	11	29	2490	1890
90	SR 237	WB	McCarthy Blvd.	Zanker Rd.	0.94	3	2	1	09:00 - 09:20	115	74	F	F	10	24	2760	1780
91	SR 237	WB	Zanker Rd.	N. 1st St.	1.61	3	2	1	09:00 - 09:20	98	70	F	F	15	26	2940	1820
92	SR 237	WB	N. 1st St.	Great America Pkwy.	1.00	3	2	1	09:00 - 09:20	92	84	F	F	16	19	2950	1600
93	SR 237	WB	Great America Pkwy.	Lawrence Expwy.	1.27	3	2	1	09:00 - 09:20	103	82	F	F	13	20	2680	1640
94	SR 237	WB	Lawrence Expwy.	N. Fair Oaks Av.	0.63	3	2	1	08:20 - 08:40	95	93	F	F	15	16	2850	1490
95	SR 237	WB	N. Fair Oaks Av.	Mathilda Av.	0.96	3	3	0	08:20 - 08:40	89	0	F		18		4810	
96	SR 237	WB	Mathilda Av.	US 101	0.53	2	2	0	09:00 - 09:20	51	0	E		41		4190	
97	SR 237	WB	US 101	Maude Av.	0.71	2	2	0	08:40 - 09:00	36	0	D		61		4400	
98	SR 237	WB	Maude Av.	Central Pkwy.	0.80	2	2	0	08:00 - 08:20	39	0	D		57		4450	
99	SR 237	WB	Central Pkwy.	SR 85	0.63	2	2	0	08:00 - 08:20	28	0	D		66		3670	
100	SR 237	WB	SR 85	El Camino Real	0.40	2	2	0	08:00 - 08:20	65	0	F		29		3770	
130	I-280	WB	US 101	McLaughlin Av.	0.37	4	4	0	09:00 - 09:20	112	0	F		11		4930	
129	I-280	WB	McLaughlin Av.	10th St.	0.92	4	4	0	07:00 - 07:20	89	0	F		18		6410	
128	I-280	WB	10th St.	SR 87	1.20	4	4	0	08:00 - 08:20	83	0	F		20		6640	
127	I-280	WB	SR 87	Bird Av.	0.35	4	4	0	08:00 - 08:20	102	0	F		13		5310	
126	I-280	WB	Bird Av.	Meridian Av.	1.07	4	4	0	07:00 - 07:20	102	0	F		13		5310	
125	I-280	WB	Meridian Av.	I-880	1.40	4	3	1	08:00 - 08:20	114	103	F	F	10	13	3880	1340
124	I-280	WB	I-880	Winchester Blvd.	0.55	4	3	1	07:40 - 08:00	107	95	F	F	12	15	3860	1430
123	I-280	WB	Winchester Blvd.	Saratoga Av.	1.37	4	3	1	07:40 - 08:00	90	82	F	F	17	20	4590	1640

Table 4.7 2016 Freeway LOS – AM Peak Period

ID	Facility	Dir	From/To	From/To	Miles	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
						Total	Mixed	HOV		Mixed	HOV	Mixed	HOV	Mixed	HOV	Mixed	HOV
122	I-280	WB	Saratoga Av.	Lawrence Expwy.	1.19	4	3	1	07:40 - 08:00	78	70	F	F	22	26	5150	1820
121	I-280	WB	Lawrence Expwy.	Wolfe Rd.	1.24	4	3	1	09:00 - 09:20	72	70	F	F	25	26	5400	1820
120	I-280	WB	Wolfe Rd.	De Anza Blvd.	1.06	4	3	1	08:00 - 08:20	75	48	F	E	24	45	5400	2160
119	I-280	WB	De Anza Blvd.	SR 85	1.31	4	3	1	08:00 - 08:20	76	46	F	D	23	47	5250	2170
118	I-280	WB	SR 85	Foothill Expwy.	0.70	4	3	1	08:20 - 08:40	70	60	F	F	26	33	5460	1980
117	I-280	WB	Foothill Expwy.	Magdalena Av.	2.65	4	3	1	09:00 - 09:20	48	56	E	E	45	36	6480	2020
116	I-280	WB	Magdalena Av.	El Monte Rd.	0.95	4	4	0	09:00 - 09:20	51	0	E		41		8370	
115	I-280	WB	El Monte Rd.	La Barranca Rd.	1.60	4	4	0	08:20 - 08:40	50	0	E		42		8400	
114	I-280	WB	La Barranca Rd.	Page Mill Rd.	1.73	4	4	0	09:00 - 09:20	35	0	D		62		8680	
113.1	I-280	WB	Page Mill Rd.	Alpine Rd.	2.25	4	4	0	09:00 - 09:20	21	0	C		66		5550	
50	I-680	SB	Scott Creek Rd.	Jacklin Rd.	1.57	4	3	1	08:20 - 08:40	25	18	C	B	66	67	4950	1210
49	I-680	SB	Jacklin Rd.	Calaveras Blvd. / SR 237	0.85	4	3	1	09:20 - 09:40	24	18	C	B	66	67	4760	1210
48	I-680	SB	Calaveras Blvd. / SR 237	Yosemite Dr.	0.69	4	4	0	08:00 - 08:20	24	0	C		66		6340	
47	I-680	SB	Yosemite Dr.	Montague Expwy.	0.77	4	4	0	08:00 - 08:20	29	0	D		65		7540	
46	I-680	SB	Montague Expwy.	Capitol Av.	1.00	4	4	0	08:20 - 08:40	21	0	C		66		5550	
45	I-680	SB	Capitol Av.	Hostetter Rd.	0.31	4	4	0	07:20 - 07:40	14	0	B		67		3730	
44	I-680	SB	Hostetter Rd.	Berryessa Rd.	0.94	4	4	0	08:00 - 08:20	19	0	C		66		5020	
43	I-680	SB	Berryessa Rd.	McKee Rd.	1.47	4	4	0	08:00 - 08:20	40	0	D		55		8800	
42	I-680	SB	McKee Rd.	Alum Rock Av.	0.64	4	4	0	08:00 - 08:20	91	0	F		17		6190	
41	I-680	SB	Alum Rock Av.	Capitol Expwy.	0.31	4	4	0	07:20 - 07:40	105	0	F		13		5460	
40	I-680	SB	Capitol Expwy.	King Rd.	1.00	4	4	0	09:00 - 09:20	115	0	F		10		5060	
39	I-680	SB	King Rd.	US 101	0.40	4	4	0	09:00 - 09:20	105	0	F		13		5460	
13	I-880	SB	Dixon Landing Rd.	SR 237	1.99	4	3	1	08:20 - 08:40	57	122	E	F	36	9	6980	1100
14	I-880	SB	SR 237	Great Mall Pkwy.	0.72	4	3	1	08:00 - 08:20	44	36	D	D	50	61	6600	2200
15	I-880	SB	Great Mall Pkwy.	Montague Expwy.	0.98	4	3	1	08:00 - 08:20	60	30	F	D	33	65	5940	1950
16	I-880	SB	Montague Expwy.	E. Brokaw Rd.	1.35	4	3	1	08:20 - 08:40	91	21	F	C	17	66	4650	1390
17	I-880	SB	E. Brokaw Rd.	US 101	1.29	4	3	1	08:20 - 08:40	92	68	F	F	16	27	4420	1840

Table 4.7 2016 Freeway LOS – AM Peak Period

ID	Facility	Dir	From/To		Miles	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
			From/To	From/To		Total	Mixed	HOV		Mixed	HOV	Mixed	HOV	Mixed	HOV	Mixed	HOV
18	I-880	SB	US 101	N. 1st St.	0.49	4	3	1	08:00 - 08:20	97	0	F		15		4370	
19	I-880	SB	N. 1st St.	SR 87	0.40	3	3	0	07:00 - 07:20	78	0	F		22		5150	
20	I-880	SB	SR 87	Coleman Av.	0.51	3	3	0	09:00 - 09:20	33	0	D		64		6340	
21	I-880	SB	Coleman Av.	The Alameda	0.59	3	3	0	08:20 - 08:40	31	0	D		65		6050	
22	I-880	SB	The Alameda	N. Bascom Av.	0.82	3	3	0	08:00 - 08:20	30	0	D		65		5850	
23	I-880	SB	N. Bascom Av.	Stevens Creek Blvd.	0.84	3	3	0	07:00 - 07:20	67	0	F		28		5630	
24	I-880	SB	Stevens Creek Blvd.	I-280	0.41	3	3	0	07:00 - 07:20	24	0	C		66		4760	

Table 4.8 2014 Freeway LOS – PM Peak Period

ID	Facility	Dir	From/To	From/To	Mile s	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
						Total	Mixed	HOV		Mixed	HOV	Mixed	HOV	Mixed	HOV	Mixed	HOV
31	SR 17	NB	Summit Rd.	Bear Creek Rd.	4.06	2	2	0	16:00 - 16:20	22	0	C		66		2910	
30	SR 17	NB	Bear Creek Rd.	Saratoga Av.	2.90	2	2	0	15:40 - 16:00	20	0	C		66		2640	
29	SR 17	NB	Saratoga Av.	Lark Av.	1.81	2	2	0	17:40 - 18:00	24	0	C		66		3170	
28	SR 17	NB	Lark Av.	SR 85	0.46	2	2	0	16:40 - 17:00	20	0	C		66		2640	
27	SR 17	NB	SR 85	San Tomas Expwy./Camden Av.	1.17	3	3	0	15:20 - 15:40	19	0	C		66		3770	
26	SR 17	NB	San Tomas Expwy./Camden Av.	Hamilton Av.	1.82	3	3	0	17:20 - 17:40	18	0	B		67		3600	
25	SR 17	NB	Hamilton Av.	I-280	1.61	3	3	0	16:00 - 16:20	26	0	C		66		5150	
184	SR 85	NB	US 101	Cottle Rd.	1.79	3	2	1	16:40 - 17:00	16	6	B	A	67	70	2130	420
183	SR 85	NB	Cottle Rd.	Blossom Hill Rd.	1.96	3	2	1	17:20 - 17:40	29	10	D	A	65	70	3770	700
182	SR 85	NB	Blossom Hill Rd.	SR 87	1.27	3	2	1	16:40 - 17:00	25	11	C	A	66	70	3300	770
181	SR 85	NB	SR 87	Almaden Expwy.	0.94	3	2	1	16:00 - 16:20	25	17	C	B	66	70	3300	1190
180	SR 85	NB	Almaden Expwy.	Camden Av.	1.97	3	2	1	17:40 - 18:00	28	12	D	B	66	70	3670	840
179	SR 85	NB	Camden Av.	Union Av.	1.17	3	2	1	17:40 - 18:00	32	13	D	B	64	70	4100	910
178	SR 85	NB	Union Av.	S. Bascom Av.	1.13	3	2	1	17:40 - 18:00	24	14	C	B	66	70	3170	980
177	SR 85	NB	S. Bascom Av.	SR 17	0.27	3	2	1	15:20 - 15:40	16	22	B	C	67	70	2130	1540
176	SR 85	NB	SR 17	Winchester Blvd.	0.50	3	2	1	15:40 - 16:00	15	8	B	A	67	70	2000	560
175	SR 85	NB	Winchester Blvd.	Saratoga Av.	2.68	3	2	1	17:40 - 18:00	31	10	D	A	65	70	4030	700
174	SR 85	NB	Saratoga Av.	Saratoga-Sunnyvale Rd.	2.19	3	2	1	17:20 - 17:40	21	9	C	A	66	70	2780	630
173	SR 85	NB	Saratoga-Sunnyvale Rd.	Stevens Creek Blvd.	1.83	3	2	1	17:20 - 17:40	22	7	C	A	66	70	2910	490
172	SR 85	NB	Stevens Creek Blvd.	I-280	0.75	3	2	1	17:20 - 17:40	10	13	A	B	67	70	1340	910
171	SR 85	NB	I-280	W. Homestead Rd.	0.34	3	2	1	15:40 - 16:00	15	4	B	A	67	70	2400	280

Table 4.8 2014 Freeway LOS – PM Peak Period

ID	Facility	Dir	From/To	From/To	Mile s	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
						Total	Mixed	HO V		Mixed	HO V	Mixed	HO V	Mixed	HO V	Mixed	HOV
170	SR 85	NB	W. Homestead Rd.	W. Fremont Av.	1.00	3	2	1	17:40 - 18:00	41	13	D	B	54	70	4430	910
169	SR 85	NB	W. Fremont Av.	El Camino Real	1.89	3	2	1	15:20 - 15:40	29	8	D	A	65	70	3770	560
168	SR 85	NB	El Camino Real	SR 237	0.41	3	2	1	15:20 - 15:40	25	10	C	A	66	70	3300	700
167	SR 85	NB	SR 237	Central Expwy.	0.47	3	2	1	15:20 - 15:40	17	7	B	A	67	70	2270	490
166	SR 85	NB	Central Expwy.	US 101	1.24	3	2	1	15:40 - 16:00	17	7	B	A	67	70	2270	490
70	SR 87	NB	SR 85	Capitol Expwy.	1.09	3	2	1	17:00 - 17:20	18	12	B	B	67	70	2400	840
71	SR 87	NB	Capitol Expwy.	Curtner Av.	1.49	3	2	1	17:00 - 17:20	29	10	D	A	65	70	3770	700
72	SR 87	NB	Curtner Av.	Almaden Rd.	0.73	3	2	1	17:00 - 17:20	31	20	D	C	65	70	4030	1400
73	SR 87	NB	Almaden Av.	Alma Av.	0.69	3	2	1	16:40 - 17:00	46	17	D	B	47	70	4330	1190
74	SR 87	NB	Alma Av.	I-280	0.90	3	2	1	15:20 - 15:40	42	15	D	B	52	70	4370	1050
75	SR 87	NB	I-280	Julian St.	0.96	3	2	1	16:20 - 16:40	15	11	B	A	67	70	2000	770
76	SR 87	NB	Julian St.	Coleman Av.	0.38	3	2	1	16:40 - 17:00	34	13	D	B	63	70	4290	910
414	SR 87	NB	Coleman Av.	Taylor St.	0.41	3	2	1	15:20 - 15:40	21	7	C	A	66	70	2780	490
416	SR 87	NB	Taylor St.	Skyport Dr.	1.87	3	2	1	17:40 - 18:00	17	4	B	A	67	70	2270	280
418	SR 87	NB	Skyport Dr.	US 101	0.67	3	2	1	17:40 - 18:00	25	8	C	A	66	70	3300	560
309.11	US 101	NB	SR 156	SR 129	1.78	2	2	0	15:40 - 16:00	16	0	B		67		2130	
309.1	US 101	NB	SR 129	Betabel Rd.	1.61	2	2	0	18:00 - 18:20	20	0	C		66		2640	
309.09	US 101	NB	Betabel Rd.	Bloomfield Av.	4.15	2	2	0	17:40 - 18:00	15	0	B		67		2000	
309.08	US 101	NB	Bloomfield Av.	Monterey Rd.	1.85	2	2	0	16:00 - 16:20	23	0	C		66		3040	
309.07	US 101	NB	Monterey Rd.	Pacheco Pass Hwy.	1.11	3	3	0	16:00 - 16:20	15	0	B		67		3000	
309.06	US 101	NB	Pacheco Pass Hwy.	Leavesley Rd.	1.46	3	3	0	16:00 - 16:20	19	0	C		66		3770	

Table 4.8 2014 Freeway LOS – PM Peak Period

ID	Facility	Dir	From/To	From/To	Mile s	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
						Total	Mixed	HO V		Mixed	HO V	Mixed	HO V	Mixed	HO V	Mixed	HOV
309.05	US 101	NB	Leavesley Rd.	Buena Vista Av.	1.60	3	3	0	15:20 - 15:40	15	0	B		67		3000	
309.04	US 101	NB	Buena Vista Av.	Masten Av.	1.16	3	3	0	17:20 - 17:40	19	0	C		66		3770	
309.03	US 101	NB	Masten Av.	San Martin Av.	2.17	3	3	0	18:00 - 18:20	16	0	B		67		3200	
309.02	US 101	NB	San Martin Av.	Tennant Av.	3.55	3	3	0	15:40 - 16:00	17	0	B		67		3400	
309.01	US 101	NB	Tennant Av.	East Dunne Av.	0.96	3	3	0	15:40 - 16:00	22	0	C		66		4360	
276	US 101	NB	East Dunne Av.	Cochrane Rd.	1.82	3	3	0	17:20 - 17:40	19	0	C		66		3770	
277	US 101	NB	Cochrane Rd.	Burnett Av. (Lane Drop)	0.87	4	3	1	16:40 - 17:00	23	12	C	B	66	70	4560	840
278	US 101	NB	Burnett Av. (Lane Drop)	Sheller Av.	2.57	4	3	1	15:20 - 15:40	49	12	E	B	43	70	6330	840
279	US 101	NB	Sheller Av.	Lane Drop (SB)	4.32	4	3	1	17:00 - 17:20	19	15	C	B	66	70	3770	1050
280	US 101	NB	Lane Drop (SB)	SR 85	1.00	4	3	1	16:40 - 17:00	18	7	B	A	67	70	3600	490
281	US 101	NB	SR 85	Bernal Rd.	0.20	4	3	1	15:40 - 16:00	21	25	C	C	66	70	4160	1750
282	US 101	NB	Bernal Rd.	Silver Creek Valley Rd.	1.48	4	3	1	17:00 - 17:20	20	9	C	A	66	70	3960	630
283	US 101	NB	Silver Creek Valley Rd.	Hellyer Av.	1.84	4	3	1	17:00 - 17:20	27	7	D	A	66	70	5310	490
284	US 101	NB	Hellyer Av.	Yerba Buena Rd.	0.90	4	3	1	17:00 - 17:20	33	8	D	A	64	70	6340	560
285	US 101	NB	Yerba Buena Rd.	Capitol Expwy.	0.80	4	3	1	17:00 - 17:20	25	7	C	A	66	70	4950	490
286	US 101	NB	Capitol Expwy.	Tully Rd.	1.33	4	3	1	17:00 - 17:20	35	11	D	A	62	70	6510	770
287	US 101	NB	Tully Rd.	Story Rd.	1.46	4	3	1	17:00 - 17:20	22	8	C	A	66	70	4360	560
288	US 101	NB	Story Rd.	I-280	0.38	4	3	1	16:40 - 17:00	15	7	B	A	67	70	3000	490
289	US 101	NB	I-280	Santa Clara St.	0.88	4	3	1	15:40 - 16:00	19	12	C	B	66	70	3770	840
290	US 101	NB	Santa Clara St.	McKee Rd.	0.39	4	3	1	15:40 - 16:00	21	10	C	A	66	70	4160	700
291	US 101	NB	McKee Rd.	Oakland Rd.	1.58	4	3	1	15:20 - 15:40	23	7	C	A	66	70	4560	490

Table 4.8 2014 Freeway LOS – PM Peak Period

ID	Facility	Dir	From/To	From/To	Mile s	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
						Total	Mixed	HO V		Mixed	HO V	Mixed	HO V	Mixed	HO V	Mixed	HOV
292	US 101	NB	Oakland Rd.	I-880	0.57	4	3	1	17:20 - 17:40	20	5	C	A	66	70	3960	350
293	US 101	NB	I-880	Old Bayshore Hwy.	0.50	4	3	1	17:00 - 17:20	16	12	B	B	67	70	3200	840
294	US 101	NB	Old Bayshore Hwy.	N. First St.	0.49	4	3	1	17:20 - 17:40	17	8	B	A	67	70	3400	560
295	US 101	NB	N. First St.	Guadalupe Pkwy.	0.64	4	3	1	15:20 - 15:40	14	9	B	A	67	70	2800	630
296	US 101	NB	Guadalupe Pkwy.	De La Cruz Blvd.	0.77	4	3	1	15:20 - 15:40	19	9	C	A	66	70	3770	630
297	US 101	NB	De La Cruz Blvd.	Montague Expwy./Santa Tomas Expwy.	1.28	4	3	1	16:40 - 17:00	24	11	C	A	66	70	4760	770
298	US 101	NB	Montague Expwy./Santa Tomas Expwy..	Bower Av. / Great America Pkwy	0.75	4	3	1	17:00 - 17:20	28	11	D	A	66	70	5510	770
299	US 101	NB	Bower Av./Great America Pkwy.	Lawrence Expwy.	1.12	4	3	1	17:00 - 17:20	29	16	D	B	65	70	5660	1120
300	US 101	NB	Lawrence Expwy.	N. Fair Oaks Av.	0.98	4	3	1	17:00 - 17:20	29	12	D	B	65	70	5660	840
301	US 101	NB	N. Fair Oaks Av.	N. Mathilda Av.	0.85	4	3	1	17:00 - 17:20	24	11	C	A	66	70	4760	770
302	US 101	NB	N. Mathilda Av.	SR 237	0.35	4	3	1	17:40 - 18:00	24	20	C	C	66	70	4760	1400
303	US 101	NB	SR 237	Moffett Blvd.	1.68	4	3	1	17:20 - 17:40	53	33	E	D	39	70	6210	2310
304	US 101	NB	Moffett Blvd.	SR 85	0.33	4	3	1	17:00 - 17:20	93	36	F	D	16	70	4470	2520
305	US 101	NB	SR 85	N. Shoreline Blvd.	0.38	5	4	1	17:00 - 17:20	68	34	F	D	27	70	7350	2380
306	US 101	NB	N. Shoreline Blvd.	Rengstorff Av.	1.01	5	3	2	17:00 - 17:20	112	18	F	B	11	70	3700	2520
307	US 101	NB	Rengstorff Av.	San Antonio Av.	0.71	5	3	2	17:00 - 17:20	91	23	F	C	17	70	4650	3220
308	US 101	NB	San Antonio Av.	Oregon Expwy.	1.85	5	3	2	16:20 - 16:40	77	45	F	D	23	50	5320	3600
309	US 101	NB	Oregon Expwy.	Embarcadero Rd.	0.15	4	3	1	17:00 - 17:20	61	66	F	F	32	30	5860	1980
88	SR 237	EB	El Camino Real	SR 85	0.40	2	2	0	15:40 - 16:00	19	0	C		66		2510	
87	SR 237	EB	SR 85	Central Pkwy.	0.63	2	2	0	16:20 - 16:40	25	0	C		66		3300	
86	SR 237	EB	Central Pkwy.	Maude Av.	0.80	2	2	0	16:20 - 16:40	33	0	D		64		4230	

Table 4.8 2014 Freeway LOS – PM Peak Period

ID	Facility	Dir	From/To	From/To	Mile s	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
						Total	Mixed	HOV		Mixed	HOV	Mixed	HOV	Mixed	HOV	Mixed	HOV
85	SR 237	EB	Maude Av.	US 101	0.71	2	2	0	17:40 - 18:00	99	0	F		14		2780	
84	SR 237	EB	US 101	Mathilda Av.	0.53	2	2	0	17:00 - 17:20	121	0	F		9		2180	
83	SR 237	EB	Mathilda Av.	N. Fair Oaks Av.	0.96	3	2	1	17:00 - 17:20	100	96	F	F	14	20	2800	1920
82	SR 237	EB	N. Fair Oaks Av.	Lawrence Expwy.	0.63	3	2	1	17:20 - 17:40	115	62	F	F	10	40	2300	2480
81	SR 237	EB	Lawrence Expwy.	Great America Pkwy.	1.27	3	2	1	17:40 - 18:00	101	69	F	F	14	30	2830	2070
80	SR 237	EB	Great America Pkwy.	N. First St.	1.00	3	2	1	16:20 - 16:40	106	64	F	F	12	30	2550	1920
79	SR 237	EB	N. First St.	Zanker Rd.	1.61	3	2	1	17:00 - 17:20	72	47	F	E	25	50	3600	2350
78	SR 237	EB	Zanker Rd.	McCarthy Blvd.	0.94	3	2	1	18:00 - 18:20	42	28	D	D	52	70	4370	1960
77	SR 237	EB	McCarthy Blvd.	I-880	0.40	3	2	1	17:20 - 17:40	20	38	C	D	66	60	2720	2280
130.1	I-280	EB	Alpine Rd.	Page Mill Rd.	2.25	4	4	0	18:00 - 18:20	29	0	D		65		7540	
131	I-280	EB	Page Mill Rd.	La Barranta Rd.	1.73	4	4	0	18:00 - 18:20	83	0	F		20		6640	
132	I-280	EB	La Barranta Rd.	El Monte Rd.	1.60	4	4	0	17:20 - 17:40	79	0	F		22		6960	
133	I-280	EB	El Monte Rd.	Magdalena Av.	0.95	4	4	0	18:20 - 18:40	75	0	F		24		7200	
134	I-280	EB	Magdalena Av.	Foothill Expwy.	2.65	4	3	1	18:20 - 18:40	31	22	D	C	65	70	6050	1540
135	I-280	EB	Foothill Expwy.	SR 85	0.70	4	3	1	18:00 - 18:20	71	40	F	D	26	60	5540	2400
136	I-280	EB	SR 85	De Anza Blvd.	1.31	4	3	1	17:00 - 17:20	106	83	F	F	12	20	3820	1660
137	I-280	EB	De Anza Blvd.	Wolfe Rd.	1.06	4	3	1	18:00 - 18:20	74	63	F	F	24	40	5330	2520
138	I-280	EB	Wolfe Rd.	Lawrence Expwy.	1.24	4	3	1	18:20 - 18:40	61	42	F	D	32	60	5860	2520
139	I-280	EB	Lawrence Expwy.	Saratoga Av.	1.19	4	3	1	18:00 - 18:20	77	52	F	E	23	40	5320	2080
140	I-280	EB	Saratoga Av.	Winchester Blvd.	1.37	4	3	1	18:00 - 18:20	96	63	F	F	15	40	4320	2520
141	I-280	EB	Winchester Blvd.	I-880	0.55	4	3	1	18:20 - 18:40	101	67	F	F	14	30	4250	2010

Table 4.8 2014 Freeway LOS – PM Peak Period

ID	Facility	Dir	From/To	From/To	Mile s	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
						Total	Mixed	HOV		Mixed	HOV	Mixed	HOV	Mixed	HOV	Mixed	HOV
142	I-280	EB	I-880	Meridian Av.	1.40	4	3	1	17:20 - 17:40	102	81	F	F	13	30	3980	2430
143	I-280	EB	Meridian Av.	Bird Av.	1.07	4	4	0	17:20 - 17:40	104	0	F		13		5410	
144	I-280	EB	Bird Av.	SR 87	0.35	4	4	0	17:00 - 17:20	79	0	F		22		6960	
145	I-280	EB	SR 87	10th St.	1.20	4	4	0	17:20 - 17:40	67	0	F		28		7510	
146	I-280	EB	10th St.	McLaughlin Av.	0.92	4	4	0	18:20 - 18:40	44	0	D		50		8800	
147	I-280	EB	McLaughlin Av.	US 101	0.37	4	4	0	17:20 - 17:40	35	0	D		62		8680	
51	I-680	NB	US 101	King Rd.	0.40	4	4	0	17:40 - 18:00	29	0	D		65		7540	
52	I-680	NB	King Rd.	Capitol Expwy.	1.00	4	4	0	17:40 - 18:00	32	0	D		64		8200	
53	I-680	NB	Capitol Expwy.	Alum Rock Av.	0.31	4	4	0	17:40 - 18:00	23	0	C		66		6080	
54	I-680	NB	Alum Rock Av.	McKee Rd.	0.64	4	4	0	15:40 - 16:00	22	0	C		66		5810	
55	I-680	NB	McKee Rd.	Berryessa Rd.	1.47	4	4	0	18:20 - 18:40	23	0	C		66		6080	
56	I-680	NB	Berryessa Rd.	Hostetter Rd.	0.94	4	4	0	16:40 - 17:00	21	0	C		66		5550	
57	I-680	NB	Hostetter Rd.	Capitol Av.	0.31	4	4	0	17:40 - 18:00	20	0	C		66		5280	
58	I-680	NB	Capitol Av.	Montague Expwy.	1.00	4	4	0	17:00 - 17:20	26	0	C		66		6870	
59	I-680	NB	Montague Expwy.	Yosemite Dr.	0.77	4	4	0	16:00 - 16:20	21	0	C		66		5550	
60	I-680	NB	Yosemite Dr.	Calaveras Blvd./SR 237	0.69	4	4	0	16:40 - 17:00	28	0	D		66		7340	
61	I-680	NB	Calaveras Blvd./SR 237	Jacklin Rd.	0.85	3	3	0	16:40 - 17:00	26	0	C		66		5150	
62	I-680	NB	Jacklin Rd.	Scott Creek Rd.	1.57	3	3	0	17:00 - 17:20	22	0	C		66		4360	
12	I-880	NB	I-280	Stevens Creek Blvd.	0.41	3	3	0	15:40 - 16:00	11	0	A		67		2220	
11	I-880	NB	Stevens Creek Blvd.	N. Bascom Av.	0.84	3	3	0	17:20 - 17:40	78	0	F		22		5150	
10	I-880	NB	N. Bascom Av.	The Alameda	0.82	3	3	0	17:20 - 17:40	101	0	F		14		4250	

Table 4.8 2014 Freeway LOS – PM Peak Period

ID	Facility	Dir	From/To	From/To	Mile s	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
						Total	Mixed	HOV		Mixed	HOV	Mixed	HOV	Mixed	HOV	Mixed	HOV
9	I-880	NB	The Alameda	Coleman Av.	0.59	3	3	0	17:20 - 17:40	124	0	F		8		2980	
8	I-880	NB	Coleman Av.	SR 87	0.51	3	3	0	17:20 - 17:40	91	0	F		17		4650	
7	I-880	NB	SR 87	N. 1st St.	0.40	3	3	0	17:20 - 17:40	76	0	F		23		5250	
6	I-880	NB	N. 1st St.	US 101	0.49	3	3	0	16:00 - 16:20	85	0	F		19		4850	
5	I-880	NB	US 101	E. Brokaw Rd.	1.29	4	3	1	17:00 - 17:20	31	15	D	B	65	70	6050	1050
4	I-880	NB	E. Brokaw Rd.	Montague Expwy.	1.35	4	3	1	15:20 - 15:40	23	12	C	B	66	70	4560	840
3	I-880	NB	Montague Expwy.	Great Mall Pkwy.	0.98	4	3	1	16:20 - 16:40	28	13	D	B	66	70	5510	910
2	I-880	NB	Great Mall Pkwy.	SR 237	0.72	4	3	1	16:20 - 16:40	34	20	D	C	63	70	6430	1400
1	I-880	NB	SR 237	Dixon Landing Rd.	1.99	4	3	1	17:40 - 18:00	46	39	D	D	47	60	7360	2340
32	SR 17	SB	I-280	Hamilton Av.	1.61	3	3	0	17:40 - 18:00	58	0	E		35		6090	
33	SR 17	SB	Hamilton Av.	San Tomas Expwy./Camden Av.	1.82	3	3	0	16:00 - 16:20	31	0	D		65		6860	
34	SR 17	SB	San Tomas Expwy./Camden Av.	SR 85	1.17	3	3	0	17:00 - 17:20	25	0	C		66		4950	
35	SR 17	SB	SR 85	Lark Av.	0.46	2	2	0	17:00 - 17:20	74	0	F		24		3560	
36	SR 17	SB	Lark Av.	Saratoga Av.	1.81	2	2	0	17:00 - 17:20	73	0	F		25		3650	
37	SR 17	SB	Saratoga Av.	Bear Creek Rd.	2.90	2	2	0	16:00 - 16:20	65	0	F		29		3770	
38	SR 17	SB	Bear Creek Rd.	Summit Rd.	4.06	2	2	0	16:40 - 17:00	64	0	F		30		3840	
185	SR 85	SB	US 101	Central Expwy.	1.24	3	2	1	18:00 - 18:20	81	84	F	F	21	20	3410	1680
186	SR 85	SB	Central Expwy.	SR 237	0.47	3	2	1	17:20 - 17:40	108	77	F	F	12	30	2600	2310
187	SR 85	SB	SR 237	EL Camino Real	0.41	4	3	1	17:20 - 17:40	124	60	F	F	8	40	2480	2400
188	SR 85	SB	EL Camino Real	W. Fremont Av.	1.89	3	2	1	17:20 - 17:40	66	47	F	E	29	50	3830	2350
189	SR 85	SB	W. Fremont Av.	W. Homestead Rd.	1.00	3	2	1	17:00 - 17:20	52	40	E	D	40	60	4160	2400

Table 4.8 2014 Freeway LOS – PM Peak Period

ID	Facility	Dir	From/To	From/To	Mile s	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
						Total	Mixed	HO V		Mixed	HO V	Mixed	HO V	Mixed	HO V	Mixed	HOV
190	SR 85	SB	W. Homestead Rd.	I-280	0.41	3	2	1	15:20 - 15:40	21	29	C	D	66	70	2780	2030
191	SR 85	SB	I-280	Stevens Creek Blvd.	0.75	3	2	1	17:40 - 18:00	82	108	F	F	20	20	3940	2160
192	SR 85	SB	Stevens Creek Blvd.	Saratoga-Sunnyvale Rd.	1.83	3	2	1	16:40 - 17:00	97	71	F	F	15	30	2910	2130
193	SR 85	SB	Saratoga-Sunnyvale Rd.	Saratoga Av.	2.19	3	2	1	17:20 - 17:40	73	54	F	E	25	40	3650	2160
194	SR 85	SB	Saratoga Av.	Winchester Blvd.	2.68	3	2	1	17:20 - 17:40	58	39	E	D	35	60	4060	2340
195	SR 85	SB	Winchester Blvd.	SR 17	0.50	3	2	1	18:00 - 18:20	94	46	F	D	16	50	3010	2300
196	SR 85	SB	SR 17	S. Bascom Av.	0.27	3	2	1	17:20 - 17:40	122	88	F	F	9	20	2200	1760
197	SR 85	SB	S. Bascom Av.	Union Av.	1.13	3	2	1	17:20 - 17:40	99	65	F	F	14	30	2780	1950
198	SR 85	SB	Union Av.	Camden Av.	1.17	3	2	1	15:40 - 16:00	56	41	E	D	36	60	4040	2460
199	SR 85	SB	Camden Av.	Almaden Expwy.	1.97	3	2	1	17:20 - 17:40	40	32	D	D	55	70	4400	2240
200	SR 85	SB	Almaden Expwy.	SR 87	0.94	3	2	1	16:00 - 16:20	32	21	D	C	64	70	4100	1470
201	SR 85	SB	SR 87	Blossom Hill Rd.	1.27	3	2	1	16:00 - 16:20	67	42	F	D	28	60	3760	2520
202	SR 85	SB	Blossom Hill Rd.	Cottle Rd.	1.96	3	2	1	16:40 - 17:00	29	25	D	C	65	70	3770	1750
203	SR 85	SB	Cottle Rd.	US 101	1.79	3	2	1	17:40 - 18:00	21	15	C	B	66	70	2780	1050
419	SR 87	SB	US 101	Skyport Dr.	0.67	3	2	1	17:40 - 18:00	100	36	F	D	14	70	2800	2520
417	SR 87	SB	Skyport Dr.	Taylor St.	1.87	3	2	1	18:00 - 18:20	100	28	F	D	14	70	2800	1960
415	SR 87	SB	Taylor St.	Coleman Av.	0.41	3	2	1	18:00 - 18:20	94	36	F	D	16	70	3010	2520
69	SR 87	SB	Coleman Av.	Julian St.	0.38	3	2	1	18:00 - 18:20	55	28	E	D	37	70	4070	1960
68	SR 87	SB	Julian St.	I-280	0.96	3	2	1	17:40 - 18:00	69	36	F	D	27	70	3730	2520
67	SR 87	SB	I-280	Alma Av.	0.90	3	2	1	16:40 - 17:00	82	54	F	E	20	40	3280	2160
66	SR 87	SB	Alma Av.	Almaden Rd.	0.69	3	2	1	17:00 - 17:20	81	47	F	E	21	50	3410	2350

Table 4.8 2014 Freeway LOS – PM Peak Period

ID	Facility	Dir	From/To	From/To	Mile s	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
						Total	Mixed	HO V		Mixed	HO V	Mixed	HO V	Mixed	HO V	Mixed	HOV
65	SR 87	SB	Almaden Rd	Curtner Av.	0.73	3	2	1	16:00 - 16:20	48	35	E	D	45	70	4320	2450
64	SR 87	SB	Curtner Av.	Capitol Expwy.	1.49	3	2	1	17:40 - 18:00	43	28	D	D	51	70	4390	1960
63	SR 87	SB	Capitol Expwy.	SR 85	1.09	3	2	1	16:40 - 17:00	31	19	D	C	65	70	4030	1330
275	US 101	SB	Embarcadero Rd.	Oregon Expwy.	0.15	4	3	1	16:20 - 16:40	100	86	F	F	14	20	4200	1720
274	US 101	SB	Oregon Expwy.	San Antonio Av.	1.85	5	3	2	16:40 - 17:00	95	34	F	D	15	70	4280	3810
273	US 101	SB	San Antonio Av.	Rengstorff Av.	0.71	5	3	2	17:20 - 17:40	92	20	F	C	16	70	4420	2800
272	US 101	SB	Rengstorff Av.	N. Shoreline Blvd.	1.01	5	3	2	17:20 - 17:40	66	25	F	C	29	70	5750	3500
271	US 101	SB	N. Shoreline Blvd.	SR 85	0.38	4	3	1	17:20 - 17:40	68	51	F	E	27	50	5510	2550
270	US 101	SB	SR 85	Moffett Blvd.	0.33	4	3	1	17:20 - 17:40	95	84	F	F	15	20	4280	1680
269	US 101	SB	Moffett Blvd.	SR 237	1.68	4	3	1	17:20 - 17:40	76	57	F	E	23	40	5250	2280
268	US 101	SB	SR 237	N. Mathilda Av.	0.35	4	3	1	17:00 - 17:20	87	60	F	F	18	40	4700	2400
267	US 101	SB	N. Mathilda Av.	N. Fair Oaks Av.	0.85	4	3	1	17:20 - 17:40	72	68	F	F	25	30	5400	2040
266	US 101	SB	N. Fair Oaks Av.	Lawrence Expwy.	0.98	4	3	1	17:20 - 17:40	92	106	F	F	16	20	4420	2120
265	US 101	SB	Lawrence Expwy.	Bower Av./Great American Pkwy.	1.12	4	3	1	18:20 - 18:40	111	102	F	F	11	20	3670	2040
264	US 101	SB	Bower Av./Great American Pkwy.	Montaque Expwy./Santa Tomas Expwy	0.75	4	3	1	16:40 - 17:00	108	109	F	F	12	20	3890	2180
263	US 101	SB	Montaque Expwy./Santa Tomas Expwy.	De La Cruz Blvd.	1.28	4	3	1	16:40 - 17:00	111	71	F	F	11	30	3670	2130
262	US 101	SB	De La Cruz Blvd.	Guadalupe Pkwy.	0.77	4	3	1	17:20 - 17:40	52	36	E	D	40	70	6240	2520
261	US 101	SB	Guadalupe Pkwy.	N. First St.	0.64	4	3	1	17:00 - 17:20	75	73	F	F	24	30	5400	2190
260	US 101	SB	N. First St.	Old Bayshore Hwy.	0.49	4	3	1	17:20 - 17:40	160	108	F	F	6	20	2880	2160
259	US 101	SB	Old Bayshore Hwy.	I-880	0.50	4	3	1	17:20 - 17:40	136	90	F	F	6	20	2450	1800
258	US 101	SB	I-880	Oakland Rd.	0.57	4	3	1	17:20 - 17:40	109	77	F	F	12	30	3930	2310

Table 4.8 2014 Freeway LOS – PM Peak Period

ID	Facility	Dir	From/To	From/To	Mile s	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
						Total	Mixed	HO V		Mixed	HO V	Mixed	HO V	Mixed	HO V	Mixed	HOV
257	US 101	SB	Oakland Rd.	McKee Rd.	1.58	4	3	1	17:20 - 17:40	56	36	E	D	36	70	6050	2520
256	US 101	SB	McKee Rd.	Santa Clara St.	0.39	4	3	1	16:40 - 17:00	52	46	E	D	40	50	6240	2300
255	US 101	SB	Santa Clara St.	I-280	0.88	4	3	1	17:20 - 17:40	53	38	E	D	39	60	6210	2280
254	US 101	SB	I-280	Story Rd.	0.38	4	3	1	17:20 - 17:40	31	34	D	D	65	70	6050	2380
253	US 101	SB	Story Rd.	Tully Rd.	1.46	4	3	1	17:20 - 17:40	42	28	D	D	52	70	6560	1960
252	US 101	SB	Tully Rd.	Capitol Expwy.	1.33	4	3	1	15:20 - 15:40	38	21	D	C	58	70	6620	1470
251	US 101	SB	Capitol Expwy.	Yerba Buena Rd.	0.80	4	3	1	16:40 - 17:00	24	20	C	C	66	70	4760	1400
250	US 101	SB	Yerba Buena Rd.	Hellyer Av.	0.90	4	3	1	17:00 - 17:20	36	16	D	B	61	70	6590	1120
249	US 101	SB	Hellyer Av.	Silver Creek Valley Rd.	1.84	4	3	1	15:40 - 16:00	29	21	D	C	65	70	5660	1470
248	US 101	SB	Silver Creek Valley Rd.	Bernal Rd.	1.48	4	3	1	17:00 - 17:20	19	12	C	B	66	70	3770	840
247	US 101	SB	Bernal Rd.	SR 85	0.20	4	3	1	17:20 - 17:40	35	22	D	C	62	70	6510	1540
246	US 101	SB	SR 85	Lane Drop (SB)	1.00	5	4	1	18:20 - 18:40	19	21	C	C	66	70	5020	1470
245	US 101	SB	Lane Drop (SB)	Sheller Av.	4.32	4	3	1	15:40 - 16:00	45	48	D	E	48	50	6480	2400
244	US 101	SB	Sheller Av.	Burnett Av. (Lane Drop)	2.57	4	3	1	17:20 - 17:40	64	61	F	F	30	40	5760	2440
243	US 101	SB	Burnett Av. (Lane Drop)	Cochrane Rd.	0.87	3	3	0	16:40 - 17:00	84	0	F		19		4790	
242	US 101	SB	Cochrane Rd.	East Dunne Av.	1.82	3	3	0	17:00 - 17:20	50	0	E		42		6300	
275. 01	US 101	SB	East Dunne Av.	Tennant Av.	0.96	3	3	0	17:20 - 17:40	50	0	E		42		6300	
275. 02	US 101	SB	Tennant Av.	San Martin Av.	3.55	3	3	0	17:00 - 17:20	57	0	E		36		6160	
275. 03	US 101	SB	San Martin Av.	Masten Av.	2.17	3	3	0	17:00 - 17:20	46	0	D		47		6490	
275. 04	US 101	SB	Masten Av.	Buena Vista Av.	1.16	3	3	0	17:00 - 17:20	27	0	D		66		5310	
275. 05	US 101	SB	Buena Vista Av.	Leavesley Rd.	1.60	3	3	0	15:20 - 15:40	28	0	D		66		5510	

Table 4.8 2014 Freeway LOS – PM Peak Period

ID	Facility	Dir	From/To	From/To	Mile s	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
						Total	Mixed	HOV		Mixed	HOV	Mixed	HOV	Mixed	HOV	Mixed	HOV
275.06	US 101	SB	Leavesley Rd.	Pacheco Pass Hwy.	1.46	3	3	0	17:20 - 17:40	21	0	C		66		4160	
275.07	US 101	SB	Pacheco Pass Hwy.	Monterey Rd.	1.11	3	3	0	17:20 - 17:40	50	0	E		42		6300	
275.08	US 101	SB	Monterey Rd.	Bloomfield Av.	1.85	2	2	0	17:20 - 17:40	73	0	F		25		3650	
275.09	US 101	SB	Bloomfield Av.	Betabel Rd.	4.15	2	2	0	17:00 - 17:20	19	0	C		66		2510	
275.1	US 101	SB	Betabel Rd.	SR 129	1.61	2	2	0	16:20 - 16:40	23	0	C		66		3040	
275.11	US 101	SB	SR 129	SR 156	1.78	2	2	0	15:20 - 15:40	13	0	B		67		1730	
89	SR 237	WB	I-880	McCarthy Blvd.	0.40	3	2	1	16:20 - 16:40	20	9	C	A	66	70	2640	630
90	SR 237	WB	McCarthy Blvd.	Zanker Rd.	0.94	3	2	1	18:00 - 18:20	32	17	D	B	64	70	4920	1190
91	SR 237	WB	Zanker Rd.	N. First St.	1.61	3	2	1	17:00 - 17:20	45	11	D	A	48	70	4320	770
92	SR 237	WB	N. First St.	Great America Pkwy.	1.00	3	2	1	17:40 - 18:00	38	14	D	B	58	70	4410	980
93	SR 237	WB	Great America Pkwy.	Lawrence Expwy.	1.27	3	2	1	17:00 - 17:20	27	15	D	B	66	70	3540	1050
94	SR 237	WB	Lawrence Expwy.	N. Fair Oaks Av.	0.63	3	2	1	17:40 - 18:00	61	38	F	D	32	60	3910	2280
95	SR 237	WB	N. Fair Oaks Av.	Mathilda Av.	0.96	3	3	0	17:40 - 18:00	84	0	F		19		4790	
96	SR 237	WB	Mathilda Av.	US 101	0.53	2	2	0	17:40 - 18:00	82	0	F		20		3280	
97	SR 237	WB	US 101	Maude Av.	0.71	2	2	0	17:40 - 18:00	95	0	F		15		2850	
98	SR 237	WB	Maude Av.	Central Pkwy.	0.80	2	2	0	18:00 - 18:20	77	0	F		23		3550	
99	SR 237	WB	Central Pkwy.	SR 85	0.63	2	2	0	17:40 - 18:00	64	0	F		30		3840	
100	SR 237	WB	SR 85	El Camino Real	0.40	2	2	0	17:20 - 17:40	43	0	D		51		4390	
130	I-280	WB	US 101	McLaughlin Av.	0.37	4	4	0	17:00 - 17:20	25	0	C		66		6600	
129	I-280	WB	McLaughlin Av.	10th St.	0.92	4	4	0	17:00 - 17:20	29	0	D		65		7540	
128	I-280	WB	10th St.	SR 87	1.20	4	4	0	17:20 - 17:40	36	0	D		61		8790	

Table 4.8 2014 Freeway LOS – PM Peak Period

ID	Facility	Dir	From/To	From/To	Mile s	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
						Total	Mixed	HO V		Mixed	HO V	Mixed	HO V	Mixed	HO V	Mixed	HOV
127	I-280	WB	SR 87	Bird Av.	0.35	4	4	0	17:20 - 17:40	84	0	F		19		6390	
126	I-280	WB	Bird Av.	Meridian Av.	1.07	4	4	0	16:40 - 17:00	39	0	D		57		8900	
125	I-280	WB	Meridian Av.	I-880	1.40	4	3	1	17:20 - 17:40	21	10	C	A	66	70	4720	700
124	I-280	WB	I-880	Winchester Blvd.	0.55	4	3	1	17:20 - 17:40	43	20	D	C	51	70	6580	1400
123	I-280	WB	Winchester Blvd.	Saratoga Av.	1.37	4	3	1	17:20 - 17:40	40	16	D	B	55	70	6600	1120
122	I-280	WB	Saratoga Av.	Lawrence Expwy.	1.19	4	3	1	16:40 - 17:00	27	15	D	B	66	70	5310	1050
121	I-280	WB	Lawrence Expwy.	Wolfe Rd.	1.24	4	3	1	16:00 - 16:20	25	12	C	B	66	70	4950	840
120	I-280	WB	Wolfe Rd.	De Anza Blvd.	1.06	4	3	1	16:40 - 17:00	27	14	D	B	66	70	5310	980
119	I-280	WB	De Anza Blvd.	SR 85	1.31	4	3	1	16:00 - 16:20	27	10	D	A	66	70	5310	700
118	I-280	WB	SR 85	Foothill Expwy.	0.70	4	3	1	15:20 - 15:40	28	12	D	B	66	70	5510	840
117	I-280	WB	Foothill Expwy.	Magdalena Av.	2.65	4	3	1	16:00 - 16:20	23	13	C	B	66	70	4560	910
116	I-280	WB	Magdalena Av.	El Monte Rd.	0.95	4	4	0	16:40 - 17:00	33	0	D		64		8450	
115	I-280	WB	El Monte Rd.	La Barranta Rd.	1.60	4	4	0	15:40 - 16:00	20	0	C		66		5280	
114	I-280	WB	La Barranta Rd.	Page Mill Rd.	1.73	4	4	0	16:00 - 16:20	22	0	C		66		5810	
113.1	I-280	WB	Page Mill Rd.	Alpine Rd.	2.25	4	4	0	17:00 - 17:20	66	0	F		29		7660	
50	I-680	SB	Scott Creek Rd.	Jacklin Rd.	1.57	4	3	1	17:00 - 17:20	40	12	D	B	55	70	6600	840
49	I-680	SB	Jacklin Rd.	Calaveras Blvd./SR 237	0.85	4	3	1	15:40 - 16:00	79	16	F	B	22	70	5220	1120
48	I-680	SB	Calaveras Blvd./SR 237	Yosemite Dr.	0.69	4	4	0	15:40 - 16:00	95	0	F		15		5700	
47	I-680	SB	Yosemite Dr.	Montague Expwy.	0.77	4	4	0	15:40 - 16:00	101	0	F		14		5660	
46	I-680	SB	Montague Expwy.	Capitol Av.	1.00	4	4	0	15:40 - 16:00	98	0	F		15		5880	
45	I-680	SB	Capitol Av.	Hostetter Rd.	0.31	4	4	0	18:00 - 18:20	100	0	F		14		5600	

Table 4.8 2014 Freeway LOS – PM Peak Period

ID	Facility	Dir	From/To	From/To	Mile s	Number of Lanes			Peak Photo Time	Max Density		LOS (Density)		Speed		Flow	
						Total	Mixed	HOV		Mixed	HOV	Mixed	HOV	Mixed	HOV	Mixed	HOV
44	I-680	SB	Hostetter Rd.	Berryessa Rd.	0.94	4	4	0	18:20 - 18:40	75	0	F		24		7200	
43	I-680	SB	Berryessa Rd.	McKee Rd.	1.47	4	4	0	18:00 - 18:20	44	0	D		50		8800	
42	I-680	SB	McKee Rd.	Alum Rock Av.	0.64	4	4	0	17:40 - 18:00	55	0	E		37		8140	
41	I-680	SB	Alum Rock Av.	Capitol Expwy.	0.31	4	4	0	17:00 - 17:20	29	0	D		65		7540	
40	I-680	SB	Capitol Expwy.	King Rd.	1.00	4	4	0	17:00 - 17:20	26	0	C		66		7560	
39	I-680	SB	King Rd.	US 101	0.40	4	4	0	18:00 - 18:20	25	0	C		66		6600	
13	I-880	SB	Dixon Landing Rd.	SR 237	1.99	4	3	1	17:20 - 17:40	29	19	D	C	65	70	6410	1330
14	I-880	SB	SR 237	Great Mall Pkwy.	0.72	4	3	1	17:20 - 17:40	82	38	F	D	20	60	4920	2280
15	I-880	SB	Great Mall Pkwy.	Montague Expwy.	0.98	4	3	1	17:20 - 17:40	68	28	F	D	27	70	5510	1960
16	I-880	SB	Montague Expwy.	E. Brokaw Rd.	1.35	4	3	1	17:20 - 17:40	84	40	F	D	19	60	4790	2400
17	I-880	SB	E. Brokaw Rd.	US 101	1.29	4	3	1	17:40 - 18:00	75	41	F	D	24	60	5400	2460
18	I-880	SB	US 101	N. 1st St.	0.49	4	3	1	17:00 - 17:20	65	0	F		29		5660	
19	I-880	SB	N. 1st St.	SR 87	0.40	3	3	0	17:00 - 17:20	78	0	F		22		5150	
20	I-880	SB	SR 87	Coleman Av.	0.51	3	3	0	18:00 - 18:20	66	0	F		29		5750	
21	I-880	SB	Coleman Av.	The Alameda	0.59	3	3	0	17:20 - 17:40	89	0	F		18		4810	
22	I-880	SB	The Alameda	N. Bascom Av.	0.82	3	3	0	17:20 - 17:40	56	0	E		36		6050	
23	I-880	SB	N. Bascom Av.	Stevens Creek Blvd.	0.84	3	3	0	16:20 - 16:40	45	0	D		48		6480	
24	I-880	SB	Stevens Creek Blvd.	I-280	0.41	3	3	0	16:20 - 16:40	26	0	C		66		5150	

Freeway Gateway Counts

Santa Clara County has four main “gateways” through which traffic flows in and out of the County from other parts of the region. Vehicle counts are collected along these gateways during the AM and PM peak periods. The data is analyzed to determine freeway demand in terms of inflows and outflows. Inflows refer to vehicles entering Santa Clara County and outflows refer to vehicles leaving Santa Clara County.

The four main gateways are served by six freeways and they are grouped as follows:

Santa Cruz Gateway: The gateway to the southwest connects Santa Clara County with Santa Cruz County. SR 17 is the primary freeway connection.

Southern Gateway: The gateway connects Santa Clara County to the southern counties of San Benito, Monterey and Merced Counties. This connection is primarily served by US 101.

Peninsula Gateway: The gateway to the northwest connects Santa Clara County to destinations on the peninsula including San Mateo, San Francisco and Marin Counties. The freeways serving this gateway are US 101 and I-280.

East Bay Gateway: The gateway to the northeast connects Santa Clara County to the East Bay Counties of Alameda, Contra Costa, San Joaquin and Stanislaus. This connection is primarily served by I-680 and I-880.

Methodology

Direct ground traffic counts are collected each year at these six freeway gateway locations at or near the county line. Counts were collected from 6:30 to 9:30 AM and from 3:30 to 6:30 PM in each direction on October 18th, November 15th, 17th, and 30th. The one-hour period with the greatest vehicle volume recorded is considered the peak hour. The following figures and analyses in this section are based on peak hour volumes.

Gateway counts were collected at the freeway locations specified. To determine total gateway flow, a comprehensive count is needed to include urban arterials and rural roads that also carry vehicles across the countyline.

Speed-Throughput Relationship

Traffic engineering theory states that freeways carry the highest volumes of traffic, or achieve close to optimal flow when traffic speeds are around 30 to 35 miles per hour. At this speed, a combination of moderate speed and high vehicle density results in more vehicles passing given a count location. Above 35 miles per hour, the increasing gap between speeding vehicles decreases vehicle density and therefore, the flow rate. Below this speed, traffic is denser but the slower

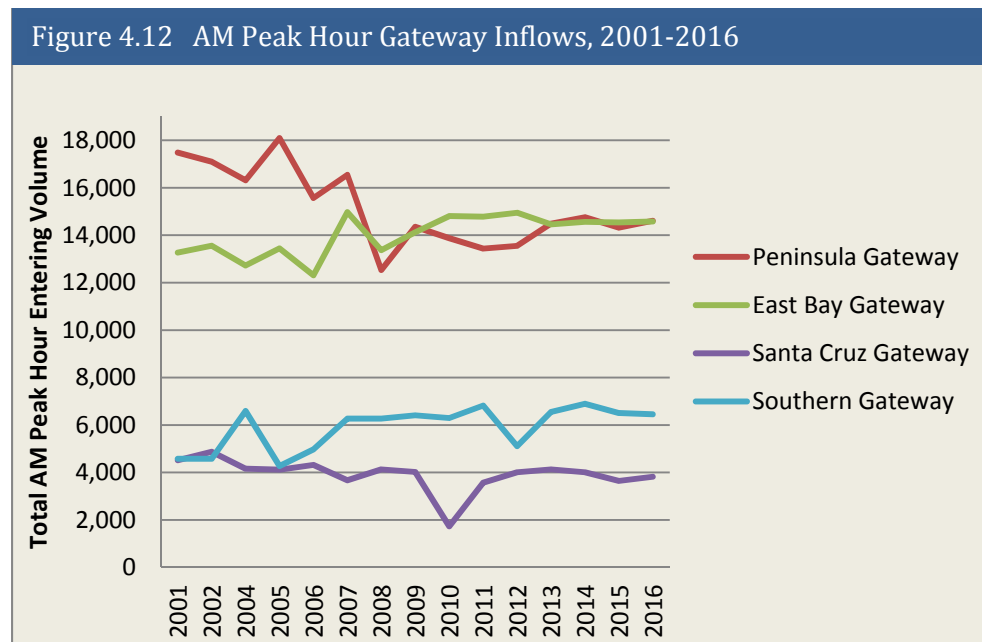
speeds mean fewer vehicles are passing the count location. This results in increased vehicle density despite lower vehicle counts.

When considering the relationship between vehicle speed and vehicle volume, it should be noted that vehicle volume alone is not indicative of a change in roadway operations. Rather, increased vehicle volumes may reflect travel speeds that are approaching optimal flow, or speeds around 30-35 miles per hour.

AM Peak Hour Inflow

The total inflow gateway volumes during the AM peak hour increased by 1.2% over 2015 volumes. Total outflow volumes decreased by 0.6% overall. The ratio of inflow to outflow during the AM peak hour changed from 1.35 in 2015 to 1.37 in 2016. These numbers account only for the volumes on freeways at each gateway and are not intended to represent total gateway flows. A screen line of each gateway would include urban arterials and rural roads also carrying traffic to and from the county.

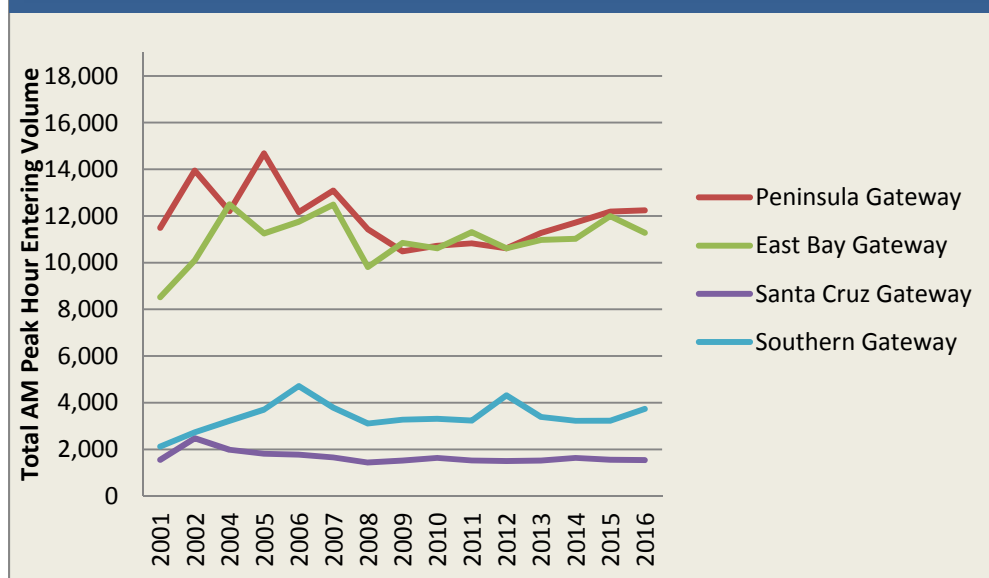
Figure 4.12 shows a graphical representation of how the inflows into Santa Clara County have varied over the last 16 years for each of the four gateways in the AM peak hour. As this figure shows, the Peninsula and the East Bay gateways have remained fairly consistent in recent years compared to findings before 2008. The Santa Cruz and Southern gateways have also been fairly consistent but had unusual drops in 2010 and 2012, respectively.



AM Peak Hour Outflow

The trend for the outflows over the last 16 years is shown in Figure 4.13 for each of the four gateways. Vehicle outflow counts in the AM peak hour have been consistent over the last 6 years except for the Southern gateway, which had an unusual increase in 2012. Vehicles outflows consistently increased for the Peninsula and East Bay gateways in recent years; however, in 2016, the Peninsula experienced minimal change, and the East Bay decreased modestly.

Figure 4.13 AM Peak Hour Gateway Outflows, 2001-2016

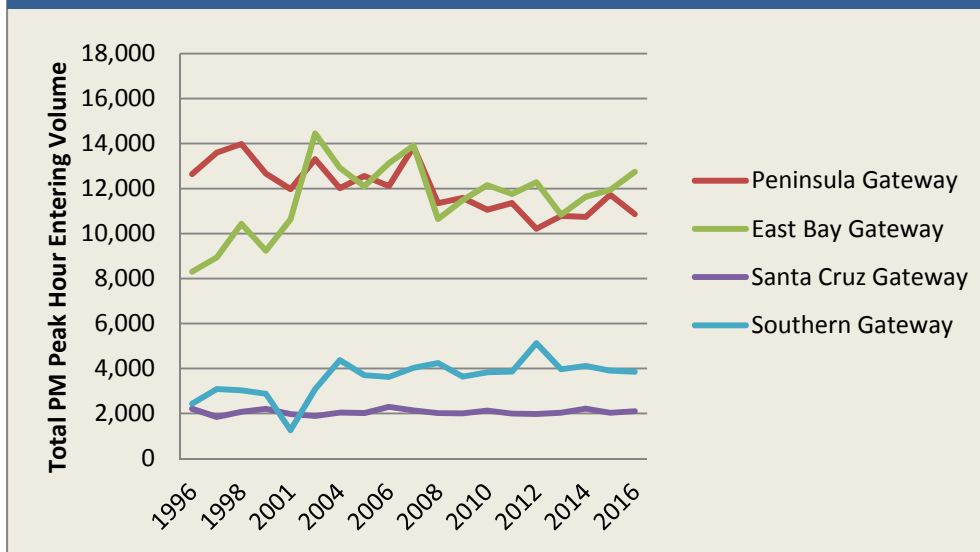


PM Peak Hour Inflow

The total inflow gateway volumes during the PM peak hour decreased by 0.2% below 2015 volumes. Total outflow volumes showed a sizable increase of 7.3% in the volume of vehicles leaving Santa Clara County via the six freeways. This has resulted in a change from about 0.82 entering vehicles for every exiting vehicle in 2015 to 0.76 in 2016. These numbers account only for the volumes on freeways at each gateway and are not representative of total gateway flows.

Figure 4.14 shows how the inflows into Santa Clara County have varied over the last 20 years for the Peninsula, East Bay and Southern gateways, and how the Santa Cruz gateway counts have remained flat. 2016 counts for these gateways generally fall somewhere in the middle compared to the previous 20 years of data. While there is variation from year to year, inflow from the Peninsula and East Bay has been trending up in the last four years; however, in 2016, the Peninsula was observed to have a decrease in inbound volume and inflow from the Southern and the Santa Cruz gateways has remained flat in the last four years.

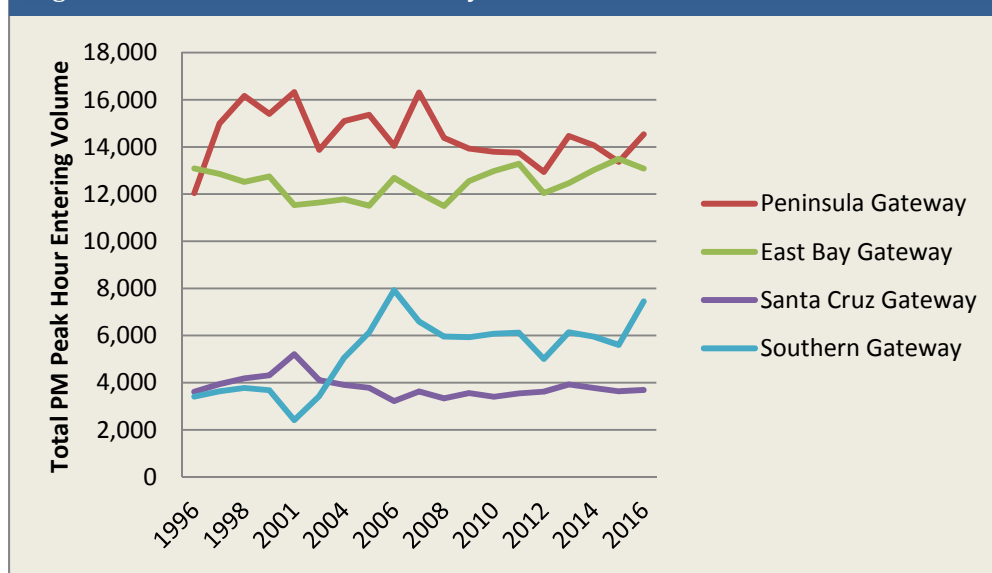
Figure 4.14 PM Peak Hour Gateway Inflows, 1996-2016



PM Peak Hour Outflow

The trend for the outflows over the last 20 years is shown in **Error! Reference source not found.5** for each of the four gateways. The Southern gateway experienced significant growth between 2001 and 2006 but was relatively consistent between 2008 and 2015 with an outlier dip in 2012. In 2016, the Southern gateway showed a substantial increase in outflow volume, reaching a level similar to the peak in 2006. The Santa Cruz gateway experienced growth until 2001. In 2005, its volume dropped to roughly 1996 levels, and it has remained constant since then. Exiting volumes to the Peninsula showed large variation until 2008 but since 2008, outflow volumes have fluctuated up and down at around 14,000 vehicles. East Bay gateway volumes have fluctuated over the 21 years that data have been collected. Between 2012 and 2015, outflow volumes increased, and in 2016 they decreased slightly. Overall, the East Bay gateway volumes have been 500 to 1,000 vehicles above the 21-year average since 2012.

Figure 4.15 PM Peak Hour Gateway Outflows, 1996-2016



Inflows vs. Outflows

Figure 4.16 shows a comparison between the total inflow and outflow from Santa Clara County at the four gateways during the AM peak hour. This figure also shows the percent difference between inflows and outflows. On average, vehicles entering Santa Clara County in the AM peak hour account for approximately 25% more vehicles than vehicles leaving Santa Clara County. The percent difference has been around 30% in recent years but decreased to 26% in 2016 due to a slight increase in inflows.

Figure 4.17 shows a comparison between the total inflow and outflow from Santa Clara County at the four gateways over the last 20 years for the PM peak hour. This figure also shows the percent difference between inflows and outflows. On average, there has been about a 23% difference between inflows and outflows over the last 20 years with outflows being higher during the PM peak hour. Results from 2016 showed outflows to be about 31% greater than inflows, which is a 9% increase from what was recorded in 2015 (28%), but only a 3% increase over what was recorded in 2014.

Figure 4.16 2014 AM Gateway Inflow vs. Outflow

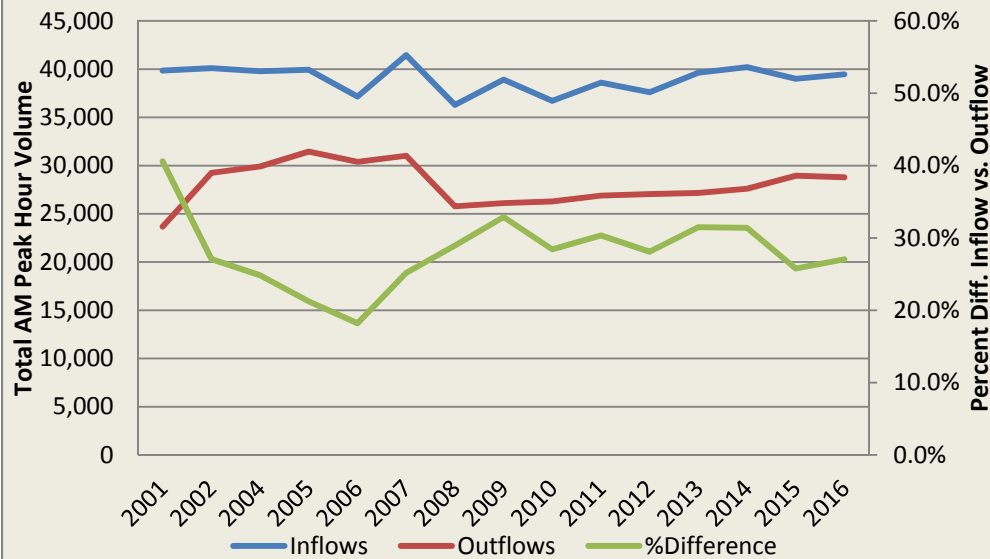
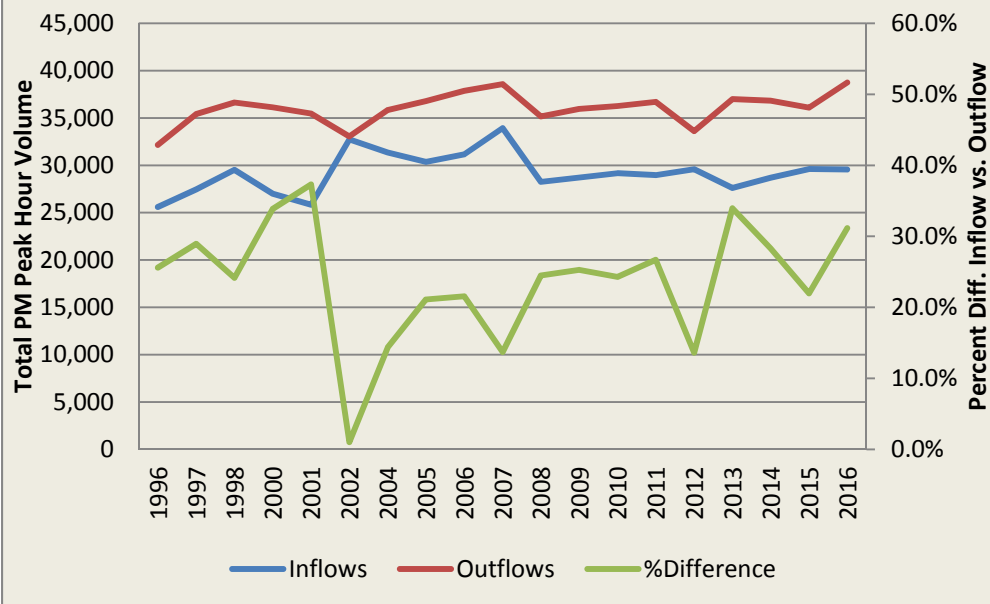


Figure 4.17 2014 PM Gateway Inflow vs. Outflow



5

RURAL HIGHWAY

Introduction

There are seven state-operated rural highways in Santa Clara County (Table 5.1). VTA monitors level of service (LOS) on these routes by measuring traffic volumes along one or more segments.

TABLE 5.1 | RURAL HIGHWAY COUNT LOCATIONS

#	Roadway	Location
1	SR 35	North of SR 9
2	SR 35	South of SR 9
3	SR 9	West of Sanborn Rd.
4	SR 9	South of Big Basin Rd.
5	Saratoga/Sunnyvale Rd*	North of Big Basin Rd.
6	SR 130 (Mt. Hamilton Rd.)	East of Clayton Rd.
7	SR 152	West of Santa Teresa Bl.
8	SR 152*	West of Holsclaw Rd.
9	SR 25	South of Bloomfield Av.
10	SR 156	South of SR 152
11	SR 152*	East of SR 156
12	SR 9	East of SR 35

*Multilane roadways

Level of Service Definitions

LOS procedures outlined in the 2000 HCM use the measures of percent time-spent following and average travel speed. These are determined using appropriate inputs for peak-hour and peak-15-minute traffic volumes, the percentage split between the two directions of traffic, the percentage of trucks in the traffic flow, and the type of terrain. LOS definitions are shown in Table 5.2. Class I highways are those on which motorists expect to travel at relatively high speeds, and include those that are primary arterials and daily commuter routes. Class II are facilities where lower speeds are expected and serve shorter routes. Additionally, there are three multilane highways and LOS is based on density and derived from inputs such as number of lanes, volume, and percent trucks.

TABLE 5.2 | RURAL HIGHWAY LEVEL OF SERVICE DEFINITIONS (CLASS I)

Level of Service	Percent Time-Spent Following	Average Travel Speed (mph)	Description
A	≤35	>55	Highest quality of traffic service, when motorists are able to travel at their desired speed. The passing frequency required to maintain these speeds has not reached a demanding level, so that passing demand is well below passing capacity, and platoons of three or more vehicles are rare.
B	>35 – 50	>50 – 55	The demand for passing to maintain desired speeds becomes significant and approximates the passing capacity at the lower boundary of LOS B. Drivers are delayed in platoons up to 50 percent of the time.
C	>50 – 65	>45 – 50	Further increases in flow exist, resulting in noticeable increases in platoon formation, platoon size, and frequency of passing impediments. Unrestricted passing demand exceeds passing capacity. At higher volumes the chaining of platoons and significant reductions in passing capacity occur. Although traffic flow is stable, it is susceptible to congestion due to turning traffic and slow-moving vehicles.
D	> 65 - 80	> 40 – 45	Unstable traffic flow. The two opposing traffic streams begin to operate separately at higher volume levels, as passing becomes extremely difficult. Passing demand is high, but passing capacity approaches zero. Mean platoon sizes of 5 to 10 vehicles are common.
E	>80	≤ 40	Passing is virtually impossible, and platooning becomes intense, as slower vehicles or other interruptions are encountered.
F	Whenever flow rate exceeds capacity		Heavily congested flow with traffic demand exceeding capacity. Volumes are below capacity, and speeds are below capacity as well.

Methodology

Traffic counts were conducted at specific locations on the 12 rural highway segments. These locations are representative of the 12 overall rural highway segments shown in Table 5.1. At each location, the traffic counters recorded data on three consecutive days from Tuesday November 15, 2016 through Thursday November 17, 2016. Two-lane highway traffic counts used automatic hose counters which recorded directional traffic classification volumes in 15-minute increments. Multilane highways are too large to use tube counters, therefore, these counts were conducted using video recordings. Vehicle classification counts for multilane highways reflect the average of heavy vehicle percentages in the weekday AM (6:30 a.m. – 9:30 a.m.) and PM (4:00 p.m. – 7:00 p.m.) peak periods. Vehicle classification counts for two-lane highways reflect the average of heavy vehicle percentages for the surveyed day with the

highest daily traffic volumes. Automatic hose counters are used to measure vehicle counts by the number of times the hose is depressed by traveling vehicles. Since hose counters cannot measure the direction of a vehicle or distinguish the difference between a four-axle truck and two cars, the LOS procedure in the 2000 *Highway Capacity Manual (HCM)* is used to produce a more accurate count. Specifically, the 2000 HCM LOS procedure is used to measure the percent time-spent following and average travel speed, with appropriate inputs for peak hour and peak 15 minute traffic volumes, the percentage split between the two directions of traffic, the percentage of trucks in the traffic flow, and the type of terrain. Table 5.3 summarizes the LOS analysis inputs for the 12 rural highway segments being analyzed as part of the 2016 VTA LOS Monitoring and Conformance Study.

TABLE 5.3 | RURAL HIGHWAY ASSUMPTIONS

No.	Location	# of Lanes	Type of Terrain	Start of Peak Hour	Peak Direction ¹	Direction Split ¹	PHF ¹	Percent Trucks ²
1	SR 35 N. of SR 9	2	Rolling	4:30 PM	SB	85/15	0.99	8
2	SR 35 S. of SR 9	2	Rolling	5:00 PM	SB	79/21	0.77	9
3	SR 9 W. of Sanborn	2	Rolling	4:45 PM	WB	62/38	0.95	7
4	SR 9 S. of Big Basin	2	Level	7:45 AM	NB	73/27	0.92	5
5	Saratoga-Sunnyvale Road N. of Big Basin Way	4	Level	7:45 AM	NB	65/35	0.90	4
6	SR 130 E. of Clayton	2	Level	3:30 PM	EB	50/50	0.91	11
7	SR 152 W. of S. Teresa Bl.	2	Level	3:45 PM	EB	55/45	0.89	7
8	SR 152 W. of Holsclaw Rd.	4	Level	4:00 PM	EB	67/33	0.97	7
9	SR 25 S. of Bloomfield Av.	2	Level	3:45 PM	SB	66/34	0.98	10
10	SR 156 S. of SR 152	2	Level	4:30 PM	SB	59/41	0.98	9
11	SR 152 E. of SR 156	4	Level	4:15 PM	EB	68/32	0.93	18
12	SR 9 E. of SR 35	2	Rolling	5:00 PM	EB	70/30	0.89	6
¹ These factors were calculated for the peak hour of the day with highest ADT.								
² Percent of buses and trucks obtained from 3-day classification counts.								

Data Analysis

The traffic volumes in Table 5.4 presents the LOS and volumes for the 12 rural highway segments analyzed as part of the VTA Level of Service Monitoring and Conformance Study between 1991 and 2016. This table is split between pages to capture 1991 – 2002 and 2004 – 2016 in order to increase readability. The volumes in Table 5 for 2016 reflect the peak hour volume as derived from an average of the three collected days.

Overall, volumes on the 12 rural highway segments are higher than they were in 2014 except at location 11 where they are about 10% lower. All locations are within the range observed since monitoring began in 1991.

The following seven rural highway study segments experienced increases in peak hour traffic volume by 10% or more:

- State Route 35 north of State Route 9 (#1) – from 169 vehicles per hour in 2014 to 241 vehicles per hour in 2016, an increase of 43%. The maximum observed since 2000 was 288.
- State Route 35 south of State Route 9 (#2) – from 70 vehicles per hour in 2014 to 117 vehicles per hour in 2016, an increase of 67%. The maximum observed since 2000 was 125.
- State Route 9 west of Sanborn Road (#3) – from 212 vehicles per hour in 2014 to 310 vehicles per hour in 2016. The maximum observed since 2000 was 367.
- Saratoga-Sunnyvale Road north of Big Basin Way (#5) – from 1,408 vehicles per hour in 2014 to 1,596 vehicles per hour in 2016, an increase of 13%. The maximum observed since 2000 was 2,316.
- Hamilton Road (State Route 30) east of Clayton Road (#6) – from 45 vehicles per hour in 2014 to 62 vehicles per hour in 2016, an increase of 38%. The maximum observed since 2000 was 72.
- State Route 152 east of State Route 156 (#10) – from 891 vehicles per hour in 2014 to 981 vehicles per hour in 2016, an increase of 10%. The maximum observed since 2000 was 1,565.
- State Route 9 east of State Route 35 (#12) – from 241 vehicles per hour in 2014 to 326 vehicles per hour in 2016, an increase of 35%. The maximum observed since 2000 was 479.

The following rural highway study segment experienced a decrease in traffic volumes of more than 10% during the peak hour since 2014:

- State Route 152 east of State Route 156 (#11) – from 2,853 vehicles per hour in 2014 to 2,558 vehicles per hour in 2016, a decrease of 10%. The minimum observed since 2000 was 1,282.

The remaining four segments only had minimal changes (less than 10%) in traffic volumes since 2014.

The following segments had a change in LOS between 2014 and 2016:

- State Route 35 north of State Route 9 (#1) went from LOS B to LOS C as a result of a 43% increase in peak hour traffic volume between 2014 and 2016.
- State Route 35 south of State Route 9 (#2) went from LOS A to LOS B as a result of a 67% increase in peak hour traffic volume between 2014 and 2016.

- State Route 152 west of Holsclaw Road (#8) went from LOS B to LOS A as a result of a decrease in truck percentage and increase in the peak hour factor between 2014 and 2016.

TABLE 5.4 | RURAL HIGHWAYS LEVEL OF SERVICE

#	Location	2000	2001	2002	2004	2005	2006	2007	2008	2009	2010	2012	2014	2016
1	State Route 35	288	160	156	143	131	134	145	129	127	121	154	169	241
	N. of SR 9	B	B	A	B	B	B	B	B	A	A	B	B	C
2	State Route 35	111	62	69	86	85	125	101	91	96	66	83	70	117
	S. of SR 9	A	A	A	A	A	A	A	A	A	A	A	A	B
3	State Route 9	362	367	332	286	259	305	278	226	291	306	246	212	310
	W. of Sanborn	C	C	B	B	B	B	B	B	B	B	B	B	B
4	State Route 9	1,986	1,528	1,499	1,441	1,432	1,720	1,588	1,397	1,539	1,537	1,342	1,255	1,341
	S. of Big Basin	E	E	E	D	E	E	E	E	E	E	D	D	D
5*	Saratoga-Sunnyvale	1,302	2,006	2,316	1,579	1,539	1,544	1,842	1,464	1,528	1,527	1,451	1,408	1,596
	N. of Big Basin	D	E	F	E	E	E	E	E	E	E	A	A	B
6	Hamilton Rd. (SR 130)	70	59	59	55	50	60	54	54	72	44	45	45	62
	E. of Clayton	A	A	A	A	A	A	A	A	A	A	A	A	A
7	State Route 152	664	754	802	707	536	831	779	748	769	699	607	680	711
	W. of Santa Teresa	C	C	C	C	C	D	D	D	C	C	C	C	C
8**	State Route 152	2,017	1,904	2,883	1,979	1,890	1,554	2,032	1,839	1,865	1,617	1,712	1,608	1,643
	W. of Holsclaw	F	E	F	E	E	E	E	E	E	E	E	B	A
9	State Route 25	2,122	2,662	3,882	1,964	1,997	1,959	2,078	2,044	1,974	1,958	2,213	1,918	2,038
	S. of Bloomfield	E	F	F	E	E	E	E	E	F	E	E	E	E
10	State Route 156	1,005	715	1,565	1,137	1,171	964	1,360	1,006	1,080	1,143	1,134	891	981
	S. of SR 152	D	D	E	D	D	D	D	D	D	D	D	D	D
11***	State Route 152	2,341	2,697	3,916	2,856	2,812	2,157	2,750	2,656	2,722	2,692	2,554	2,853	2,558
	E. of SR 156	B	B	C	C	C	B	B	C	C	B	B	B	B
12	State Route 9	406	479	446	274	273	352	296	286	288	269	260	241	326
	E. of SR 35	B	B	B	B	B	C	B	B	B	B	B	C	C
Volume is the peak hour two-way volume and 1991 is the baseline year./*Saratoga-Sunnyvale Road north of Big Basin Way was evaluated as a two-lane highway until 2012 and as a four-lane divided highway starting in 2012./**State Route 152 West of Holsclaw was evaluated as a two-lane highway until 2012 and as a four-lane divided highway starting in 2014./***State Route 152 east of SR 156 was evaluated as a two-lane highway in 1991 and as a four-lane divided highway after 1991.														

6

EXPRESSWAY STUDY

Introduction

The expressway study analyzes travel times collected by the Santa Clara County Roads and Airports Department. The study measures travel time, average travel speed and the number of vehicle stops for each of the eight expressways in Santa Clara County.

Methodology

Santa Clara County Roads and Airports Department staff last year installed Bluetooth (BT) readers at selected intersections throughout all eight County expressways to collect travel times as part of the Predictive Signal Timing Coordination Project. The BT installation enables County to obtain continuous travel time data on a 24/7 basis where travel time information can be extracted for a moment in time, or an average for a period of times. Unfortunately with limited grant funds, County was not able to install BT units at all expressway signalized intersections nor was able to cover the whole length of all corridors; therefore, revised segment limits are shown to reflect 2016 study segments. In addition, the “Number of Stops” data is not available with this automated travel time collection system in 2016.

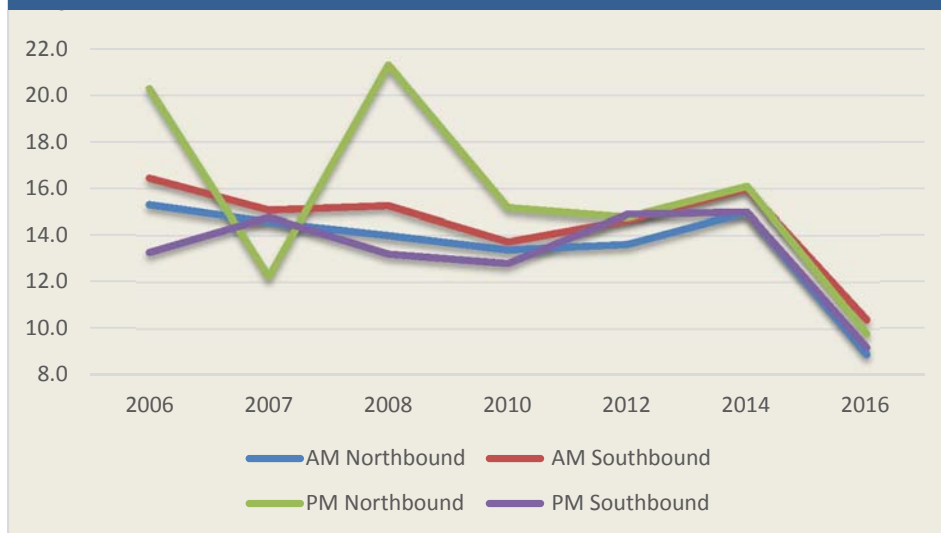
The following figures show the average travel speeds for each expressway from 2006 to 2016 (expressway data was not collected in 2003, 2009, 2011, 2013 and 2015). Table 6.1 shows the overall average travel time and average number of stops (number of times traffic came to zero miles per hour during the expressway run) for the years 2008 to 2016. Noting that the information is not reflective of a straight comparison due to the collection methodology.

It is important to note that this analysis is based on a relatively small set of samples. As such, a healthy margin of error should be applied with analyzing the data.

Almaden Expressway

As shown in Figure 6.1, travel times for Almaden Expressway decreased for both directions in the AM and PM peak period due to the revised data collection method. Almaden Expressway limits for the data collection were between Camden Avenue and Ironwood Drive.

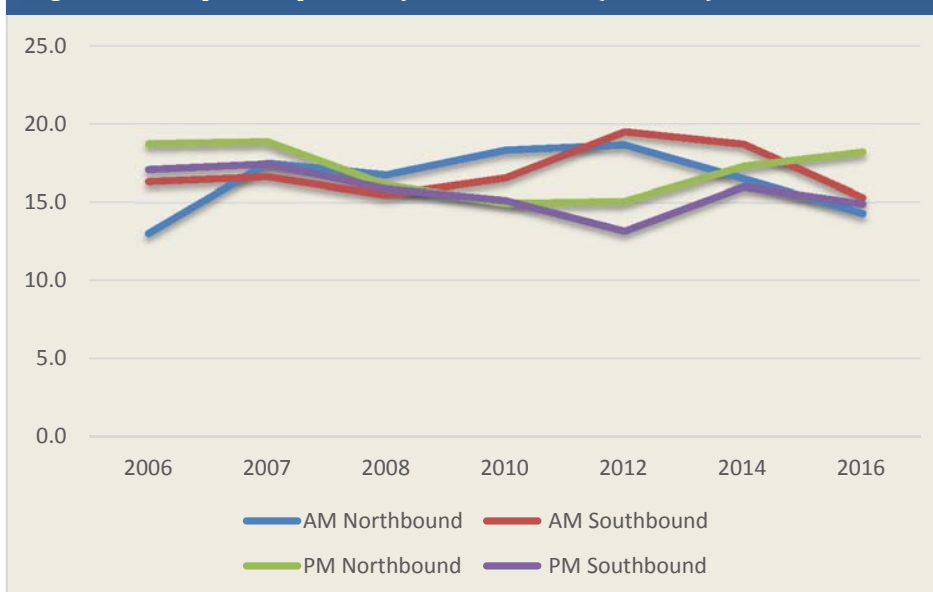
Figure 6.1 Almaden Expressway Travel Times (Minutes), 2006-2016



Capitol Expressway

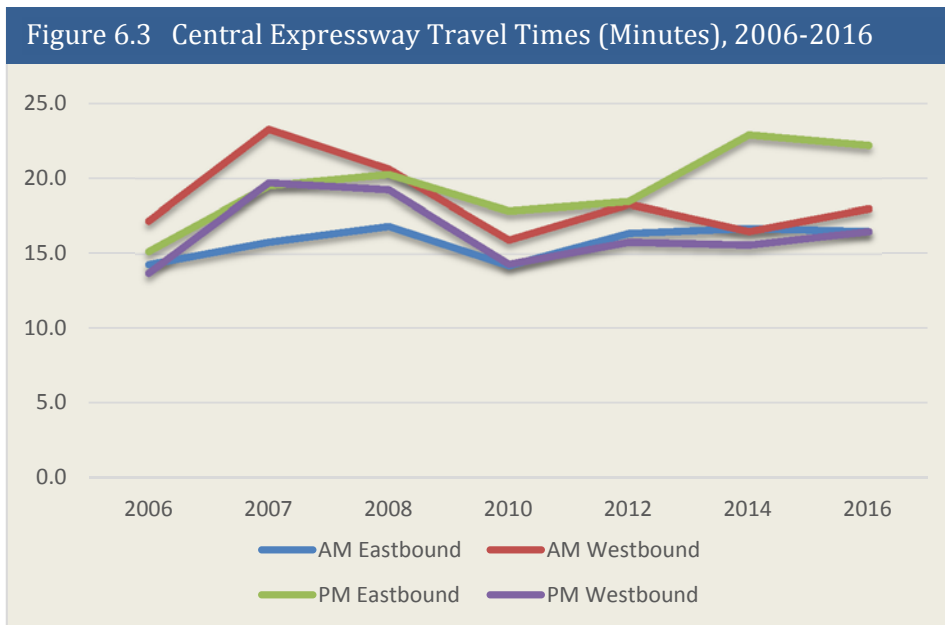
As shown in Figure 6.2, the PM northbound travel directions showed moderate increases in travel times. All other directions showed a decrease. The limits of the travel times on Capitol Expressway are between Narvaez Avenue and Excalibur Drive.

Figure 6.2 Capitol Expressway Travel Times (Minutes), 2006-2016



Central Expressway

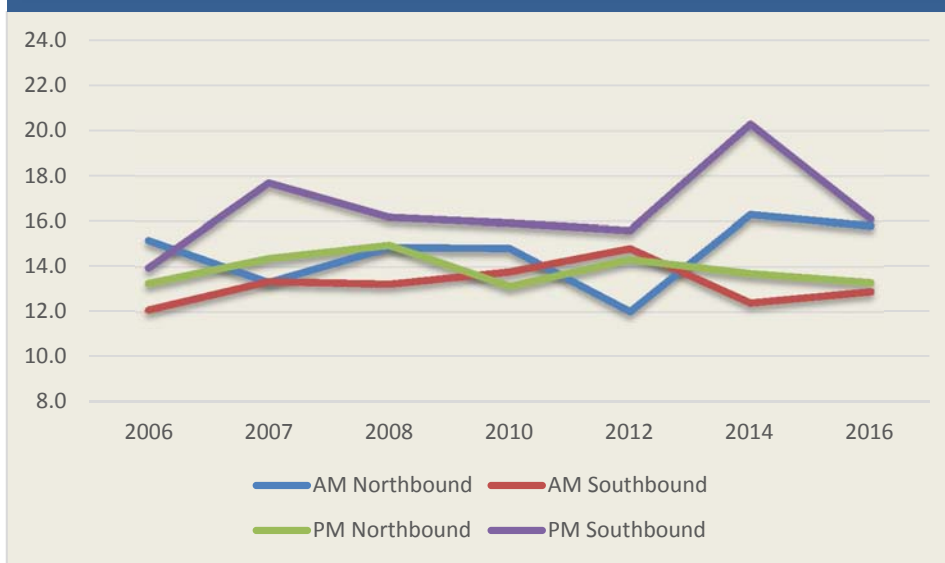
Travel times on Central Expressway in 2016 remained steady for all directions in the AM and PM peak periods. As shown in Figure 6.3, shows the travel times during the AM and PM peak periods. The limits for Central Expressway in this round of data collection are between Mayfield Avenue and De La Cruz Boulevard.



Foothill Expressway

As shown in Figure 6.4, travel times for Foothill Expressway decreased in the PM southbound direction while the other directions recorded steady travel times. Foothill Expressway's travel times were recorded between the limits of Homestead Road and Page Mill Road in Palo Alto.

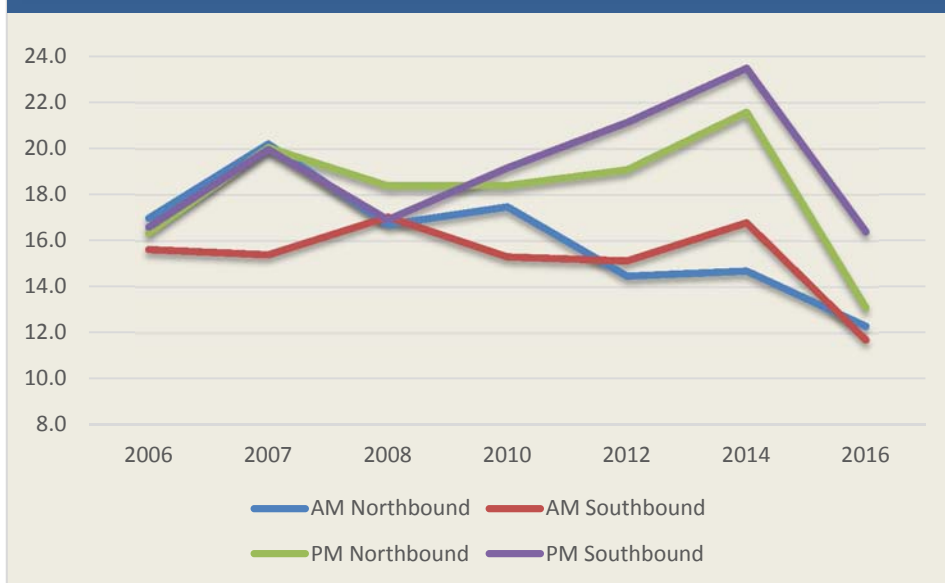
Figure 6.4 Foothill Expressway Travel Times (Minutes), 2006-2016



Lawrence Expressway

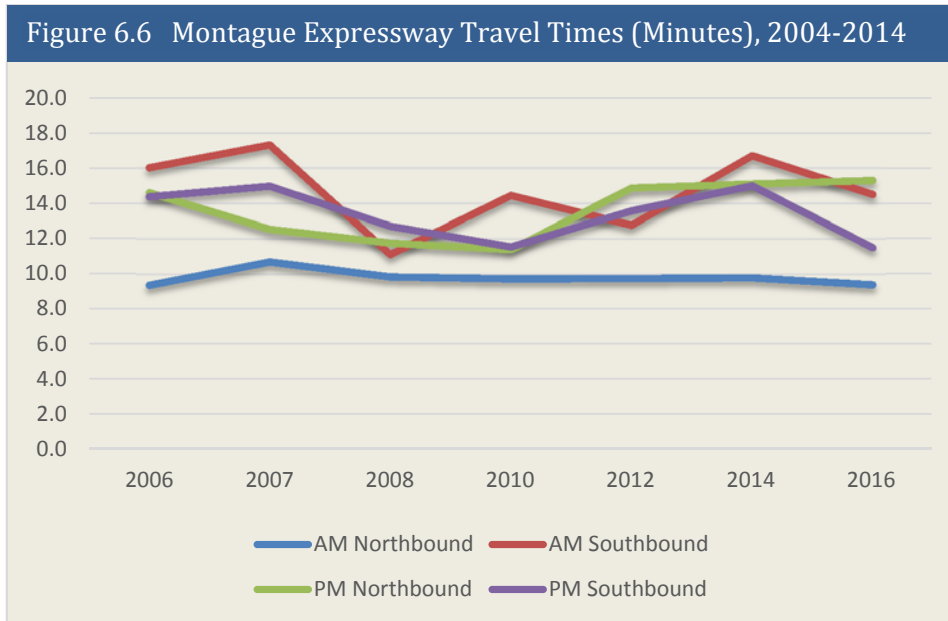
As shown in Figure 6.5, all travel directions along Lawrence Expressway recorded decreases in travel times, keeping in mind that the methodology for collection has changed. It is also likely it is showing a decrease due to the fact that the project limits collected were between Elko Drive in Sunnyvale and Moorpark Avenue in San Jose. The segment south of Moorpark towards Saratoga Avenue was not recorded.

Figure 6.5 Lawrence Expressway Travel Times (Minutes), 2006-2016



Montague Expressway

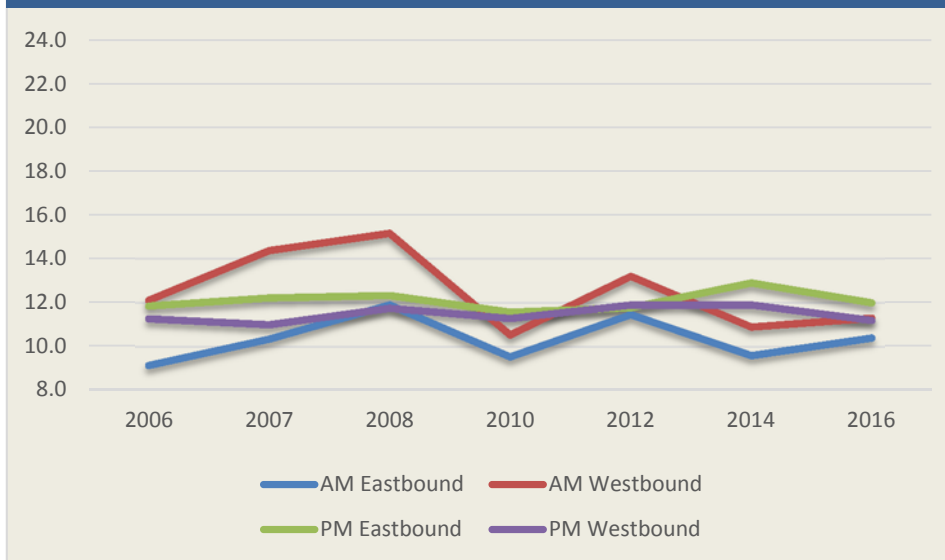
As shown in Figure 6.6, travel times remained steady even due to the change in collection methodology. The segments collected were between Pecten Court in Milpitas and Mission College Boulevard in Santa Clara.



Page Mill/Oregon Expressway

Travel times on Page Mill/Oregon Expressway remained relatively the same in 2016 as compared to 2014. Page Mill/Oregon Expressway was recorded for the segments between Deer Creek Road and West Bayshore Road in Palo Alto.

Figure 6.7 Page Mill/Oregon Expressway Travel Times (Minutes), 2004-2014



San Tomas Expressway

As shown in Figure 6.8, travel times for San Tomas Expressway decreased for all directions in both AM and PM peak periods with the new methodology. The limits of the areas that were monitored were Budd Avenue in Campbell to Walsh Avenue in Santa Clara, noting that this is not the entire length of San Tomas Expressway.

Figure 6.8 San Tomas Expressway Travel Times (Minutes), 2004-2014

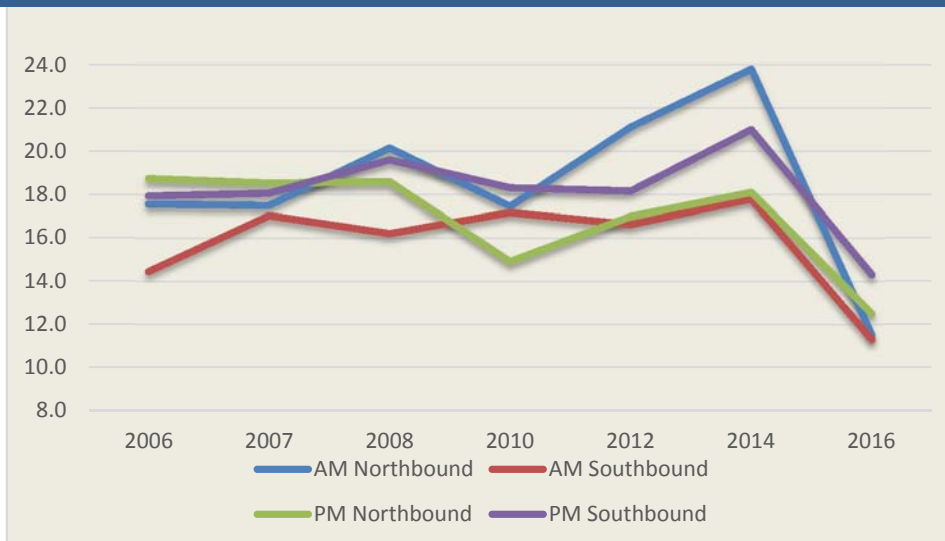


TABLE 6.1 | EXPRESSWAY TRAVEL SPEEDS, TRAVEL TIMES, AND STOPS, 2008-2016

Expressway	Direction	2008			2010			2012			2014			2016		
		Speed (mph)	Travel Time (min)	Stops	Speed (mph)	Travel Time (min)	Stops	Speed (mph)	Travel Time (min)	Stops	Speed (mph)	Travel Time (min)	Stops	Speed (mph)	Travel Time (min)	Stops
Almaden Expressway	AM NB*	36.5	14.0	3.3	36.5	13.4	3.8	37.5	13.6	3.8	34.2	15.0	4.8	33.9	8.9	N/A
	AM SB	33.5	15.3	7	33.5	13.7	4.8	34.9	14.7	6.3	32.0	16.0	7.3	28.8	10.4	N/A
	PM NB	24	21.3	8	24	15.2	6.3	34.6	14.8	4.3	31.9	16.1	6.3	30.6	9.8	N/A
	PM SB*	38.7	13.2	1.3	38.7	12.8	2.8	34.3	14.9	4.5	34.1	15.0	5.3	32.6	9.2	N/A
Capitol Expressway	AM NB*	30.2	16.7	5.3	30.2	18.3	7.7	27.1	18.7	7	30.6	16.5	6.7	33.1	14.3	N/A
	AM SB	32.7	15.5	3.6	32.7	16.6	7.3	25.9	19.5	8	27.0	18.7	7	31.0	15.3	N/A
	PM NB	31.4	16.1	3	31.4	14.9	5.3	33.5	15.1	5.3	29.2	17.3	5.7	26.0	18.2	N/A
	PM SB*	31.9	15.9	2.8	31.9	15.1	5.6	38.4	13.2	3.7	31.5	16.0	5.6	31.8	14.9	N/A
Central Expressway	AM EB*	34.4	16.8	3.5	34.4	14.2	5	35.4	16.4	4.3	34.7	16.7	7	35.1	16.5	N/A
	AM WB	28.1	20.6	6.3	28.1	15.9	5	31.7	18.3	6	35.1	16.5	4.7	32.2	18.0	N/A
	PM EB*	28.6	20.3	9.3	28.6	17.8	8.3	31.4	18.5	7	25.3	22.9	7.3	26.1	22.2	N/A
	PM WB	30.1	19.3	7.7	30.1	14.3	5.7	36.7	15.8	4.3	37.2	15.6	6.3	35.1	16.5	N/A
Foothill Expressway	AM NB*	29.3	14.9	5	29.3	14.8	5.8	36.2	12.0	5.3	26.7	16.3	7.8	25.8	15.8	N/A
	AM SB	32.9	13.2	4.7	32.9	13.8	6	29.4	14.8	6.5	35.1	12.4	6	31.6	12.9	N/A
	PM NB	29.1	15.0	7.7	29.1	13.1	5.3	30.4	14.3	5.3	31.7	13.7	5.8	30.7	13.3	N/A
	PM SB*	26.9	16.2	7.7	26.9	15.9	8	27.9	15.6	7.3	21.4	20.3	11	25.3	16.1	N/A
Lawrence Expressway	AM NB*	30.6	16.7	6.4	30.6	17.5	8.8	35.3	14.5	4.8	34.9	14.7	5.7	32.7	12.3	N/A
	AM SB	30	17.0	7.3	30	15.3	5	33.8	15.1	6	30.5	16.8	6.7	34.4	11.7	N/A
	PM NB	27.8	18.4	7.9	27.8	18.4	9	26.8	19.1	8.7	23.6	21.6	10.7	30.7	13.1	N/A
	PM SB*	30.2	16.9	4.5	30.2	19.2	9.5	24.2	21.2	10	21.8	23.5	7.7	24.5	16.4	N/A
Montague Expressway	AM NB*	36.9	9.9	3	36.9	9.7	4.3	37.3	9.8	3.3	37.1	9.8	3.3	34.1	9.4	N/A
	AM SB	32.7	11.1	3.2	32.7	14.5	7	28.5	12.8	6.8	21.7	16.7	10	22.1	14.5	N/A
	PM NB*	30.9	11.8	3	30.9	11.4	4.2	24.5	14.9	7.2	24.1	15.1	7.8	20.9	15.3	N/A
	PM SB	28.6	12.7	4	28.6	11.6	4.5	26.8	13.6	6.5	24.2	15.0	7.5	27.1	11.5	N/A
Page Mill Road/Oregon Expressway	AM EB*	26.8	11.9	6	23.3	9.5	4	24.2	11.5	7	28.9	9.6	4	22.5	10.4	N/A
	AM WB	19.3	15.2	9.3	18.3	10.5	5	21.0	13.2	7.5	25.5	10.9	5.6	20.7	11.3	N/A
	PM EB	22.7	12.3	6.3	22.5	11.6	5.6	23.5	11.8	5.5	21.6	12.9	8.2	19.5	12.0	N/A
	PM WB*	25.2	11.7	7.6	23.6	11.3	5.8	23.3	11.9	5.8	23.3	11.9	7	20.9	11.2	N/A
San Tomas Expressway	AM NB*	28.9	20.1	9.7	25.1	17.5	7.8	23.9	21.1	10	21.2	23.8	10	33.4	11.5	N/A
	AM SB	29.7	16.2	6	31.2	17.2	9.5	30.4	16.6	8	28.4	17.8	7	34.0	11.3	N/A
	PM NB	27.3	18.6	7	27.2	14.9	5	29.7	17.0	8	27.9	18.1	11	30.7	12.5	N/A
	PM SB*	28	19.6	8	25.8	18.3	8.4	27.8	18.2	7.3	24.0	21.0	10	26.9	14.3	N/A

7

Bicycle and Pedestrian Counts

Introduction

For the 2016 Monitoring and Conformance Report, VTA collected p.m. peak bicycle and pedestrian counts at 236 CMP intersections. The same effort was done for the 2012 and 2014 Monitoring and Conformance Reports. In 2014, VTA also began collecting 12-hour bicycle and pedestrian counts at twenty selected intersections, some of which are non-CMP intersections.

12-Hour Bicycle and Pedestrian Counts

In 2014, VTA selected twenty intersections for 12-hour counts. Locations were selected based on land use typology, and will assist VTA in identifying the bicyclist and pedestrian travel behavior and peak travel time in these different land use typologies. Over time, data from these locations can support countywide planning efforts and VTA's Travel Demand Model by providing a more accurate understanding of pedestrian and bicycle activity. The twenty count locations represent the following land use typologies:

- Downtown
- Suburban residential
- Rural residential
- Office parks
- Commercial/commercial-industrial corridors

Tables 7.1 and 7.2 show the intersection locations, their associated land use typology, and the bicycle and pedestrian count numbers in 2014 and 2016.

Location	Land Use Typology	N/S Street	E/W Street	2014	2016	Difference
San Jose	Downtown	3rd Street	Santa Clara Street	187	70	-117
Palo Alto		Bryant Street	University Avenue	210	145	-65
Campbell		First Street	Campbell Avenue	42	38	-4
Gilroy		Monterey Street	5th Street	3	2	-1
Los Altos		2nd Street	Main Street	57	21	-36
Sunnyvale	Suburban Residential	Wolfe Road	Inverness Way	44	36	-8
San Jose		White Road	Mabury Road	11	30	19
San Jose		Macabee Road	Crossgates Lane	3	0	-3
Cupertino		Blaney Avenue	Rodriguez Avenue	39	20	-19
Morgan Hill	Rural Residential	Hill Road	Main Street	10	8	-2
Los Altos Hills		Purisima Road	Concepcion Road	43	17	-26
Saratoga		Pierce Road	Comer Drive	0	0	0
San Jose	Office Parks	N. First Street	Skyport Drive	7	3	-4

Table 7.1: Bicycle Counts at Twenty Intersections

Location	Land Use Typology	N/S Street	E/W Street	2014	2016	Difference
Santa Clara		Bowers Avenue	Scott Boulevard*	56	83	27
Sunnyvale		Mary Avenue	Maude Avenue	61	324	263
Sunnyvale		Borregas Avenue	Java Drive	20	19	-1
San Jose	Commercial , Commercial- Industrial Corridors	Leland Avenue	San Carlos Street	88	60	-28
Sunnyvale		Halford Avenue	El Camino Real	40	28	-12
San Jose		7th Street	Phelan Avenue	32	21	-11
San Jose		Los Gatos Boulevard	Blossom Hill Road	74	30	-44

*CMP Count Location

Table 7.2: Pedestrian Counts at Twenty Intersections

Location	Land Use Typology	N/S Street	E/W Street	2014	2016	Difference
San Jose	Downtown	3rd Street	Santa Clara Street	4,885	4,031	-854
Palo Alto		Bryant Street	University Avenue	9,904	8,383	-1,521
Campbell		First Street	Campbell Avenue	3,467	3,631	164
Gilroy		Monterey Street	5th Street	1,061	1,235	174
Los Altos		2nd Street	Main Street	3,879	3,886	7
Sunnyvale	Suburban Residential	Wolfe Road	Inverness Way	190	106	-84
San Jose		White Road	Mabury Road	108	81	-27
San Jose		Macabee Road	Crossgates Lane	33	106	73
Cupertino		Blaney Avenue	Rodrigues Avenue	425	336	-89
Morgan Hill	Rural Residential	Hill Road	Main Street	2	12	10
Los Altos Hills		Purissima Road	Concepcion Road	68	58	-10
Saratoga		Pierce Road	Comer Drive	22	4	-18
San Jose	Office Parks	N. First Street	Skyport Drive	588	546	-42
Santa Clara		Bowers Avenue	Scott Boulevard*	134	584	450
Sunnyvale		Mary Avenue	Maude Avenue	307	1,918	1,611
Sunnyvale		Borregas Avenue	Java Drive	833	748	-85
San Jose	Commercial , Commercial- Industrial Corridors	Leland Avenue	San Carlos Street	993	928	-65
Sunnyvale		Halford Avenue	El Camino Real	1,048	828	-220
San Jose		7th Street	Phelan Avenue	109	191	82
San Jose		Los Gatos Boulevard	Blossom Hill Road	426	371	-55

*CMP Count Location

Figure 7.1 and 7.2 show how bicycle and pedestrian counts at these twenty intersections change for three peak periods during the day. In most of these locations, pedestrian counts are in highest rate at midday peak (probably during lunch time) while bicycle counts are in the highest rate during peak morning and afternoon (probably commute time).

Figure 7.1 Line chart of AM, midday, and PM bicycle counts at twenty intersections

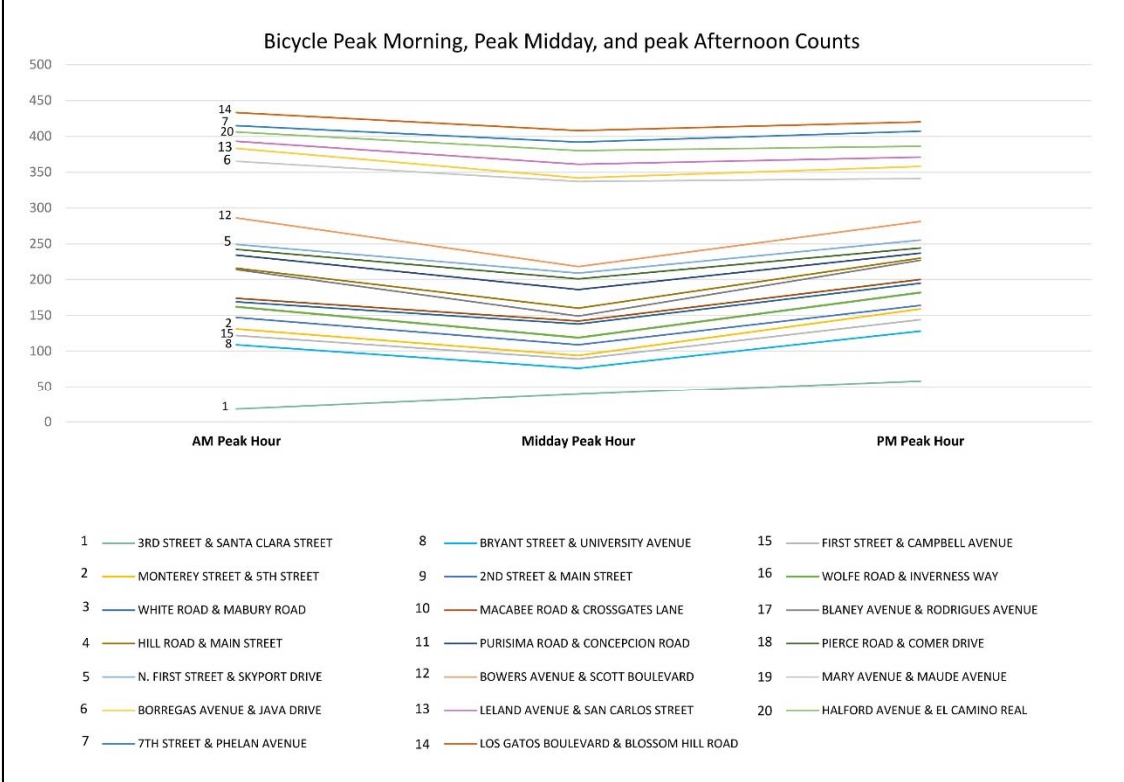
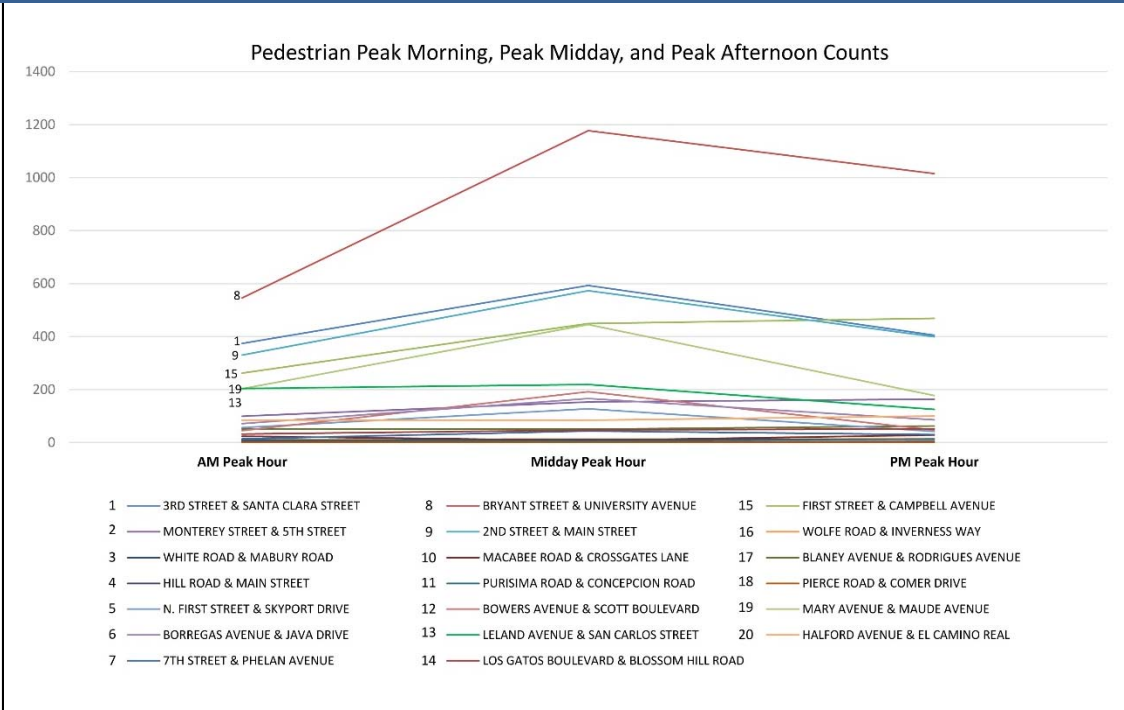


Figure 7.2 Line chart of AM, midday, and PM pedestrian counts at twenty intersections



Bicycle and Pedestrian Counts at CMP Intersections

Count Methodology

Bicyclists and pedestrians were counted per standard traffic data collection methods. All bicycle turning movements were recorded, therefore bicycle counts represent the true number of bicyclists traversing an intersection during the data collection period.

Pedestrians were counted as they crossed each leg of the intersection. This methodology is useful when estimating pedestrian risk at an intersection, but it does not reflect the true number of pedestrians at an intersection. Pedestrians that do not cross the street are not included in the count, and pedestrians that cross more than one leg of an intersection are counted more than once. Therefore, the count data may either under- or overestimate the number of pedestrians at an intersection. In the future, VTA will develop correction factors for selected intersections to provide a better estimate of pedestrian activity levels at specific locations.

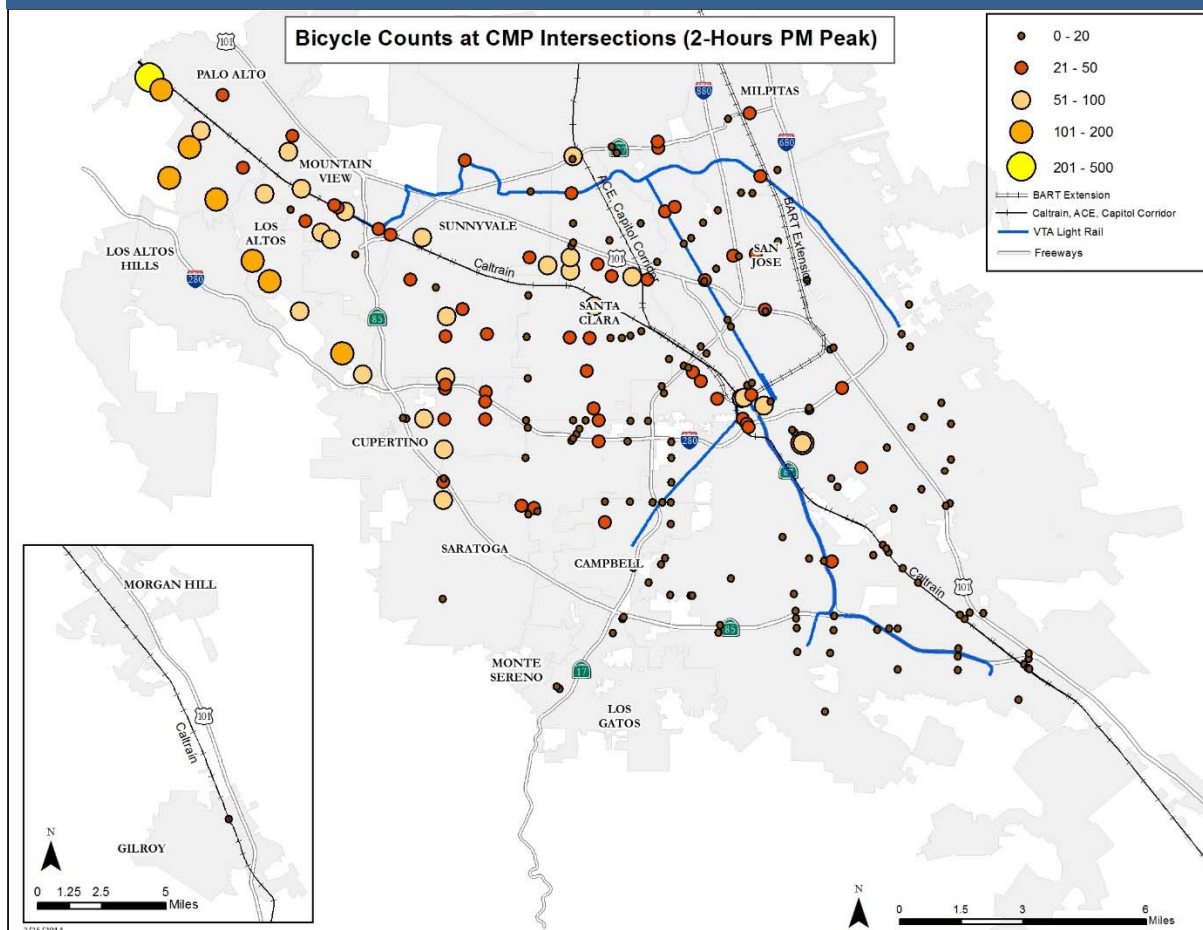
Count Times

The bicycle and pedestrian count data were collected at the 236 CMP intersections during the peak afternoon time on a weekday on September or October 2016. The peak afternoon commute period was defined as either 4:00-6:00 or 4:30-6:30 p.m.

Bicycle Counts Analysis at CMP Intersections

Figure 7.3 shows the bicycle count data collected in 2016 during 2 hours peak afternoon period. Overall, fewer bicyclists were counted in 2016 than in 2014. Total bicycle counts at CMP intersections in 2014 was 9,219. In 2016, a total of 6,291 bikes were counted at CMP intersections during the 2-hours peak afternoon period, which is a decrease from 2014. The 16 CMP intersections that were not counted in 2016 are excluded from this analysis; therefore, the decrease in bicycle counts at 236 counted intersections in 2016 is equal to 23%. However, the change varies throughout the county, with some locations seeing an increase, some seeing a decrease, and some seeing no change. The highest bicycle count during the peak afternoon hour was 448 in Palo Alto, at the intersection of El Camino Real and Palm Drive. The highest bicycle count during the peak afternoon hour in 2014 was 486 at the same location. Compared to 2014, the highest increase in afternoon peak hour bicycle counts was 66 at two locations: intersection of Hwy 237 and Great America Parkway in San Jose (Access to Bay Trail) and intersection of De Anza Boulevard and Homestead Road in Cupertino. The largest bicycle count decrease from 2014 was 139, in Los Altos, at the intersection of Foothill Expressway and Magdalena Avenue/Springer Road. Large fluctuation in counts can be due to a variety of factors, including special events, school schedule, or major land use changes.

Figure 7.3 Bicycle counts at CMP intersections during 2-hour peak afternoon time

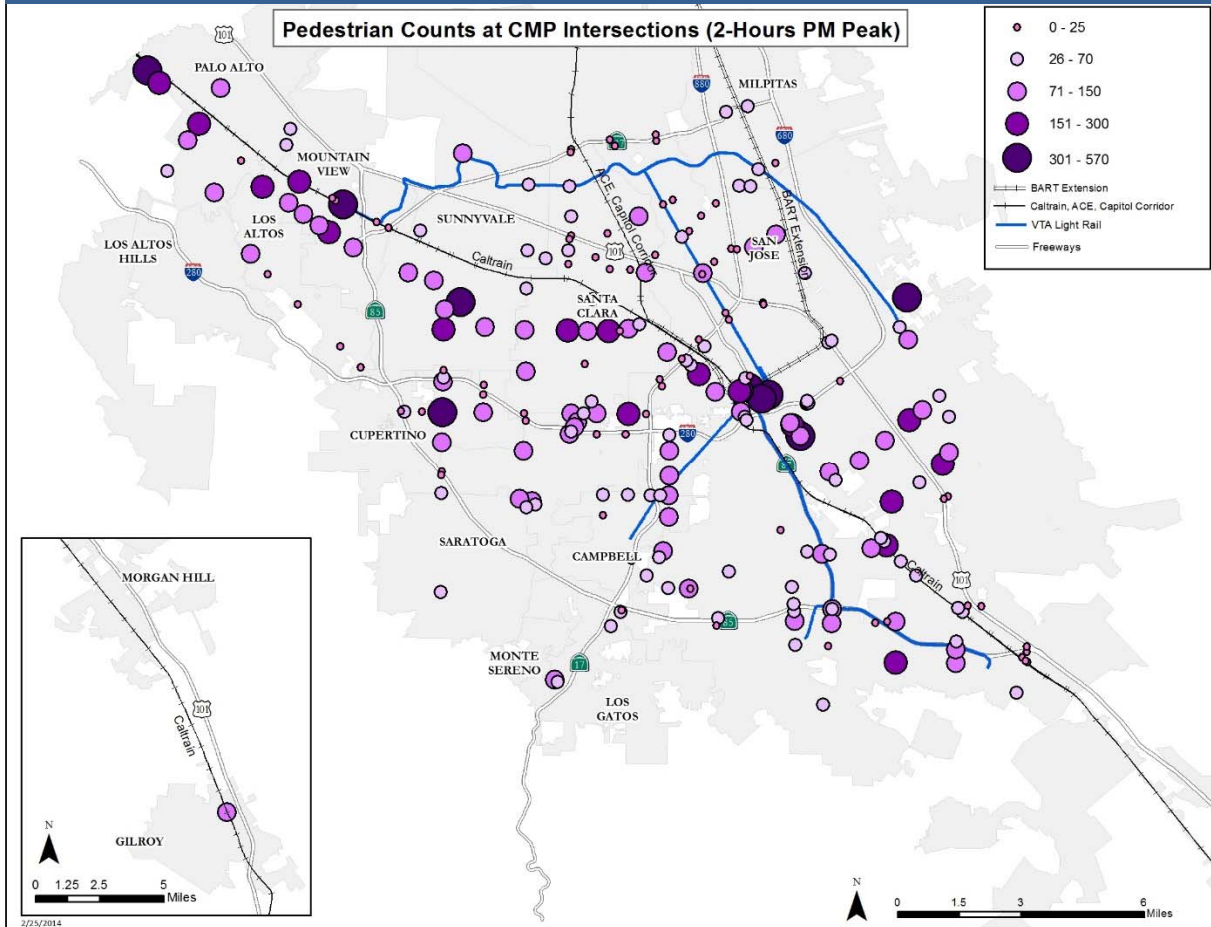


Pedestrian Counts Analysis at CMP Intersections

Figure 7.4 shows the pedestrian count data collected in 2016. The map shows pedestrian counts during 2-hours peak afternoon period. Overall, more pedestrians were counted in 2016 than in 2014. Total pedestrian counts at 252 CMP intersections in 2014 was 17,431. The 16 CMP intersections that were not counted in 2016 are excluded from this analysis. In 2016, a total of 17,234 pedestrians were counted at CMP intersections during the 2-hours peak afternoon period, which is an increase from 2014; this increase is equal to 5.5%. However, the location by location change varies throughout the county, with some locations seeing an increase, some seeing a decrease, and some seeing no change. The highest pedestrian count during the peak afternoon hour was 561 in Mountain View, at the intersection of Castro Street/Moffett Boulevard and Central Expressway. The second highest pedestrian count during peak afternoon hour was 540 in San Jose, at the intersection of East Santa Clara and Market Street.

Compared to 2014, the highest increase in afternoon peak hour pedestrian counts was 278 in San Jose, at the intersection of Monterey Hwy/First St and Alma Avenue. The second highest increase in afternoon peak hour pedestrian counts was 271 in San Jose, at the intersection of East San Carlos and Almaden Boulevard. The largest pedestrian count decrease from 2014 was 154, in Mountain View, at the intersection of El Camino Real and San Antonio Road.

Figure 7.4 Pedestrian counts at CMP intersections during 2-hour peak afternoon time



8

MULTIMODAL IMPROVEMENT PLANS

Background

The CMP legislation requires Member Agencies to prepare Deficiency Plans when CMP facilities located within their jurisdiction exceed the CMP traffic LOS standard, or when a project's Transportation Impact Analysis indicates that a violation of the LOS standard is expected to occur. In the 2013 Congestion Management Program, VTA adopted the term "Multimodal Improvement Plan (MIP)" for "Deficiency Plan" as defined in state statutes. Prior to August 2013, VTA used the term "Deficiency Plan," so this term still occurs in the Board-adopted VTA Deficiency Plan Requirements as well as two Deficiency Plans that have been prepared by cities in Santa Clara County.

Multimodal Improvement Plans identify offsetting measures to improve transportation conditions on the CMP system in lieu of making physical traffic capacity improvements such as widening an intersection or roadway. Per CMP legislation, each Multimodal Improvement Plan must include implementation of all feasible and applicable actions in the "Deficiency Action Item List," which is found in VTA's Deficiency Plan Requirements. Two Member Agencies in Santa Clara County currently have adopted Deficiency Plans: Sunnyvale has a citywide Deficiency Plan, and San José has a Deficiency Plan for North San José.

Implementation Status Reports

VTA's *Deficiency Plan Requirements* specify that Member Agencies with Deficiency Plans must submit a Deficiency Plan Implementation Status Report as part of the monitoring and conformance process for the CMP. These reports are intended to describe the progress on the implementation of all the improvements and actions in a Deficiency Plan. The status reports are to be based on the Implementation Monitoring Program contained in the Deficiency Plan. In addition to the status report provided for each action, the Member Agency must include a financial report on Deficiency Plan implementation.

While the Sunnyvale and North San José Deficiency Plans were adopted in 2005 and 2006, respectively, this is only the second year in which VTA enforced the requirement for these cities to submit Implementation Status Reports (the first year was 2011). Part of the impetus to request reports were that the economic climate has improved recently and new development is now occurring in both Deficiency Plan areas. VTA worked with Sunnyvale and San José staff to try to make the Status Reports as useful as possible, while minimizing Member Agency staff time requirements. The intent of the reporting process is to provide current information to VTA as well as neighboring cities and other stakeholders on actions that are being implemented through existing MIPs in Santa Clara County.

Both Sunnyvale and San José submitted reports during this monitoring cycle, which provide a summary of the city's progress on the implementation of the actions in their MIPs. These reports cover progress during the period from adoption (2005/2006) through the 2016 Monitoring cycle; Sunnyvale's status report includes activities through February 2016, while San José's status report extends to June 2016. Future status reports will include a brief section at the start highlighting what is new since the previous year's report. A copy of the two Deficiency Plan Implementation Status Reports is included in an appendix to this Monitoring and Conformance Report.

Sunnyvale Citywide MIP - 2016 Implementation Status Report Highlights:

The following are key highlights of the 2016 Implementation Status Report for the City of Sunnyvale's citywide MIP:

- This MIP covers the entire City of Sunnyvale, an area that contains 14 CMP intersections. Anticipated development in Sunnyvale (noted in the original Deficiency Plan document) includes build-out of the Sunnyvale General Plan; development of the Moffett Park Specific Plan; residential intensification in the Fair Oaks area; and residential intensification in Downtown.
- The Implementation Status Report notes that a traffic impact fee was implemented in Sunnyvale in 2004. (This fee predated the Deficiency Plan and covers more items than just the Deficiency Plan improvements). The traffic impact fee has been reviewed and updated annually since then. The Status Report lists the funding sources for the Deficiency Plan actions and shows that a variety of sources have been used to fund actions to date, including traffic impact fees, gas tax revenues, the City's General Fund, developer contributions, and several grant funding sources.
- The City reports progress in making improvements to several CMP intersections that were identified in the MIP as having potential future deficiencies. The actions also include work on the Mary Avenue extension, which has completed its PSR/PR, completion of conceptual engineering, and has begun the Environmental phase.
- The Implementation Status Report notes that the City has made significant progress on implementation of non-auto off-setting actions. Accomplishments include addition of bike lanes on many roadways between 2005 and 2016 (including Mary Ave between Fremont Ave and Evelyn Ave. and others); completion of conceptual design for bike lanes on other roadways (including Mary Avenue and Java Drive); Mary Ave between Evelyn Ave and Maude Ave is currently under design. Sharrow installation for bikes have been completed at various routes. Bernardo Avenue Bike/Ped Caltrain Undercrossing project had conceptual design and feasibility analysis completed in 2004. RFP for environmental review and preliminary concept design to be released in early 2017. It also includes travel lane removal to provide bike lanes, various

locations, including Evelyn Ave., Fair Oaks Ave. to Stewart Drive, and Mary Ave. between Fremont Ave. and El Camino Real.

- The City reports progress in implementing a number of policies and actions called for in the Deficiency Plan to improve transportation & land use integration, and manage travel demand from new development. These include an updated Precise Plan for El Camino Real that is currently underway and retitled as El Camino Real Corridor Specific Plan and EIR. The document will guide the development of El Camino Real within Sunnyvale to be more in line with complete streets policy; Moffett Park Specific Plan implementation has resulted in transit-friendly zoning and construction of multiple transit-oriented higher density Class A office/campus facilities along the Tasman West light rail line; Ordinance to Amend Municipal Code to enhance TDM Program which includes monitoring and penalty fees established if owner is not meeting trip reduction requirements; implementing FAR bonuses for meeting green building requirements must provide TDM reductions to the level of FAR before the bonus is factored in; and updated sidewalk standards.

North San José Deficiency Plan - 2016 Implementation Status Report Highlights:

The following are key highlights of the 2016 Implementation Status Report for the North San José Deficiency Plan:

- This Deficiency Plan accompanies the North San José Development Policy, which provides for development of up to 26.7 million square feet of industrial use, 1.7 million square feet of retail use, and 32,000 residential units. The planned development is broken into four phases, with one-fourth of the development accommodated in each phase.
- The Implementation Status Report notes that since Fiscal Year 2008, approximately \$45.43 million in traffic impact fees has been collected for development in the North San José area; \$19.10 million of this was collected in Fiscal Years 2015-16. The report states that the main expenditure from the fees collected to date has been on CMP Intersection Improvements – in particular, improvements at City intersections at Montague Expressway. During this reporting period, six projects in the Deficiency Plan area were listed as being completed. Other projects in the Deficiency Plan have been completed or are underway, using other funding sources such as City of San José Local funds; Federal, state, or regional grant funds; or City of San José staff time.
- The City reports significant progress on implementation of non-auto off-setting actions identified in the MIP, primarily bicycle/pedestrian trails and other bicycle improvements. These include the completion of the NEPA document for the Guadalupe River Trail, Hetch Hetchy Parkway, Coyote Creek Trail (SR-237 to Tasman), completion of the North San Jose Bike Master Plan, Design completion of Bay Trail 9

and 9B (near Gold Street, 1.1 miles and a pedestrian bridge), and engineering work for several other bicycle projects.

- The Implementation Status Report notes that the City has implemented a number of the policies called for in the Deficiency Plan to improve transportation & land use integration, and manage travel demand from new development. These adopted policies include site design guidelines for new development; numerous policies that promote new development within transit corridors to encourage alternate modes of transportation; implementation of two new land use designations in the General Plan, and implementation of a new Corporate Industrial Core Area along North First Street light rail corridor.

VTa staff reviewed the Implementation Status Reports submitted by the cities of Sunnyvale and San José during this reporting cycle, and found them to be in conformance with the CMP Deficiency Plan reporting requirement.

Upcoming Efforts

As noted above, the cities of Sunnyvale and San José have made substantial progress in implementing the actions and improvements called for in their respective Multimodal Improvement Plans/Deficiency Plans. However, a number of actions in each Plan have not yet been addressed. This may be due to funding constraints, competing city priorities, or the fact that development has not progressed enough to warrant certain improvements. As the Congestion Management Agency for Santa Clara County, VTA remains committed to working with these cities to monitor progress and support the implementation of the actions in their Multimodal Improvement Plans/Deficiency Plans.

It is expected that over the next few years, several additional Member Agencies in Santa Clara County will need to prepare Multimodal Improvement Plans due to growth that is projected to impact CMP facilities. These include the following:

- City of Mountain View: In July 2012, the City adopted a new General Plan through the year 2030. The EIR transportation analysis for the General Plan found that the amount of growth under the Plan would cause Significant and Unavoidable congestion impacts on a number of CMP facilities in the City, including portions of El Camino Real and San Antonio Road and a number of freeway segments. The General Plan includes a narrative and a policy stating that the City does not intend to widen streets or add traffic lanes as a means of improving traffic congestion, and that the City will place significant focus on strategies that manage roadway demand such as Complete Streets policies, Transit-Oriented Development, and TDM programs. VTA supports this approach, but at the time noted that the City will need to prepare an MIP to address the projected deficiencies identified in the EIR. Following the adoption of the 2030

General Plan, in late 2014 the City of Mountain View adopted three new Precise Plans (for North Bayshore, El Camino Real, and San Antonio Center) which specified the planning framework for growth in these change areas. In late 2015, the City began the process of preparing a city-wide MIP, to address the identified LOS impacts for CMP intersections within Mountain View. The City and VTA staff have been coordinating throughout this process, and the City has now prepared a Draft Action List with proposed actions, along with the status, source document, and responsibility noted for each. VTA and City staff are scheduled to bring an update on Mountain View's MIP as an Informational item to several VTA Board Committees in May 2017, and following that Mountain View is planning to complete its MIP including developing an Action Plan, implementation and funding framework, and inter-jurisdictional coordination. Following adoption by the Mountain View City Council, the MIP will be brought to the VTA Board for adoption.

- City of Santa Clara: In June 2016, the City approved the City Place Santa Clara project, a phased, 9.2 million-square foot development containing commercial office, retail, hotel, and residential uses. The EIR transportation analysis for City Place analyzed 37 CMP intersection; 13 within the City of San Jose, two within the City of Sunnyvale, and 19 within the City of Santa Clara. Mitigation measures were developed for significant impacts identified in the Cities of San Jose and Sunnyvale, in accordance with the existing Deficiency Plans in these cities. Within the City of Santa Clara, seven of 19 intersections could only be partially mitigated and would continue to operate below the acceptable LOS standard, triggering the requirement for a Multimodal Improvement Plan. As part of the City Place approval, the City committed to preparing a Multimodal Improvement Plan. In early 2016, the City began the process of preparing seven mini-plans to address the seven deficient CMP intersections. The City and VTA staff have been coordinating throughout this process, and the City is developing a Draft Action Plan. VTA and City staff are scheduled to bring an update on Santa Clara's MIP as an Informational item to several VTA Board Committees in May 2017, and following that Santa Clara is planning to complete its MIP including developing a Draft Action List, Draft Action Plan, implementation and funding framework, and inter-jurisdictional coordination. Following adoption by the Santa Clara City Council, the MIP will be brought to the VTA Board for adoption.
- City of San Jose: The City of San Jose is expected to finalize several Urban Villages Plans (Santana Row / Valley Fair, Winchester, Stevens Creek, South Bascom, West San Carlos) by fall 2017 to set a framework to accommodate anticipated growth within the west San Jose area. The City of San Jose expects transportation conditions to also change with such growth, and there are many efforts underway to address changing transportation conditions in west San Jose. The City of San Jose is preparing a West San Jose Multimodal Transportation Improvement Plan (WSJ MTIP), which synthesizes and advances planning efforts in order to develop a comprehensive program of actions to

address multimodal transportation needs. As part of this effort, it is the City's intention to create a MIP fully consistent with CMP requirements. Implementation and funding of projects and programs included in the WSJ MTIP is expected to be supported by an Area Development Policy (ADP) and associated impact fee and other implementation mechanisms included in the Implementation Chapters of the Urban Village Plans.

VTA is prepared to assist these cities, as well as all Member Agencies, in developing Multimodal Improvement Plans that meet the requirements of state law and help manage congestion and air quality and provide additional transportation options in Santa Clara County. The development of a Multimodal Improvement Plan can be an opportunity to identify multimodal transportation improvements that can help meet both city and VTA CMP goals. It is also worth noting that due to recent state legislation including SB 375 in 2009 and SB 743 CEQA reform in 2013, the emphasis of Multimodal Improvement Plans in coming years may shift towards reducing Vehicle-Miles-Traveled and auto trip generation in addition to managing congestion. VTA is actively involved in discussions regarding the implementation of these laws, and is working to educate and assist Member Agencies as they are implemented.

9

CONFORMANCE FINDINGS

The conformance findings for the 2016 Monitoring Program is presented below.

Land Use Submission

All Member Agencies have complied with the CMP land use data requirement.

CMP Intersections

VTa monitored 242 CMP intersections for level of service. Six intersections, Page Mill/Oregon Expressway at Foothill Expressway, San Tomas Expressway at Campbell Avenue, SR 17 at San Tomas Expressway/Camden Avenue, Capitol Expressway at Aborn Road, Montague Expressway at McCarthy Blvd/O'Toole Avenue and Central Expressway at De La Cruz Boulevard operated at LOS F. The former intersections operated at LOS F under the 1991 baseline conditions and is exempt from the LOS standard. The latter has been deficient since 1996.

Rural Highways

All rural highway segments operated at LOS E or better in 2016.

Freeway Segments

93 freeway segments (95 miles) operated at LOS F during the AM peak period and 77 freeway segments (70 miles) operated at LOS F in the PM peak period. Of these, 24 AM and 27 PM segments operated at LOS F in the 1991 baseline year and therefore, LOS-exempt. This results in 71 deficient AM segments and 67 deficient PM miles.

Member Agencies with deficient freeway segments located within their jurisdiction are not penalized due to the regional nature of freeway congestion. However, they are encouraged to implement strategies listed in the Immediate Implementation Action List found in the *CMP Deficiency Plan Guidelines*.

Deficiency Plans

City of Sunnyvale and City of San Jose have complied with the reporting requirement for the Deficiency Plans by submitting an updated Deficiency Plan Implementation Status Report for 2016.



Date: June 6, 2017
Current Meeting: August 3, 2017
Board Meeting: August 3, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
Board of Directors

FROM: Auditor General, Bill Eggert

SUBJECT: Inventory and Assets Held at Outreach

Policy-Related Action: No

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Review and receive the Auditor General's report on the Inventory and Assets Held at Outreach.

BACKGROUND:

Since 1993, VTA has contracted with Outreach & Escort, Inc. (Outreach) to provide ADA Paratransit brokerage services.

During 2015 and 2016, as part of the Board-approved FY15 Internal Audit Work Plan, the Auditor General completed a Paratransit Operations Assessment that identified several high-risk findings, including VTA's lack of access to paratransit source data and the Auditor General's inability to verify the trip information provided by Outreach.

Based on the report, the VTA Board exercised the one-year notice of contract cancellation provision with Outreach, while concurrently initiating the competitive procurement process for replacement paratransit services.

In March 2017, as part of the transition and contract cancellation process, the Board approved this additional review to validate inventory and assets held by Outreach due to the importance of understanding which items VTA had ownership rights to.

DISCUSSION:

The objective of this review was to verify and physically observe a sample of high-dollar assets and inventory, determine the VTA funding sources for assets and inventory held at Outreach's locations, assess VTA's ownership rights to the assets and inventory, and determine whether those items should be returned to VTA at the conclusion of the paratransit services contract.

The Auditor General encountered several limitations during this review, including lack of responsiveness and proper documents from Outreach, denial of access to Outreach's premises, litigation filed by VTA and by Outreach, and a Federal Bureau of Investigation execution of a search warrant on the Outreach headquarters.

An overall report rating of *High* was assigned to help management understand our assessment of controls related to assets and inventory financed or purchased with VTA funds. This was based on two observation categories: both judged as *High* risk. Our recommendations addressed the following areas: (1) VTA's ability to identify and monitor assets, and (2) Outreach's lack of adequate record keeping and contract compliance.

VTA management agreed with all Auditor General's Office recommendations. It committed to implement all but one recommendations by the end of 2017, with the remaining one, which concerns VTA pursuing physical control and ownership of all relevant assets or reimbursement thereof, is projected to require until the end of 2018.

Recommendations of opportunities for improvement contained in this report were presented by the Auditor General for consideration of VTA management, which is responsible for the effective implementation of any action plans.

FISCAL IMPACT:

There is no financial impact associated with acceptance of this report.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Governance & Audit Committee considered this item at its June 1, 2017 meeting as part of its Regular Agenda. Members of the Committee expressed concern about the security of personal data, if any, on computers stored in an offsite storage facility by Outreach. Staff responded by detailing a course of action that will be implemented to ensure that information on these machines cannot be improperly accessed. The Committee unanimously recommended Board acceptance of this report and that it be placed on the Board's Consent Agenda.

Prepared by: Lily Rogers, AG's Office & Stephen Flynn, Advisory Committee Coordinator
Memo No. 5979

ATTACHMENTS:

- A--Outreach Inventory & Assets (PDF)



Inventory and Assets Held by Outreach and Escort, Inc.

Auditor General Report No. 2017-04

May 09, 2017

EXECUTIVE SUMMARY

Background

Since 1993, VTA contracted with Outreach & Escort, Inc. (Outreach) to provide ADA Paratransit brokerage services. In FY16, the Auditor General completed a Paratransit Operations Assessment that identified high-risk finding, including VTA's lack of access to paratransit source data and the AG's inability to verify the trip information provided by Outreach. Based on the report, the VTA Board exercised the one-year notice of contract cancellation provision with Outreach, while concurrently initiating the competitive procurement process for replacement paratransit services.

In March 2017, as part of the transition and contract cancellation process, the Board approved this additional review to validate inventory and assets held by Outreach because of the importance of understanding the assets and inventory held by Outreach to which VTA had ownership rights.

This review was performed in accordance with the Standards for Consulting Services issued by the American Institute of Certified Public Accountants. This report is intended for use by VTA's Board of Directors, Governance & Audit Committee, and management. Recommendations for improvement are presented for management's consideration, and management is responsible for the effective implementation of corrective action plans.

Objective and Scope

The Auditor General's Office performed fieldwork from November 2016 through March 2017, with the following objectives:

- Verify and physically observe a sample of high-dollar assets and inventory
- Determine the VTA funding source for assets and inventory held at Outreach's locations (VTA funds and/or grant proceeds)
- Assess VTA's ownership rights to the assets and inventory, or whether assets or inventory held by Outreach should be returned to VTA at the conclusion of the paratransit services contract

Overall Rating (See Appendix A for definitions)

	Report Rating	Number of Observations by Risk Rating		
		High	Medium	Low
Inventory and Assets Held by Outreach	High	2	0	0

Overall Summary and Review Highlights

The AG encountered several scope limitations during this review, including:

- Lack of responsiveness and proper documents from Outreach to our various requests
- Denial of access to Outreach's premises (although notice was provided in accordance with the Contract terms)
- Litigation filed by VTA and a counter-suit by Outreach, which delayed access to requested records.
- A Federal Bureau of Investigation execution of a search warrant on the Outreach headquarters.

We were able to perform limited testing and verify certain fixed assets. In addition, where necessary, we developed alternative audit procedures to attempt to accomplish the established objectives. However, due to the above limitations, we were not able to conclude whether Outreach had adequately accounted for fixed assets or inventory purchased with VTA funds or grant proceeds provided by VTA.

An overall report rating of **High** was assigned to help management understand our assessment of controls related to assets and inventory financed or purchased with VTA funds.

We would like to thank those who assisted us throughout this review. Questions should be addressed to Bill Eggert in the VTA Auditor General's Office at Auditor.General@VTA.org.

OBSERVATIONS SUMMARY

Following is a summary of observations noted in the areas reviewed.

Definitions of the observation rating scale are included in Appendix A.

Ratings by Observation	
Observation Title	Rating
1. VTA'S ABILITY TO IDENTIFY AND MONITOR ASSETS	High
2. OUTREACH'S LACK OF ADEQUATE RECORD KEEPING AND CONTRACT COMPLIANCE	High

DETAILED OBSERVATIONS

1. VTA's Ability to Identify and Monitor Assets

Observation: VTA experienced challenges in identifying all Outreach fixed assets, due to lack of adequate records received from Outreach.

Recommendation: VTA develop a process to verify the sources of funding and ownership of assets for future Paratransit contracts.

Management's Action Plan

Observation Rating: High

1.1 The Outreach Paratransit Services contract required that VTA be provided at the end of each fiscal year an updated list of inventoried VTA property, including disposed items (section 13.2).

Outreach provided these reports on occasion, but not on a regular basis, as required by the Contract. VTA did not have an effective process to monitor the receipt of the required monthly asset listings. VTA also did not exercise any of the Audit clauses in the Contract to periodically inspect the assets or financial records on-site at Outreach.

A current Asset Register would allow VTA to verify:

- Completeness and accuracy of items to which VTA has a contractual claim
- Proper categorization as paratransit related
- Disposal of assets no longer in use

1.1 For future agreements with third party Paratransit vendors, we recommend that VTA develop a process or utilize a system to tag specific assets and periodically exercise contractual audit rights to physically inspect and validate assets reported. By implementing such a process, VTA can better mitigate Paratransit vendor risk and protect ownership rights to assets funded by VTA.

The system or fixed assets register should contain adequate information to validate funding sources and ownership. Such documentation could include:

- Unique identifying information, such as serial numbers
- Expected useful life
- Journal entries
- Invoices and purchase support
- Service contracts
- Other asset documentation

1.1 Management agrees with the recommendation. The recently established Regional Transportation Services (RTS) department will be responsible for managing the process to ensure accurate asset information is provided to VTA both regularly and in a timely fashion. It will also ensure that all qualifying assets receive VTA assets tags and are appropriately recorded in VTA's existing fixed asset inventory database. Staff will also monitor assets, as well as perform random asset audits and verifications.

Responsible Party: RTS, in conjunction with Financial Accounting

Target Date: 12/31/2017

1. VTA's Ability to Identify and Monitor Assets

Observation: VTA experienced challenges in identifying all Outreach fixed assets, due to lack of adequate records received from Outreach.

1.2 VTA entered into multiple Cooperative Agreements with Outreach for grants funds, including the FTA's "Veterans Transportation and Community Living Initiative" (VTCLI) and "Lifeline Transportation Program" (LTP) programs. Reimbursed expenses under the Agreements frequently included purchases of fixed assets and other equipment inventory that was not formally reported by Outreach or tracked centrally by VTA.

Recommendation: VTA develop a process to verify the sources of funding and ownership of assets for future Paratransit contracts.

1.2 We recommend that Grants Management develop and implement enhanced procedures to monitor funds passed through to third parties, in compliance with applicable Cooperative Agreements.

Management's Action Plan

1.2 VTA agrees. This issue was identified by the Federal Transit Administration (FTA) in VTA's 2014 Triennial Review. In response, VTA developed standard terms and conditions to be included in all third party agreements, which were fully implemented by early 2015. VTA's agreements with Outreach reviewed by the Auditor General were executed prior to development of these standard terms and conditions. VTA also intends to develop improved protocols to monitor funding provided to third-party recipients.

Responsible Party: Programming, Grants and Administration Department

Target Date: 12/31/2017

2. Outreach's Lack of Adequate Record Keeping and Contract Compliance

Observation: Outreach did not provide all requested financial and other supporting records, and as a result, we were unable to independently verify and inspect certain assets.

Recommendation: We recommend that VTA enhance its processes for paratransit service-related recordkeeping and assets monitoring.

Management's Response and Action Plan:

Observation Rating: High

2.1 The AG developed an alternative audit procedure since there was no Fixed Assets Register available. We compiled a list of assets from Paratransit and grants invoices sent to VTA between 2012 and 2015. The asset compilation did not include all assets to which VTA may have an ownership claim.

Asset Verification - We selected 53 assets and physically observed 45 assets valued at \$166,000. These assets included server equipment, GPS units, phones, work stations, desks, computer monitors, chairs and other office equipment. The remaining eight (8) assets with an invoice value of \$44,000 were not located by Outreach during our onsite visit, nor identified afterwards.

2.1 To date, Outreach has not provided or returned any asset types to VTA. We recommend that VTA continue to pursue physical control and ownership of all relevant computer, fleet, furniture, and other assets. In addition, we recommend that VTA consider pursuing reimbursement of costs or a claim for the assets to which VTA has ownership rights.

2.1 Management agrees. VTA will continue pursuing physical control and ownership of all relevant assets or reimbursement thereof, including through legal remedies as necessary, as is reasonably prudent.

Responsible Party: RTS, in collaboration with General Counsel's Office

Target Date: 12/31/2018

2.2 Fleet Observation – VTA Operations provided an inventory of 302 fleet vehicles used for paratransit operations. We physically verified the existence of 301 vehicles. We were informed that the remaining one vehicle might have been in a repair shop. However, we also identified an additional 32 vehicles on VTA and County property that were not included on the VTA's Fleet Register.

2.2 We recommend that VTA update the Fleet Register to include all fleet vehicles, whether active or decommissioned, and physically verify the fleet on a periodic basis.

2.2 Management agrees with the recommendation. The RTS department will update the Fleet Register to include all vehicles, both active and decommissioned. In addition, it will physically verify the existence and location of all fleet vehicles on a periodic basis.

Responsible Party: RTS

Target Date: 09/30/2017

2. Outreach's Lack of Adequate Record Keeping and Contract Compliance

2.3 Computers - We were informed by Outreach that certain computers stored offsite might still contain paratransit clients' Personally Identifiable Information (PII). We were not able to verify this due to lack of access to the facilities. However, this would not comply with VTA's policy to scrub any equipment of PII before disposal.

2.3 We recommend that VTA develop a process to determine whether off-site or non-used computers and equipment held by the vendor should be tested or evaluated by other means to ensure that all Personally Identifiable Information (PII) has been appropriately removed.

2.3 VTA agrees with the concept. However, the Outreach computers and servers are all password protected and therefore without the administrator rights to the equipment we cannot evaluate the content on the equipment. Once VTA take physical control of the computer equipment the devices can be reformatted and rebuilt to be redeployed as any VTA asset. Following VTA's existing computer equipment decommissioning procedure, all data is wiped from any system or piece of equipment prior to being scrapped or sold.

Responsible Party: RTS, in collaboration with the Information Technology department

Target Date: Immediate and on-going implementation as VTA is given access to the assets

APPENDIX A—RATING DEFINITIONS

Observation Risk Rating Definitions	
Rating	Definition
Low	Process improvements exist but are not an immediate priority for VTA. Taking advantage of these opportunities would be considered best practice for VTA.
Medium	Process improvement opportunities exist to help VTA meet or improve its goals, meet or improve its internal control structure, and further protect its brand or public perception. This opportunity should be considered in the near term.
High	Significant process improvement opportunities exist to help VTA meet or improve its goals, meet or improve its internal control structure, and further protect its brand or public perception presents. This opportunity should be addressed immediately.
Not Rated	Observation identified is not considered a control or process improvement opportunity but should be considered by management or the board, as appropriate.

Report Rating Definitions	
Rating	Explanation
Low	Adequate internal controls are in place and operating effectively. Few, if any, improvements in the internal control structure are required. Observation should be limited to only low risk observations identified or moderate observations which are not pervasive in nature.
Medium	Certain internal controls are either: <ul style="list-style-type: none"> Not in place or are not operating effectively, which in the aggregate, represent a significant lack of control in one or more of the areas within the scope of the review. Several moderate control weaknesses in one process, or a combination of high and moderate weaknesses which collectively are not pervasive.
High	Fundamental internal controls are not in place or operating effectively for substantial areas within the scope of the review. Systemic business risks exist which have the potential to create situations that could significantly impact the control environment. <ul style="list-style-type: none"> Significant/several control weaknesses (breakdown) in the overall control environment in part of the business or the process being reviewed. Significant non-compliance with laws and regulations. High risk observations which are pervasive in nature.
Not Rated	Adequate internal controls are in place and operating effectively. No reportable observations were identified during the review.



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Date: June 6, 2017
 Current Meeting: August 3, 2017
 Board Meeting: August 3, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Board of Directors

FROM: Auditor General, Bill Eggert

SUBJECT: Interagency Agreements Risk Assessment

Policy-Related Action: No

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Review and receive the Auditor General's report on the Interagency Agreement Risk Assessment.

BACKGROUND:

Interagency Agreements Risk Assessment is one of the projects contained in the Board-approved FY 2017 Internal Audit Work Plan. The Auditor General's Office completed this project between December 2016 and April 2017 and the attached report is the result of that review.

The use of interagency agreements is a critical and effective business tool for VTA to manage the complexity of its operations and vast programmatic needs. Each agreement is unique and exposes VTA to a combination of various risks that include strategic, financial, reputational, compliance, and operational that could adversely affect VTA achieving its objectives

For this assessment, an interagency agreement was defined as any agreement between VTA and another public agency or agencies for projects or services related to transit, construction, utilities, operations and maintenance (O&M), etc. Our scope excluded competitively bid contracts, agreements with private entities, and software license agreements.

DISCUSSION:

The objective of this assessment was to obtain an inventory of VTA's interagency agreements active as of June 30, 2016, identify potential risks to the agency, obtain an understanding of

interagency agreements program management, and identify opportunities for process improvements and cost controls.

Based on the work performed, an overall report risk rating of *Medium* was assigned to help management understand our assessment of VTA's interagency agreements program management. This was based on four observation categories, three of which were rated *Medium* and one of which was rated *Low*. Our recommendations addressed the following areas: Agency-wide Policy Framework for Evaluating Potential Interagency Agreements; Interagency Agreement Management, Ongoing Risk Monitoring, and Closeout; Interagency Agreement Database and Repository; and Periodic Board Reporting on Interagency Agreements.

VTA management agreed with all Auditor General's Office recommendations. It committed to implement all recommended actions by the end of 2017.

Recommendations of opportunities for improvement contained in this report were presented by the Auditor General for consideration of VTA management, which is responsible for the effective implementation of any action plans.

FISCAL IMPACT:

There is no financial impact associated with acceptance of this report.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Governance & Audit Committee considered this item at its June 1, 2017 meeting as part of its Regular Agenda.

Following review of the item, the Committee requested that VTA staff: (1) make the interagency agreements searchable; (2) ensure that future agreements have an executive statement describing their origin and purpose; (3) once developed, staff submit the policy framework to the Board for review and approval; and (4) compile data on contract trends.

The Committee unanimously recommended Board acceptance of this report, with inclusion of requested actions for VTA staff. The Committee also recommended that this item be placed on the Board's Consent Agenda.

Prepared by: Lily Rogers, AG's Office & Stephen Flynn, Advisory Committee Coordinator
Memo No. 5981

ATTACHMENTS:

- A--Interagency Agreements Risk Assessment (PDF)



Interagency Agreements Risk Assessment

Auditor General Report No. 2017-03

May 09, 2017

EXECUTIVE SUMMARY

Background

Generally, interagency agreements are defined as any agreement between VTA and another public agency. For this assessment, an interagency agreement was defined as any agreement between VTA and another public agency or agencies for projects or services related to transit, construction, utilities, operations and maintenance (O&M), etc. Our scope excluded competitively bid contracts, agreements with private entities, and software license agreements.

A component project contained in the Board-approved FY 2017 Internal Audit Work Plan is this Interagency Agreements Risk Assessment. The Auditor General's Office completed this review between December 2016 and April 2017. This review, as are all Auditor General reviews, was performed in accordance with the Standards for Consulting Services issued by the American Institute of Certified Public Accountants.

This report was prepared for use by VTA's Board of Directors, Governance and Audit Committee, and management. Recommendations for improvement are presented for management's consideration and management is responsible for the effective implementation of corrective action plans.

Objective and Scope

The primary objectives of this review were to:

- Obtain an inventory of VTA's interagency agreements that were active as of June 30, 2016
- Identify potential risks to the agency, including financial, political, strategic, and compliance risks, as a result of agreement terms
- Obtain an understanding of VTA's interagency agreements program management to assess the adequacy and effectiveness of policies and procedures to mitigate the risks identified
- Identify opportunities for process improvements, revenue enhancements, and cost controls

Our engagement included a summary review of all interagency agreements provided; a detailed risk assessment of a sample of agreements; a review of agency-wide policies, processes and procedures; process walkthroughs with staff across VTA; and evaluation of the design of VTA's internal controls.

Overall Rating (See Appendix A for definitions)

	Report Rating	Number of Observations by Risk Rating		
		High	Medium	Low
Interagency Agreements Risk Assessment	Medium	0	3	1

Overall Summary and Review Highlights

The use of interagency agreements is critical and effective business tool for VTA to manage the complexity of its operations and vast programmatic needs. Each agreement is unique and exposes VTA to a combination of various risks that include strategic, financial, reputational, compliance, and operational that could adversely affect VTA achieving its objectives. Our assessment did not consist of detailed compliance or testing procedures and instead primarily focused on evaluating VTA's agency-wide processes to evaluate and mitigate risk that exist from initial development to agreement closeout.

VTA management identified 144 in-scope interagency agreements that were active as of June 30, 2016. The variety of agreements cover multiple scope areas, including construction-related projects, regional transportation services, as well as a variety specific operations, programming, and planning initiatives. A summary of the agreements by managing VTA division is detailed in Appendix B.

Although internal controls are in place within managing divisions, VTA does not comprehensively evaluate agreements prior to execution through closeout/completion for potential risks and prospective value to the agency on a consistent or formal basis agency-wide. We also noted that VTA does not maintain a central database nor repository of Interagency Agreements, which inhibits management's ability to monitor and readily report on the status of VTA's various interagency agreements.

Based on the work performed, an overall rating of *Medium* was assigned based on three medium-risk observations and one low-risk observation. We would like to thank those who assisted us throughout this review. Questions should be addressed to Bill Eggert, Auditor General, in the VTA Auditor General's Office at Auditor.GeneralOffice@VTA.org.

OBSERVATIONS SUMMARY

Following is a summary of observations noted in the areas reviewed. Definitions of the observation rating scale are included in Appendix A.

Ratings by Observation	
Observation Title	Rating
1. AGENCY-WIDE POLICY FRAMEWORK FOR EVALUATING POTENTIAL INTERAGENCY AGREEMENTS	Medium
2. INTERAGENCY AGREEMENT MANAGEMENT, ONGOING RISK MONITORING, AND CLOSEOUT	Medium
3. INTERAGENCY AGREEMENT DATABASE AND REPOSITORY	Medium
4. PERIODIC BOARD REPORTING ON INTERAGENCY AGREEMENTS	Low

DETAILED OBSERVATIONS

1. Agency-wide Policy Framework for Evaluating Potential Interagency Agreements

Observation: VTA does not have a formal framework or policy that is consistently used to evaluate how and whether to enter into interagency agreements.

Recommendation: Establish a formal, agency-wide interagency agreement policy or evaluation framework that includes specific criteria to consistently evaluate and negotiate prospective agreement terms prior to execution.

Management's Response and Action Plan:

Observation Rating: Medium

1.1 Interagency agreement terms are developed, discussed, and coordinated among the responsible VTA department, Board Standing Committees (if applicable or required), and stakeholders, including other relevant VTA departments, and other agencies. Departmental management and Board Standing Committees review agreement terms, and agency interests are negotiated and communicated among agencies during continuous discussions regarding project scope, purpose, and benefit to VTA.

Currently, most potential interagency agreements are evaluated on an informal basis, with each managing department using its professional judgment. Although VTA's legal department approves all Interagency Agreements as to form, VTA does not have a formal framework or policy that includes comprehensive criteria for evaluating a potential agreement's risk to VTA or the comprehensive cost or value on a consistent basis agency-wide.

In addition to the consideration of agency risk and potential value to VTA, many interagency agreements require operational responsibility and participation of multiple VTA divisions or departments. In some cases, one VTA division will primarily plan and negotiate the interagency agreement, while a different division may have

1.1 We recommend that VTA develop a formal, agency-wide interagency agreement policy or evaluation framework (e.g. "Interagency Evaluation Framework") that includes specific criteria to consistently evaluate and negotiate potential agreement terms, including operational responsibility and feasibility.

Once the framework or policy is developed, we recommend that it be reviewed and updated on a periodic basis to align with VTA policy and strategic direction.

This template should be designed to capture basic information about the potential agreement and facilitate consistent assessment of agreements agency-wide. To best protect the usage of taxpayer dollars and minimize unnecessary risks to the Agency, we recommend that management consider, among others, the following factors when developing standard evaluation criteria:

- Relevance to VTA's strategic objectives
- Risk assessment and methodology for evaluation (e.g. likelihood and impact)
- Risk mitigation strategies
- Cost-benefit analysis and value to VTA
- VTA ongoing operational responsibilities and capabilities
- Partner organization capabilities

1.1 VTA management agrees. VTA will develop a comprehensive policy to guide development, negotiation, evaluation and management of interagency agreements. It will include a provision requiring defined periodic reviews to ensure the policy stays aligned with VTA goals, organizational policy and strategic priorities.

Responsible Party: Chief of Staff Division, in collaboration with Counsel and affected VTA divisions

Target Date: 12/31/2017

1. Agency-wide Policy Framework for Evaluating Potential Interagency Agreements

Observation: VTA does not have a formal framework or policy that is consistently used to evaluate how and whether to enter into interagency agreements.

primary operational and management responsibility subsequent to the execution of the agreement.

VTA does not consistently evaluate interagency agreement transition responsibilities and the feasibility of operational responsibilities. Although the majority of agreements undergo review by multiple VTA departments prior to agreement finalization, there is not a formal process for evaluating downstream responsibilities and identification of responsible parties/individuals.

Without a consistent, formal approach or framework when evaluating potential agreements, VTA may expose itself to unnecessary or unwanted risks or enter into agreements that are not operationally feasible or not beneficial to the Agency and its constituents.

Recommendation: Establish a formal, agency-wide interagency agreement policy or evaluation framework that includes specific criteria to consistently evaluate and negotiate prospective agreement terms prior to execution.

- Conflict resolution and escalation
- Financial and non-monetary commitments
- Similar projects or agreements
- Term length and exit clause
- Agreement terms and audit provisions
- Board review and/or approval

Management's Response and Action Plan:

2. Ongoing Interagency Agreement Management, Risk Monitoring, and Closeout

Observation: VTA's procedures for evaluating and monitoring interagency agreements vary across departments and are not consistently managed to optimally mitigate risk and monitor change through the lifecycle of an agreement.

Recommendation: Establish formal standards or procedures for managing and overseeing interagency agreements from execution to closeout.

Management's Response and Action Plan:

Observation Rating: Medium

2.1 Across each division, we observed examples of effective internal controls implemented by management to monitor interagency agreements. In some instances, internal controls may effectively mitigate risk and monitor change between the execution of an agreement and closeout (i.e. project completion); however, some internal controls were either ineffective, informal, or consistently implemented agency-wide.

The following are examples of best-practice internal controls that select divisions or agreements have utilized that could benefit VTA if formalized and implemented agency-wide.

First, ongoing monitoring controls such as budget vs. actual analysis, compliance assessments, and evaluation of performance metrics are typically dependent on the project manager or working group managing the agreement. While this analysis and monitoring is completed for some agreements, it is not consistently completed by all divisions managing interagency agreements.

Second, although VTA has a formal project closeout process for agreements with financial obligations or a capital component, there is not a formal closeout process for non-financial agreements. In some instances, individual agreements that are no longer active had not undergone a formal project closeout procedure to confirm deliverables of the agreement and validation of completion.

2.1 In order to optimize interagency agreement management and minimize Agency risks, we recommend that VTA leverage existing practices and establish formal standards or procedures for managing interagency agreements from execution to closeout. These standards should be flexible so management can adapt them to meet each agreement or division's needs. Management should consider including requirements that include best practices for the following:

- Agreement management roles and responsibilities
- Interdepartmental and operational roles and responsibilities
- Ongoing risk assessment and changing conditions
- Budget vs. actual and agency cost analyses
- Compliance and performance monitoring (key metrics and reporting)
- Communication guidelines
- Partner agency effectiveness and responsiveness
- Schedule and termination date
- Agreement closeout and completion activities

2.1 Management agrees. VTA will enhance existing or develop new procedures or standards for managing interagency agreements from execution to closeout ("womb to tomb"). These life-cycle management items will be configured to provide sufficient flexibility so management can tailor each agreement to best accomplish VTA's strategic organizational goals along with mitigating and managing the inherent risk(s) specific to each agreement.

Responsible Party: Chief of Staff Division, in collaboration with Counsel and key VTA divisions

Target Date: 12/31/2017

3. Interagency Agreement Database and Repository

Observation: VTA does not have a centralized, agency-wide database of interagency agreements and amendments with clearly defined metadata. In addition, interagency agreements are not stored in a central repository, either in electronic or hard-copy form.

Recommendation: We recommend that VTA develop a database of all interagency agreements with standard meta data and create a central repository for all executed Interagency Agreements and amendments.

Management's Response and Action Plan:

Observation Rating: Medium

3.1 VTA does not have a centralized database that includes every VTA Interagency Agreement with standard metadata, nor are all agreements and amendments stored in a central repository.

Management prepared a consolidated listing of 144 Interagency Agreements for this Auditor General project. Each department responsible for managing interagency agreements store agreements independently and utilize various tools to manage interagency agreement data and records. For example, one division had established a robust, queryable database, while other departments used shared folders in Share Drive, VTA's Intranet, or a SharePoint site.

Because agreement records have historically been managed by siloes and in a non-standard method, critical information is not readily accessible or may not be accurate or current because of version controls and change management risks. VTA's current methods for managing interagency data and records may also cause operational inefficiencies and increase risk for the agency. This was directly observed because there were significant delays at the onset of this Auditor General assessment while management manually prepared a list of agreements and obtained electronic copies for our analysis.

3.1 We recommend that VTA evaluate potential solutions and develop a comprehensive solution to manage Interagency Agreement records and data as part of the broader Records Information Management Program. Although there are various solutions VTA could choose to implement, we recommend at minimum the records management solution include the following:

- A formal database of all Interagency Agreements with clearly defined metadata (e.g. current and long-term financial commitments, agreement parties, agreement term, managing department, project manager, etc.) that is standardized agency-wide
- A central repository for all Interagency Agreements and Amendments

By implementing both of these components for a solution, VTA can more effectively and efficiently manage agreements and reduce the risk that an agreement in accordance with agency requirements.

3.1 VTA management agrees. The Record Center Re-engineering effort currently underway will incorporate Interagency Agreements as a standard agency-wide record located in an Agency-wide Record Center Library, thus following our record center policy and procedures. In addition, Interagency Agreements are being added to the next release of the Record Retention Schedule, currently under legal review.

In the interim, VTA has implemented a simplified combination database/repository for Interagency Agreements. Following Auditor General initiation of this Interagency Agreements Risk Assessment, the Technology Department developed and implemented a formal database available to VTA staff on *The Hub* (VTA's intranet) of known Interagency Agreements. The database includes electronic copies of the agreements along with certain defined metadata.

Responsible Party: Technology Division, in collaboration with the Chief of Staff Division

Target Date: Implementation of a basic database/repository has been completed.

Completion of the Record Center Re-engineering effort to incorporate Interagency Agreements will be completed by 12/31/2017.

4. Periodic Board Reporting on Interagency Agreements

Ref. #	Observation:	Recommendation:	Management's Response and Action Plan:
4	VTA does not have a formal process to report the status of Interagency Agreements to the Board of Directors on an interim basis.	We recommend that VTA establish a formal process to provide a summary report of Interagency Agreements to the Board on an annual or other periodic basis.	

Observation Rating: Low

4.1 VTA's Administrative Code allows the General Manager to enter into Interagency Agreements in amounts up to \$500,000, or in connection with public works construction projects that have been previously approved by the Board, amounts up to \$2,000,000. Board approval occurs only on individual interagency agreements that exceed the threshold and as part of the approval process prior to agreement execution.

While many agreements with significant financial commitments from VTA are reviewed by the Board, not all Interagency Agreements have an immediate or quantified financial impact, nor are interagency agreements consistently required to be reported to the Board.

VTA Management provided a detailed summary on nine Regional Transportation Service Interagency Agreements on April 21, 2017 to the Safety, Security, Transit Planning and Operations Committee at the Board's request. However, there is not a formal process where management provides a comprehensive Interagency Agreement status report to the Board that includes critical governance considerations.

Without periodic reporting, at least annually, VTA's Board may not be adequately informed of the potential strategic, operational, financial, and reputational risks that arise as a result of interagency agreements and their changing conditions.

4.1 In addition to recommendation to 3.1, we recommend that management evaluate the Interagency Agreement data available and develop a formal process to provide a summary report to the Board on an annual or other periodic basis. We recommend that the summary report be reviewed by all divisions and include adequate detail to provide the Board with strategic information that influences the governing process, such as:

- Ongoing risk assessment and changing conditions
- Financial or other obligations
- Agreement term
- Potential risks
- Benefit to VTA of participating in Agreement
- Compliance with the Agreement by the partner agency/agencies as well as VTA

4.1 Management agrees. VTA will develop a formal process to provide a high-level summary report to the Governance & Audit Committee on a recurring periodic basis, who will determine if it should be forwarded for Board review. This action will be added as a defined provision of the formal policy and/or procedures that will be developed in response to Recommendations 1.1 and 2.1.

Responsible Party: Chief of Staff Division

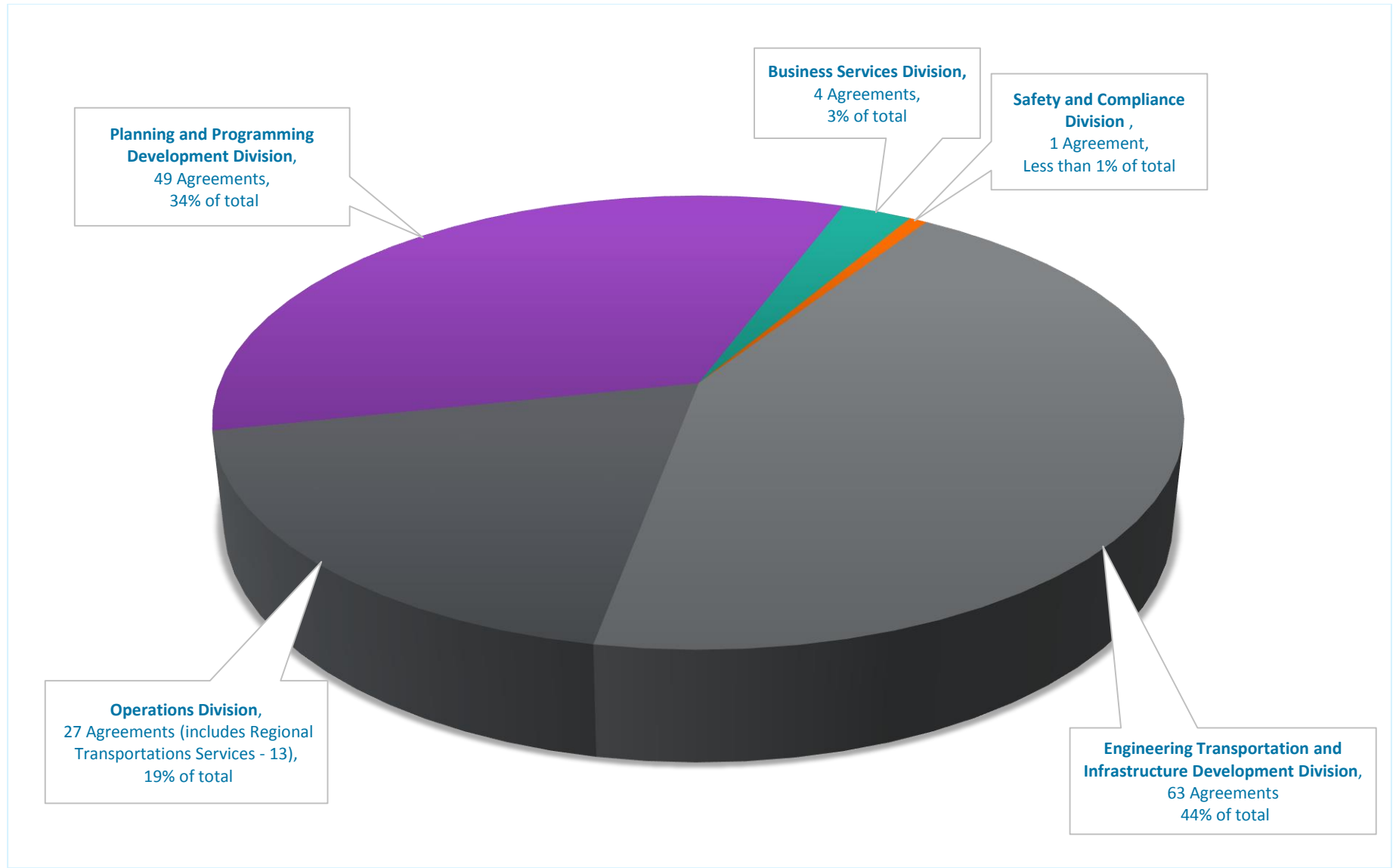
Target Date: 12/31/2017

APPENDIX A—RATING DEFINITIONS

Observation Risk Rating Definitions	
Rating	Definition
Low	Process improvements exist but are not an immediate priority for VTA. Taking advantage of these opportunities would be considered best practice for VTA.
Medium	Process improvement opportunities exist to help VTA meet or improve its goals, meet or improve its internal control structure, and further protect its brand or public perception. This opportunity should be considered in the near term.
High	Significant process improvement opportunities exist to help VTA meet or improve its goals, meet or improve its internal control structure, and further protect its brand or public perception presents. This opportunity should be addressed immediately.
Not Rated	Observation identified is not considered a control or process improvement opportunity but should be considered by management or the board, as appropriate.

Report Rating Definitions	
Rating	Explanation
Low	Adequate internal controls are in place and operating effectively. Few, if any, improvements in the internal control structure are required. Observation should be limited to only low risk observations identified or moderate observations which are not pervasive in nature.
Medium	Certain internal controls are either: <ul style="list-style-type: none"> Not in place or are not operating effectively, which in the aggregate, represent a significant lack of control in one or more of the areas within the scope of the review. Several moderate control weaknesses in one process, or a combination of high and moderate weaknesses which collectively are not pervasive.
High	Fundamental internal controls are not in place or operating effectively for substantial areas within the scope of the review. Systemic business risks exist which have the potential to create situations that could significantly impact the control environment. <ul style="list-style-type: none"> Significant/several control weaknesses (breakdown) in the overall control environment in part of the business or the process being reviewed. Significant non-compliance with laws and regulations. High risk observations which are pervasive in nature.
Not Rated	Adequate internal controls are in place and operating effectively. No reportable observations were identified during the review.

APPENDIX B— SUMMARY OF 144 INTERAGENCY AGREEMENTS BY MANAGING DIVISION





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Date: June 6, 2017
 Current Meeting: August 3, 2017
 Board Meeting: August 3, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Board of Directors

FROM: Auditor General, Bill Eggert

SUBJECT: Follow-Up on the Trapeze OPS Pre-Implementation Review

Policy-Related Action: No

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Review and receive the Auditor General's follow-up report on the implementation status of management's action plans contained in the Trapeze OPS Pre-Implementation Review performed during Fiscal Year 2014.

BACKGROUND:

VTA's Auditor General's Office is responsible for conducting the internal audits specified in the Board-approved Internal Audit Work Plan. It is also responsible for determining the implementation status, adequacy and timeliness of corrective actions that VTA management committed to implement on reported observations and recommendations contained in these internal audits.

In Fiscal Year 2014, the Auditor General's Office completed the Trapeze OPS Pre-Implementation Review. The primary objective of this project was to review VTA's implementation plan for Trapeze OPS and provide recommendations to the project team to help ensure as integrated and seamless of a transition as possible by minimizing the occurrence and magnitude of transition errors, especially regarding time capture/payroll processing. To achieve this objective, we observed specific concerns and communicated these concerns real-time to the VTA project team. All recommendations were discussed and many were confirmed during fieldwork as having been remediated immediately by VTA.

Based on the work performed, an overall *Medium* level of potential opportunity for process improvement was issued, based on twelve identified areas of potential process improvement: eight judged as Low risk, and four judged as Medium risk.

VTA management agreed with all Auditor General's Office recommendations. It committed to implement all recommendations by the end of December 2014.

Recommendations of opportunities for improvement contained in that report were presented by the Auditor General for consideration by the VTA Board of Directors, Governance & Audit Committee and management, which are solely responsible for the effective implementation of any recommendation.

DISCUSSION:

In March and April 2017, the Auditor General's Office completed its follow-up process to assess if the management action plans specified in the Trapeze OPS Pre-Implementation Review had been completed. The results of this follow-up, as well as a summary of the findings, recommendations and VTA management responses from the subject report, are included on Attachment A.

Based on the evidence submitted by VTA, we have confirmed that the recommendations have been successfully implemented.

FISCAL IMPACT:

There is no financial impact associated with acceptance of this report.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Governance & Audit Committee considered this item at its June 1, 2017 meeting as part of its Consent Agenda. The Committee, without discussion, unanimously recommended Board acceptance of this follow-up report and that it be placed on the Board's Consent Agenda.

Prepared by: Lily Rogers, AG's Office and Stephen Flynn, Advisory Committee Coordinator
Memo No. 6130

ATTACHMENTS:

- A--Followup on Trapeze OPS Pre-Implementation (PDF)

VTA Auditor General's Office
Follow-up Report: Trapeze OPS Pre-Implementation Review
June 1, 2017

#	Observation	Recommendation	Management Response	Recommendation Implementation Status
1	<p><u>Change Requests Related to Trapeze OPS</u></p> <p>VTA is currently relying on the vendor (Trapeze) to perform development functions and provide implementation guidance, and as a result is minimizing the risk of improper coding through Trapeze's formal change management process. However, we observed that VTA is not following its own change management procedures to update patches and releases in the test/training environment once the developed portion of the system is ready to be released onto VTA's environment. The objective of the change management process is to ensure changes are authorized, made in a timely manner, and occur with minimal errors. This process includes tracking and approving standard changes and emergency maintenance relating to business processes, applications and infrastructure.</p>	<p>VTA should also be consistent in following formal change management procedures to update patches and releases in the test/training environment.</p>	<p>VTA agrees with the recommendation. Change management procedures have been implemented and are now in place for patches and release updates in the test/training environment.</p> <p>Target Date: June 30, 2014</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>VTA management has implemented change management procedures for updates and releases in Trapeze. VTA utilizes 3 environments, including training, development, and production, and ensures that all changes and updates to the final production database are properly authorized.</p>
2a	<p><u>Application Security - Segregation of Duties</u></p> <p>Management plans for the Operations Systems Supervisor to grant user access rights. However, the Operations Systems Supervisor also utilizes Trapeze OPS for other daily responsibilities, thereby creating a potential segregation of duties conflict.</p>	<p>System/application administrator roles for granting, modifying or removing access should be limited to IT. Additionally, a proper approval process should be followed that ensures changes to roles and responsibilities do not create conflicts.</p>	<p>VTA partially agrees with the recommendation. Administration of user security will be transitioned to Technology by October 2014. The Operations Systems Supervisor, who is the VTA expert in determining appropriate user functions, will continue to have access to user groups or roles.</p> <p>Target Date: October 31, 2014</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>The Operations System Supervisor continues to have access to user groups and roles. The administration of user security and system passwords has transitioned to Information Technology. All Information Technology personnel have received training on user access management.</p>
2b	<p><u>Application Security - New User Access</u></p> <p>Management is in process but has not yet completed updating their policy around issuance of granting and removing access to Trapeze OPS. The user access change form has also not been updated to include Trapeze OPS groups, workspaces and/or permissions.</p>	<p>Management should complete the previously started user access policy (addressing access administration, authorization for adding users, modifications to user permissions, removal of access, and periodic access review) before going live of Trapeze OPS. We also recommend that the existing Create Modify User Account Form be revised to incorporate Trapeze OPS groups and permissions. Additionally, permission modifications should be documented using the revised Create Modify User Account Form to ensure appropriate authorization is obtained before changes are implemented.</p> <p>Management should also require a documented independent user access review be conducted for Trapeze OPS on at least a yearly basis. This review should include a review of all user accounts to determine if the account is still needed, appropriateness of access levels, etc. The documentation should include exceptions discovered and corrected, impact of each exception, date and who performed the review.</p>	<p>VTA agrees with the recommendation. User request forms are in place. In addition, VTA developed automated scripts that run daily to monitor user account exceptions.</p> <p>Target Date: June 30, 2014</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>VTA Operations has put in place a User Access Form for all new Trapeze users and changes to Trapeze access. User Access Form includes four workspaces for bidding, timekeeping, dispatching, and workforce management. All User Access Forms require the user's and manager's signatures before processing. Requests are reviewed, approved, and processed by Operations. An automated email is generated when a Trapeze user is separated from VTA that prompts a change in user access.</p>
2c	<p><u>Application Security - Unique User Accounts</u></p> <p>Per inspection of the Trapeze OPS user access listing on April 3, 2014, two users have more than one user name. Also, there were eleven user names set up that do not follow the standard user name naming convention of "Lastname_f", where f = first initial. Ensuring that all users (internal, external and temporary) and their activity on IT systems (business application, IT infrastructure, system operations, development and maintenance) are uniquely identifiable will help confirm if data access rights are in accordance with their business requirements.</p>	<p>Management should reset non-compliant user names in order to adhere to the standard user name convention in place.</p> <p>Also, for users with multiple user names, Management should disable additional accounts unless there is a clear business purpose or consider reviewing the user access logs to ensure user activity is limited to perform daily job functions.</p>	<p>VTA agrees with the recommendation and is resetting and/or disabling non-complaint accounts.</p> <p>Target Date: June 30, 2014</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>In July 2016 VTA deployed LDAP (Lightweight Directory Access Protocol), a software protocol derived from the Windows Active Directory that does not allow duplication of accounts. A Single Sign On approach has been adopted. Corrections were made to disable additional accounts of users with multiple accounts as part of the LDAP deployment. At the time of review, no individuals had more than one account.</p>

#	Observation	Recommendation	Management Response	Recommendation Implementation Status
2d	<p><u>Application Security - Password Policy</u></p> <p>Per inspection of the Trapeze OPS password parameters on April 3, 2014, passwords are not required to be changed at any time after initial setup.</p>	<p>Management should consider additional configuration standards for password policies/settings to enforce requirements for strong passwords, including industry standards such as:</p> <ul style="list-style-type: none"> Forced password change interval of 30 – 90 days Minimum password length of 10 characters, including letters, numbers, and requiring at least one capital letter; including special characters (e.g., &, *, !, etc...), will increase complexity and greatly increase overall password security Require a rotation of at least three passwords before a one can be reused <p>Management should consider adding a session timeout for the application, to help prevent unauthorized access. Session timeouts could vary depending on the job function being performed.</p>	<p>VTA agrees with the recommendation and will implement a password management policy similar to that used for other VTA systems by October 31, 2014.</p> <p>Target Date: October 31, 2014</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>Information Technology created a Trapeze password policy similar to the standard VTA password policy, which included a forced password change interval of 120 days, a requirement to use at least one letter and number, and a requirement that passwords be different from the previous 3 passwords used. The July 2016 deployment of the LDAP software protocol forces application password policies to be in line with standard VTA password policies. Network passwords are now used to log in to Trapeze products.</p>
2e	<p><u>Application Security - Security Groups</u></p> <p>Two users under the same job role will initially have identical permissions, however, further unique permissions can be assigned to an individual user and create challenges in the monitoring process of user access rights.</p>	<p>Management should avoid authorization of individual permission changes and promote the use of standard group assignments based on job roles/responsibilities, where reasonably feasible.</p>	<p>VTA agrees with the recommendation. Standard group assignments are in place.</p> <p>Target Date: June 30, 2014</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>VTA has implemented standard workspaces which govern user access. Users are assigned to a workspace for bidding, timekeeping, dispatching, or workforce management, all of which have standard group assignments and access levels. Users are further divided into specific user groups within these workspaces in order to standardize user access according to user role.</p>
3	<p><u>User Acceptance Testing (UAT) Process for Customized Functions - Dispatch and Workforce Management Testing</u></p> <p>Per review over testing plans including test cases and tester approval on April 3, 2014, the tester did not include reports, screenshots, or other documents to demonstrate the support used to determine whether the test passed or failed. Management maintains a log with tester approval signoffs, however, formal documentation demonstrating IT and/or Project Manager approval was not provided.</p>	<p>Management should retain support used to determine a test passing or failing.</p>	<p>VTA agrees with the recommendation and implemented the recommended approach during the testing phase of the project.</p> <p>Target Date: June 30, 2014</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>VTA now maintains a status log of all test scripts which details the script number, description, testing status (pass/fail), additional comments, and the test script status. All support related to testing status is retained.</p>
4a	<p><u>Processing Integrity Review Process - SAP Employee and Vehicle Maintenance - Imported Data</u></p> <p>We noted inconsistencies such as informal checkpoints and incomplete reconciliations of data elements in the method of verifying data and/or transactions transmitted was accurate, complete and valid. In addition, we noted inconsistencies in the tracking and logging of test results and any associated resolution.</p>	<p>A formal reconciliation process should be designed to facilitate the complete and accurate processing of information. A formal reconciliation process should also be established to include formal validations of the imported or exported data, such as confirmation through matching number counts of selected records or field attributes.</p> <p>VTA should identify, log and classify (e.g., minor, significant and mission-critical) errors during testing, and repeat tests until all significant errors have been resolved. VTA should also ensure that an audit trail of test results is maintained.</p>	<p>VTA agrees with the recommendation and implemented the recommended approach during the testing phase of the project. Regular monitoring of interface data by the System Administrators is in place.</p> <p>Target Date: June 30, 2014</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>VTA has reconciled the information uploaded to Trapeze to the source data in SAP and has verified that all information is processed accurately. VTA works to identify and solve any errors as they arise. Systems Administrators regularly monitor data in SAP and Trapeze to ensure validity.</p>
4b	<p><u>Processing Integrity Review Process - System Integration - Bidding, Dispatch & Timekeeping</u></p> <p>We observed that UAT testing included various test scenarios and scripts, and focused on accuracy as well as error resolution. However, daily, monthly and annual process streams and data transmissions were not being formally tested for completeness and accuracy as of our field work date (April 3, 2014).</p>	<p>A formal reconciliation process be designed to ensure that information processing considers daily, monthly and annual processes and that information processing is valid, complete, and accurate.</p> <p>A formal reconciliation process should be established to include formal validations of the imported and exported data.</p> <p>An exception threshold be agreed upon by the VTA project team, such that error rates exceeding 2% would be escalated for more immediate remediation.</p>	<p>The System Administrators regularly monitor the interface data. In addition, a formal reconciliation of timekeeping data is conducted every pay period.</p> <p>Target Date: June 30, 2014</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>VTA users can generate a weekly timekeeping summary of their hours worked and pay code by day. Timekeeping summary reports can also be generated for a division/employee type for a given time period. Payroll provides feedback and relays errors in individual timekeeping each pay period.</p>

#	Observation	Recommendation	Management Response	Recommendation Implementation Status
4c	<p>Processing Integrity Review Process - System Integration Review - Workforce Management</p> <p>Per discussion with VTA during the week of 03/31/14, integrated testing has not begun since historical data from VAP was recently converted into Trapeze OPS and undergoing testing. In addition, there are several customization work orders still outstanding from the Trapeze vendor. These multiple factors combined lead to greater potential to disrupt the implementation project. However, we also acknowledge that VTA has considered alternative plans prior to going live.</p>	<p>VTA should determine an updated timeline with the Trapeze vendor and hold the vendor accountable to the set dates for remaining customization delivery (such as a fee penalty if not met) in order to allow time for testing. Another option is to postpone implementation of the Trapeze OPS -Workforce Management module until all customizations are complete and tested thoroughly; however, it has been determined by the VTA project team that the projected risk associated with this finding would not warrant a delay in go-live.</p>	<p>VTA postponed implementation of the VAP (VTA Attendance Program) module of Trapeze OPS. VTA is currently testing this module. The anticipated implementation of the VAP module will be completed by the end of 2014.</p> <p>Target Date: December 31, 2014</p>	<p>Auditor General's Office: Status: Complete</p> <p>The VAP module of Trapeze OPS was initially delayed and is currently partially implemented. Implementation is nearing completion and is scheduled to be completed by the end of Fiscal Year 2017.</p>
4d	<p>Processing Integrity Review Process - SAP Employee Data & Vehicle Maintenance Transmission</p> <p>VTA currently utilizes the Open Database Connectivity (ODBC) interface to automatically transmit employee HR information (such as vacation and sick day balances) and vehicle maintenance information from the SAP system to Trapeze OPS. We observed that there are no automated alerts to notify if any records may be rejected or otherwise excluded during the automated transmission process.</p>	<p>An alert notification feature or reporting feature should be implemented to confirm all records transmitted from SAP match the records received into Trapeze OPS. This would ensure that appropriate management or system administrators are notified of any records not successfully transmitted so that the instance(s) could be investigated and resolved timely.</p>	<p>VTA agrees with the recommendation. Automated alerts notifying Systems Administrators are now in place.</p> <p>Target Date: June 30, 2014</p>	<p>Auditor General's Office: Status: Complete</p> <p>VTA has implemented automated alerts related to errors in all interfaces. Any record error will result in an automated alert sent to the database administrator for investigation.</p>
5	<p>Data Conversion Procedures</p> <p>Per review over Historical Data Load Specifications, the data to be migrated consists of BDT data and VAP data. During our review, Management provided email correspondence between business owners and the project team stating VTA will no longer load BDT historical data into Trapeze OPS, however, the Historical Data Load Specifications had not been updated to reflect the significant change.</p>	<p>Management should consider formally documenting the removal of BDT from the scope of the data migration process and business owners' approval of the VAP data fields.</p>	<p>VTA agrees with the recommendation. Removal of BDT data migration scope was documented while VAP data fields were identified and approved by business process owners.</p> <p>Target Date: June 30, 2014</p>	<p>Auditor General's Office: Status: Complete</p> <p>VTA has not loaded historical BDT data into Trapeze and has directed Trapeze to cancel the historical load. BDT data was formally removed from the scope of the data migration process.</p>



Date: June 6, 2017
 Current Meeting: August 3, 2017
 Board Meeting: August 3, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Board of Directors

FROM: Auditor General, Bill Eggert

SUBJECT: Follow-Up on the Public Safety Process Assessment

Policy-Related Action: No

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Review and receive the Auditor General's follow-up report on the implementation status of management's action plans contained in the Public Safety Process Assessment performed during Fiscal Year 2014.

BACKGROUND:

VTA's Auditor General's Office is responsible for conducting the internal audits specified in the Board-approved Internal Audit Work Plan. It is also responsible for determining the implementation status, adequacy and timeliness of corrective actions that VTA management committed to implement on reported observations and recommendations contained in these internal audits.

During Fiscal Year 2016, the Auditor General's Office completed the Public Safety Process Assessment. The primary objective of this review was to obtain an understanding of VTA's Public Safety processes, validate our understanding of the processes through both documentation review and inspection and physical observation of in-place processes, and identify opportunities for process improvements.

Based on the work performed, an overall *Low* level of potential opportunity for process improvement was issued, based on *five* identified areas of potential process improvement: two judged as *Medium* potential, and three judged as *Low*.

VTA management agreed with all Auditor General's Office recommendations. It committed to implement all recommendations by the end of June 2016.

Recommendations of opportunities for improvement contained in that report were presented by the Auditor General for consideration by the VTA Board of Directors, Governance & Audit Committee and management, which are solely responsible for the effective implementation of any recommendation.

DISCUSSION:

In April and May 2017, the Auditor General's Office completed its follow-up process to assess if the management action plans specified in the Public Safety Assessment had been completed. The results of this follow-up, as well as a summary of the findings, recommendations and VTA management responses from the subject report, are included on Attachment A.

Based on the evidence submitted by VTA, we have confirmed that the recommendations have been successfully implemented.

FISCAL IMPACT:

There is no financial impact associated with acceptance of this report.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Governance & Audit Committee considered this item at its June 1, 2017 meeting as part of its Consent Agenda. The Committee, without discussion, unanimously recommended Board acceptance of this follow-up report and that it be placed on the Board's Consent Agenda.

Prepared by: Lily Rogers, AG's Office and Stephen Flynn, Advisory Committee Coordinator
Memo No. 6131

ATTACHMENTS:

- A--Followup on Public Safety Process Assessment (PDF)

VTA Auditor General's Office
VTA Auditor General's Office
Follow-up Report: Public Safety Process Assessment
June 1, 2017

#	Observation	Recommendation	Management Response	Recommendation Implementation Status
1.1	<p><u>Security Staffing Levels and Capabilities:</u></p> <p>The number of special events that VTA provides additional service to has increased significantly since the opening of both Levi's and Avaya Stadiums. Special events require additional security to ensure public safety due to increased ridership and the nature of crowds at select special events. In its current state, VTA may not have the optimal level of security staff or the right mix of security staff to adequately address increasing security concerns.</p> <p>VTA utilizes three unique types of safety and security forces – law enforcement, Allied Barton (AB) security contractors, and fare inspectors. Each group has unique responsibilities and capabilities within the organization. AB is seen as a force multiplier who can detain, but their capabilities are limited because they cannot arrest or Mirandize. Therefore, many responsibilities are shifted back to Transit Patrol that is staff by Santa Clara County Sheriff's deputies. Fare Inspectors provide a presence on light rail and the platforms/stations along the light rail line. They also act as a deterrent because they identify potential security risks through fare inspection, however they do not have ability to run ID checks.</p> <p>In order to mitigate security concerns and to mitigate the risk of public safety issues, VTA creates an operations plan that includes procedures to mitigate risk. The operational plan takes into account expected attendance, the specific nature of the event and associated patrons, and other factors to develop the plan and determine security staffing levels needed. Additional staffing is comprised of Transit Patrol Sheriff's deputies and AB security contractors.</p> <p>We noted that Transit Patrol staffing levels have recently been increasing when four additional deputies were hired to implement a third shift. However, 2015 Transit Patrol staffing levels are still below 1995 levels. While VTA now uses a significant number of AB security contractors, there is a difference in capability and mission.</p> <p>Transit Patrol staffing levels have not kept pace with the general expansion of VTA services. Current staffing requirements stretch staffing levels in a suboptimal manner. Security staff may be performing duties that are better suited for other members of VTA's Protective Services to compensate for staff shortages. With future services planned, such as the BART SV Extension service implementation, VTA may find it difficult to provide necessary security without additional security forces.</p>	<p>VTA should evaluate existing staffing levels and capabilities of law enforcement, private security, and fare inspectors in conjunction with projected needs for BART SV service implementation and ongoing special events, to identify what VTA's ideal staffing levels would be to meet the Board's strategic vision for public safety and accomplishing operating priorities on an ongoing, sustainable basis. VTA should also consider all types of resources that could be utilized (i.e., sheriff technicians in lieu of fare inspectors, since fare inspectors cannot run ID checks and execute law-enforcement tasks, this results in Sheriff's Office staff being taken away from primary responsibilities).</p>	<p>VTA management concurs with the recommendation. VTA will evaluate staffing levels and capabilities of law enforcement, private security and fare enforcement personnel with projected needs for BART SV service implementation and ongoing special events to identify VTA's ideal staffing levels insuring that we are meeting the Board's strategic vision for public safety and accomplishing operating priorities. VTA management will also consider the best and most efficient use of resources to insure best use of staff available.</p> <p>Responsible Party: Manager of Protective Services Programs</p> <p>Target Date: June 1, 2016</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>VTA management has evaluated existing staffing levels and the need for additional staff. Protective Services has amended the County of Santa Clara Sheriff's Office contract to allow for additional resources. In addition, Protective Services constantly evaluates staffing to allow the best and most efficient use of resources.</p>
1.2	<p><u>Security Staffing Levels and Capabilities:</u></p> <p>1.2 AB is contracted to monitor and manage the Closed Circuit Television (CCTV) control room. AB security contractors who monitor the control room have specialized technical skills as outlined in the contract. One benefit to contracting out CCTV control room monitoring is the number of AB resources with technical CCTV expertise.</p> <p>One concern is that VTA does not have a staff member from the Sheriff's Office or a VTA employee managing the CCTV room. The use of video footage is an important and sensitive aspect of law enforcement that must be managed properly. It is very important that an accurate chain of custody be maintained for data which could be requested for evidentiary reasons. VTA management of the CCTV control room could also provide stronger controls to prevent video footage leaks.</p>	<p>VTA should formally evaluate the costs and benefits of contracting out CCTV control room management. Based on discussions with members of Protective Services, it is clear that there are benefits to using a VTA employee to manage the CCTV control room.</p>	<p>VTA management concurs with the recommendation. VTA will evaluate the costs and benefits of staffing the CCTV control room with VTA personnel.</p> <p>Responsible Party: Director of Safety and Security</p> <p>Target Date: December 31, 2015</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>Protective Services has evaluated the costs and benefits of staffing the CCTV control room with VTA personnel. At the time of review, budget constraints do not allow for complete VTA management of the CCTV room. Staff coverage of the CCTV room has been expanded to include coverage from 0600 to 0200 hours and VTA is exploring the possibility of staffing two officers during peak hours. In addition, there is a designated "on-call CCTV officer" for major incidents which occur over the weekend.</p>
1.3	<p><u>Security Staffing Levels and Capabilities:</u></p> <p>1.3 AB security contractor training is a key requirement of the contract between VTA and AB. VTA's annual audit of the AB contract includes significant testing of training compliance which highlights the importance that VTA places on utilizing well-trained security contractors. While AB security contractors undergo extensive training, they are not required to have Crisis Intervention Training (CIT) that is focused on helping law enforcement to appropriately react in situations involving mental health or developmental disability to prevent unnecessary escalation. This is currently a requirement for Transit Patrol as part of the Sheriff's Office training. CIT training is another example of differences in security capability. It also highlights the need to evaluate that the right mix of security forces are used.</p> <p>Additionally, AB security contractors do not undergo formal Implicit Bias (IB) training or Customer Service (CS) training. Implicit Bias training reinforces to officers the importance of not allowing personal biases influence their decision-making in situations. Also, though many AB security contractors are known to have received some sort of CS training in the past, there is no uniform training which all have received.</p>	<p>VTA should evaluate the costs and benefit of requiring Allied Barton security contractors to receive CIT training to ensure its security presence has the adequate skills to effectively de-escalate and manage potential crises.</p> <p>VTA should also consider the costs and benefit around both IB and CS training. Such training can enhance the AB security contractors' ability to fairly work with passengers, especially in tense or controversial situations.</p> <p>VTA may also benefit by considering the feasibility of AB contractors participating with other law enforcement agencies' CIT, IB, and CS training to save on costs.</p>	<p>VTA management concurs with the recommendation. VTA will evaluate the costs and benefit of requiring Allied Barton security contractors to receive CIT, IB, and CS training.</p> <p>Responsible Party: Manager of Protective Services Programs</p> <p>Target Date: December 31, 2015</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>At the time of review, Allied Universal (formerly Allied Barton) security contractors are required to receive CIT training focused on de-escalation and nonviolent crisis intervention. Protective Services provided detail reports showing mandatory security contractor training provided to all Allied Universal employees. In addition, security contractors will receive additional training on mental health, first response, and de-escalation if they display poor judgment.</p>

#	Observation	Recommendation	Management Response	Recommendation Implementation Status
1.4	<p><u>Security Staffing Levels and Capabilities:</u></p> <p>1.4 The CCTV control room is staffed during business hours by AB security contractors. They monitor television monitors, review previously taped footage, and pull requested footage if necessary. The CCTV control room is currently not staffed on nights and weekends. If footage of events is requested on weekends or at night, then a member of VTA will need to respond to the request.</p>	<p>VTA should evaluate whether 24/7 staffing of the CCTV control room would be beneficial. Considerations should include the cost of staffing, other supplementary work that could be performed by security staff working on weekends and nights, and the overall benefit to have real time monitoring and resources to pull video footage immediately when requested.</p>	<p>VTA management concurs with the recommendation. VTA will evaluate the costs and benefit of 24/7 staffing of the CCTV control room.</p> <p>Responsible Party: Manager of Protective Services Programs</p> <p>Target Date: December 31, 2015</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>Protective Services has evaluated the costs and benefits of 24/7 staffing of the CCTV control room. Budget constraints do not allow for 24/7 staffing, however, staff coverage of the CCTV room has been expanded to include coverage from 0600 to 0200 hours. In addition, there is a designated "on-call CCTV officer" for major incidents which occur over the weekend.</p>
2.1	<p><u>IndustrySafe Reporting and Audit Module Functionality:</u></p> <p>2.1 Operator incident reporting is manually entered into IndustrySafe, a web-based product used to record, track and identify safety trouble areas. This manual process entails paper forms, supervisor review, transfer to the Protective Services office, and data entry by an administrator. Through inquiry it was revealed that there is a backlog of incident reports that have not been entered into the IndustrySafe system. While we were informed that incidents of greater severity were entered into the system, other incident reports would not be visible if a query was run. The backlog of incident reports limits the value of analysis and reporting from IndustrySafe.</p>	<p>VTA should devote resources to eliminate the backlog of incident reports. VTA should also evaluate the manual nature of incident reporting. Process improvements that allow or encourage operators to enter incidents directly into IndustrySafe should be explored. We understand that incident reports need to be reviewed by a Supervisor and there are issues with providing tablets or computer access to operators, but exploring automation opportunities could greatly enhance the speed with which reports are entered into IndustrySafe and available for analysis and reporting.</p>	<p>VTA management concurs with the recommendation. VTA will devote resources to eliminate the backlog of incident reports. VTA will also evaluate the manual nature of incident reporting and will explore automation.</p> <p>Responsible Party: Manager of Protective Services Programs</p> <p>Target Date: March 31, 2016</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>Protective Services will explore possible automation opportunities related to incident reports as the expiration date for the current contract approaches. At the time of review, the backlog of incident reports has been eliminated. Protective Services is working with operators to clarify the incident reporting process and the information required to be submitted with each report.</p>
2.2	<p><u>IndustrySafe Reporting and Audit Module Functionality:</u></p> <p>2.2 Incident reporting out of IndustrySafe is inadequate to provide relevant and meaningful reporting in an efficient manner. Through inquiry and observation it was evident that Protective Services had limited ability to generate IndustrySafe reports that could be used for analysis or reporting to management. Observation revealed that standard reports were not available. Key administrative staff could generate data dumps in Excel but would then need to use filters to generate meaningful information. This was not the case for Sheriff's Office security metrics or fare inspector data. Both the Sheriff's Office application and the fare inspector's application (FEATS) have adequate reporting capabilities to provide data used for management reporting and operational decision making. Through inspection of reports, we were able to see statistics for fare evasion, total ridership, and total passengers checked. The Sheriff's monthly incident report included meaningful information on individual events. Further discussion with the Director, System Safety and Security and the Principal Safety Auditor, revealed that IndustrySafe training gaps and limited sharing of best practices across departments may be responsible for Protective Services' inability to generate meaningful reporting. With recent organizational realignment, the System Safety and Security Division obtained ownership of IndustrySafe and has plans to enhance training and disseminate best practices.</p>	<p>VTA should evaluate IndustrySafe reporting to determine if it has sufficient incident reporting capabilities. If it does not, VTA should consider other reporting options such as Crystal reports. If IndustrySafe does have sufficient reporting capabilities, then VTA should evaluate whether the application has effectively been rolled out to all departments and whether additional training should be provided to ensure all users are aware of and employing the full functionality of the application.</p>	<p>VTA management concurs with the recommendation. VTA will evaluate IndustrySafe and determine its capabilities in the area of security related incident tracking, reporting and forecasting.</p> <p>Responsible Party: Director of Safety and Security, Manager of Protective Services Programs, and Principal Safety Auditor</p> <p>Target Date: June 30, 2016</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>Protective Services has evaluated the use of IndustrySafe and its incident tracking and reporting capabilities and has determined that reporting capabilities are adequate. Additional online training webinars, as well as VTA specific business process documents and guidance, are available to VTA personnel and have been rolled out to all departments.</p>
2.3	<p><u>IndustrySafe Reporting and Audit Module Functionality:</u></p> <p>2.3 VTA undergoes significant third party audits and reviews by both state and federal agencies that include significant security and safety components. VTA also conducts a number of internal audits designed to monitor the effectiveness of processes/controls as well as comply with third party requirements. Because of the volume of audits required, and the need for administration and monitoring, VTA should be commended for their oversight of the audit process. However, it may be beneficial if some audit administration and monitoring tasks were automated.</p> <p>Through inquiry with System Safety and Security's Principal Safety Auditor, it was revealed that IndustrySafe includes an audit module that assists in automating audit administration and monitoring. Because the Principal Safety Auditor is a newly instituted position, there has not been time to fully investigate the audit module functionality. The Principal Safety Auditor will oversee safety audits while the divisions' Senior Management Analyst will continue to oversee security audits.</p> <p>Both the Senior Management Analyst and the Principal Safety Auditor use schedules to monitor the calendar of audits. An annual report is completed for the internal audit process every February, which provides a road map for audit planning and completion. In addition, the Senior Management Analyst maintains a monthly Corrective Action Plan report that tracks issues identified by an audit and the efforts to correct those issues. These procedures are primarily manual and tracked through spreadsheets and MS Word documents.</p>	<p>We recommend evaluating the IndustrySafe audit module to determine if it provides additional functionality that improves the operational efficiency of audit monitoring through automating processes.</p>	<p>VTA management concurs with the recommendation. VTA will evaluate IndustrySafe and determine its capabilities in the area of audit functionality.</p> <p>Responsible Party: Director of Safety and Security, Manager of Protective Services Programs, and Principal Safety Auditor</p> <p>Target Date: June 30, 2016</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>IndustrySafe does not currently have a dedicated audit module. Protective Services and other VTA personnel use a number of standard IndustrySafe reports which are included as part of the web-based reporting tool. Protective Services will continue to evaluate IndustrySafe and its reporting capabilities.</p>

#	Observation	Recommendation	Management Response	Recommendation Implementation Status
3.1	<p><u>Jurisdictional Responsibilities and Mutual Protocol Agreements:</u></p> <p>3.1 VTA's jurisdictional responsibilities are complex because of its large service area and operating providing bus and light rail services across Santa Clara county and the fifteen municipalities therein. VTA services also overlap with regional rail services, such as Caltrain, that create additional complexity. As a result, defining jurisdictional responsibilities for security related events is critical for effective and efficient incident response.</p> <p>In 2011, a mutual protocol agreement was executed between the San Jose Police Department and the Santa Clara County Office of the Sheriff. A section of the agreement defined jurisdictional responsibilities for VTA related incidents. An updated agreement is in the process of being drafted. The execution of a mutual protocol agreement between the Sheriff's Office and the city of San Jose increases cooperation by clarifying law enforcement responsibilities.</p> <p>With the impending implementation of BART SV service, VTA is drafting an Operations & Maintenance (O&M) Companion Agreement to the existing BART/VTA Comprehensive Agreement will include a section to define jurisdictional responsibility between BART police and VTA security.</p> <p>It was also determined that jurisdictional cooperation with other municipalities is predicated on the experience and working relationships that Transit Patrol has established. However no formal process has been implemented to evaluate whether mutual protocol agreements with other municipalities should be pursued.</p>	<p>Because of the complexity of providing transit security along the VTA footprint, we recommend evaluating whether a process to periodically assess the need for mutual protocol agreements is necessary. The mutual protocol agreement with the city of San Jose is intuitive because 95% of calls occur within San Jose, but there should be a process to determine if mutual protocol agreements with other municipalities should be pursued.</p> <p>A process that includes periodic assessments provide a mechanism to monitor changing demographics, as well as the VTA footprint, to ensure that mutual protocol agreements are pursued with high value municipalities.</p> <p>Another approach is consideration of whether an educational document that defines VTA security responsibilities could be created and communicated to other law enforcement agencies.</p>	<p>VTA management concurs with the recommendation. VTA will evaluate the mutual protocol agreements with overlapping municipalities and/or feasibility of an educational document that defines VTA security responsibilities which could be communicated to other law enforcement agencies. Further, VTA will develop a procedure for periodic review of changing demographics and population within the VTA footprint.</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>In April 2016 VTA entered into a mutual protocol agreement with the San Jose Police Department in order to maintain the previous agreement guidelines and clarify the responsibilities of both parties and the responses to VTA property, facilities and vehicles. VTA monitors demographics on a yearly basis and continually explores the need for mutual protocol agreements with other municipalities.</p>
4.1	<p><u>Bart Go Live - Security Considerations:</u></p> <p>The BART extension has the potential to create jurisdictional ambiguity between different transit and law enforcement agencies. BART and VTA are drafting an O&M agreement to address some of these issues. Although the agreement has not been executed, it calls for BART police to patrol the trains and VTA to provide security on platforms and station facilities.</p> <p>To enhance jurisdictional cooperation, VTA would like to establish a community policing center near the Berryessa station. The value of a community policing center would be to establish a more consistent security presence in the area, enhance cross-training opportunities and provide a venue for greater cooperation between different law enforcement agencies who could use the center.</p>	<p>VTA should evaluate the costs and benefits of a community policing station by assessing best practice security approaches used at other BART stations.</p>	<p>VTA management concurs with the recommendation. VTA will evaluate benefits of a community policing station by assessing best practice security approaches used at other BART stations.</p> <p>Responsible Party: Manager of Protective Services Programs; Director of Safety and Security and Captain Lera</p> <p>Target Date: June 30, 2016</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>In preparation for the expansion of BART into Silicon Valley, VTA is exploring memorandums of understanding with BART Police and the City of Milpitas to define the responsibilities of each party. Under the proposed agreement, BART Police will be responsible for all incidents inside BART with VTA being responsible for all incidents outside BART. The BART agreement is currently being finalized.</p>
4.2	<p><u>Bart Go Live - Security Considerations:</u></p> <p>4.2 The BART extension will include extensive CCTV monitoring. BART security will monitor CCTV on trains and VTA security will monitor CCTV on station platforms and parking lots. Each entity will own and managed security footage recorded on their CCTV cameras.</p> <p>CCTV is a powerful tool to record security events as well as deter potential security incidences. CCTV data/footage sharing between BART and VTA is being discussed and the framework will be included in the O&M Companion Agreement being developed.</p> <p>Through review of VTA Policy OGC-PL-1001, Records Management, and its accompanying Attachment 1 – Retention Schedule and discussion with VTA's Director, System Safety and Security, it was noted that CCTV records are included within the scope of the Policy and that the policy appears both reasonable and in compliance with Government Code 34090.8 and Assembly Bill 839. Further, as the Policy is intended to apply system-wide, it will continue to apply to all new environments after BART go-live, in conjunction with parameters set forth within the O&M Companion Agreement. Accordingly, it appears that no changes need be made to the policy to afford additional accommodations in light of the forthcoming BART service.</p>	<p>VTA should evaluate CCTV recording options and work with BART to share CCTV recording data.</p>	<p>VTA management concurs with the recommendation. VTA will evaluate CCTV recording options and work with BART to share CCTV recording data.</p> <p>Responsible Party: Manager of Protective Services Programs; Director of Safety and Security and Captain Lera</p> <p>Target Date: June 30, 2016</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>VTA is in the process of installing fiber cables to allow for video review at the River Oaks facility. Only one agency will record specific incidents, and each agency will record video related to their own area of jurisdiction. The expansion of BART into Silicon Valley will be managed using best practice security practices used at other BART stations and coded into the O&M Companion Agreement.</p>
5.1	<p><u>Calls for Service - Operational Responsibilities:</u></p> <p>5.1 "911" calls go to the Sheriff's Office or local police dispatch. Calls on light rail station platform blue phones go to the Sheriff's Office dispatch. Calls from bus or light rail operators are routed to OCC who then contacts Transit Patrol if there is a high risk security concern. The Sheriff's Office also has access to monitor OCC calls and would likely know about an incident before the OCC contacted them.</p> <p>VTAAlerts, a phone/tablet application, is another tool that allows VTA customers and others to report problems through their phone or tablet. VTAAlerts is monitored by AB, who will respond and, if necessary, escalate higher risk incidents to law enforcement.</p> <p>It was revealed that the OCC does not have personnel that specifically manage incoming calls related to security issues.</p>	<p>Although security response times have not been an issue, VTA should evaluate the service call process to determine if response times should be tracked and reported.</p> <p>Additionally, VTA should evaluate the service call process to determine if the OCC should have a dedicated personnel to manage incoming security calls.</p>	<p>VTA management concurs with the recommendation. VTA will evaluate the service call process to determine if response times should be tracked and reported. Further VTA will evaluate the feasibility of having dedicated security personnel in OCC to manage incoming security related calls.</p> <p>Responsible Party: Manager of Protective Services Programs; Director of Safety and Security and Captain Lera</p> <p>Target Date: June 30, 2016</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>Protective Services tracks incident response times as part of the service call process. In addition, VTA has amended their current contract to allow for additional staffing and more public safety resources at dedicated locations such as light rail platforms and vehicles. These additional resources have helped VTA to better manage incoming security calls.</p>



Date: June 6, 2017
 Current Meeting: August 3, 2017
 Board Meeting: August 3, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Board of Directors

FROM: Auditor General, Bill Eggert

SUBJECT: Follow-Up on the Operator Scheduling Assessment

Policy-Related Action: Yes

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Review and receive the Auditor General's follow-up report on the implementation status of management's action plans contained in the Operator Scheduling Assessment performed during Fiscal Year 2015.

BACKGROUND:

VTA's Auditor General's Office is responsible for conducting the internal audits specified in the Board-approved Internal Audit Work Plan. It is also responsible for determining the implementation status, adequacy and timeliness of corrective actions that VTA management committed to implement on reported observations and recommendations contained in these internal audits.

During Fiscal Year 2015, the Auditor General's Office completed the Operator Scheduling Assessment. The primary objective of this review was to examine VTA's key processes supporting operator scheduling and to identify existing impediments or challenges to operator scheduling. To achieve this objective, we evaluated the effectiveness of the design and operation of internal controls, including identifying potential opportunities for process and control improvements.

Based on the work performed, an overall *Medium* level of potential opportunity for process improvement was issued, based on five identified areas of potential process improvement: three judged as *High* potential, one judged as *Medium* potential, and one judged as *Low* potential.

VTA management agreed with most, but not all, of the Auditor General's Office recommendations. It committed to implement all agreed-upon recommendations by the end of January 2017.

Recommendations of opportunities for improvement contained in that report were presented by the Auditor General for consideration by the VTA Board of Directors, Governance & Audit Committee and management, which are solely responsible for the effective implementation of any recommendation.

DISCUSSION:

In March and April 2017, the Auditor General's Office completed its follow-up process to assess if the management action plans specified in the Operator Scheduling Assessment had been completed. The results of this follow-up, as well as a summary of the findings, recommendations and VTA management responses from the subject report, are included on Attachment A.

Based on the evidence submitted by VTA, we have confirmed that all but one recommendation have been successfully implemented. The recommendation not fully completed is related to reviewing the Vasona line infrastructure and car platforms and is underway, which completion expected by September 2018.

FISCAL IMPACT:

There is no financial impact associated with acceptance of this report.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Governance & Audit Committee considered this item at its June 1, 2017 meeting as part of its Regular Agenda. Members of the Committee requested clarification on the timeline for the Request for Proposals for extending the platforms on the Vasona light rail line, which staff will provide in writing. The Committee unanimously recommended Board acceptance of this follow-up report and that it be placed on the Board's Consent Agenda.

Prepared by: Lily Rogers, AG's Office and Stephen Flynn, Advisory Committee Coordinator
Memo No. 6132

ATTACHMENTS:

- A--Followup on Operator Scheduling Assessment (PDF)

VTA Auditor General's Office
Follow-up Report: Operator Scheduling Assessment
June 1, 2017

#	Observation	Recommendation	Management Response	Recommendation Implementation Status
1.1	<p><u>Light Rail Vehicle Availability, Supply Chain Management and Community Bus System Integration:</u></p> <p>1.1 During our review of VTA divisions, we identified the need for additional vehicle availability, specifically for the Light Rail (LR) division. At the time of review, the daily light rail cars in service were 62 out of the 99 available (63%). The industry standard for vehicles operating during service ranges from 80-90%, but 90% is considered an optimal target. VTA's light rail in-service rate heightens the risk of VTA not meeting service standards for both high-visibility special events and daily operations during AM and PM peaks. VTA should have, at minimum, 74-79 cars available to handle current demand for events.</p>	<p>The current rail vehicle availability is a constraint on operations. We recommend that VTA increase its operating light rail availability target to between 80-90% and evaluate organization needs for achieving the target. With additional light rail vehicle availability, the light rail division will be better prepared for daily AM and PM peaks and special events.</p>	<p>Operations has submitted an analysis and staffing plan to create a third LR maintenance shift with the bulk of the employees available on weekends which will increase the amount of preventative and corrective maintenance that can be accomplished. This will lead to fleet availability in the 80 to 90% range as suggested. The implementation of the new light rail service in conjunction with the BART extension opening will require over 80 peak vehicles. For Wrestlemania in March 2015, VTA had 84 LRVs available for service.</p> <p>Responsible Party: David Hill, Deputy Director, Transit Operations</p> <p>Target Date: August 2015</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>VTA Operations have created a third LR maintenance shift to increase preventative maintenance. LR vehicles are currently undergoing a scheduled 480,000 mile "midlife rehab" preventative maintenance overhaul that requires additional maintenance work and staffing.</p>
1.2	<p><u>Light Rail Vehicle Availability, Supply Chain Management and Community Bus System Integration:</u></p> <p>1.2 Light rail availability is directly related to the supply chain, vehicle maintenance processes and vehicle maintenance staffing levels. The current procurement cycle for ordering light rail parts is approximately 52 weeks, which is a significant amount of time to receive parts. It was also noted that the spare ratio was below the industry standard of 10%. The combined lead time and lack of parts indicates ineffective supply chain management, which will continue to impact light rail vehicle (LRV) availability.</p>	<p>We were made aware that the procurement process has incredible lead-time and parts were often unavailable for service needs. We recommend that VTA evaluate its existing supply chain management process and establish appropriate processes that would allow the light rail division to calculate the service life of each light rail vehicle, plan for vehicle failures, and have sufficient spare parts to repair nonfunctional vehicles to maintain 90% light rail vehicle availability. Effective and efficient supply chain management supports VTA's need for light rail availability for critical transportation services.</p>	<p>The materials management section, previously in Operations, has been reorganized to report directly to Procurement & Contracting Department. This reorganization is streamlining communications and creating inventory ordering improvements.</p> <p>Responsible Party: Nuria Fernandez, GM/CEO</p> <p>Target Date: March 31, 2015 (reorganization completed)</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>Materials Management has been reorganized to report directly to Procurement and is no longer part of Operations.</p>
1.3	<p><u>Light Rail Vehicle Availability, Supply Chain Management and Community Bus System Integration:</u></p> <p>1.3 In addition to supply chain management practices, we observed maintenance staffing levels may constrain LRV availability.</p>	<p>Maintenance staffing levels may be another potential constraint. We recommend an analysis of staffing levels to provide adequate services to ensure vehicle availability is increased.</p>	<p>Staffing levels for both LR vehicle maintenance and WP&S have been analyzed and additional staffing has been requested in the upcoming two-year transit operating budget.</p> <p>Responsible Person: Raj Srinath, Chief Financial Officer</p> <p>Target Date: January 2015</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>VTA has completed an analysis of staffing levels for both LR vehicle maintenance and WP&S. Additional maintenance staffing has been requested and implemented.</p>

#	Observation	Recommendation	Management Response	Recommendation Implementation Status
1.4	<p><u>Light Rail Vehicle Availability, Supply Chain Management and Community Bus System Integration:</u></p> <p>1.4 Finally, during our walkthrough with headquarters staff, we discovered that sub-fleets that were limited to operating on community buses could potentially be further utilized for VTA's benefit by operating on other system hours. However, the lower fares (compared to other bus routes) limit these buses from only operating the community bus routes. Bus fares on the community routes could be raised to standard fare and, as a result, this fleet could also operate on other services providing flexibility and system efficiency.</p>	<p>Currently, the community buses have limited route options and bus fares are lower compared to other bus routes. We recommend that VTA investigate fare standardization for bus fares – through an increase in bus fares on community routes – to lift the restrictions to the current sub-fleet to operate on other routes.</p>	<p>VTA's newest community buses are 30-foot hybrid standard transit buses that completely replace our previous fleet of cutaway buses. This new bus style, which does not include a community bus branding, does allow use of these buses on other lines, such as first/last mile service. However, on weekdays this fleet is fully deployed on community bus lines. In many cases, a smaller 30-foot bus is needed on these lines due to street configurations, turning movements and community desires. In the future, as vehicles become available or more are procured VTA will look to using these smaller buses on other services. At this time, VTA is not considering any changes to community bus fares.</p> <p>Responsible Person: Jim Unites, Deputy Director, Service & Operations Planning.</p> <p>Target Date: Completed</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>VTA has reviewed the use of community buses and has not implemented any changes to bus routes or fares. No further action is expected at this time.</p>
2.1	<p><u>Operator Work Rules:</u></p> <p>Although VTA has a standard system in place for bidding schedules, there is an opportunity to further improve the overall process through operator work rule modification in future Amalgamated Transit Union (ATU) contract negotiations. Through discussion with the scheduling management team and light rail and bus division superintendents, we found that VTA's current modified cafeteria style allows flexibility for operators to select their divisions, routes, work hours and days off. However, this comes at a cost to the operating budget and creates a multi-step bidding process.</p>	<p>Schedulers currently have difficulty in creating efficient schedules and routes with the modified cafeteria approach. While it would take considerable effort to change existing work rules, including agreement from the ATU, we recommend that VTA conduct a cost-benefit analysis of implementing regular rostering scheduling. Rostering would allow VTA to create pre-packaged schedules, including assigned days off while allowing operators to select packages, as preferred. This could completely remove the group relief packages and result in budget and administrative savings without unduly burdening the operators and relieving constraints on schedulers and office supervisor supports.</p>	<p>Moving from the current modified cafeteria style bidding to regular rostering would be a significant cultural and operational change to the VTA workforce. This would likely require agreement with the ATU and modifications to VTA's scheduling and workforce management software (Trapeze FX and OPS). VTA staff and Trapeze would likely need to run some computerized test scenarios to determine the cost savings of such an approach. This effort could be complicated and time consuming. This change would need to be negotiated with ATU. This will be addressed during the current negotiations with ATU on a new collective bargaining agreement. The other related factors will also be evaluated.</p> <p>Responsible Person: Mike Hursh, Chief Operating Officer</p> <p>Target Date: April 30, 2016</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>Implementing this change would require agreement and renegotiation with ATU. VTA addressed this issue and was unable to negotiate this change in the latest round of ATU negotiations.</p>
2.2	<p><u>Operator Work Rules:</u></p> <p>There are other aspects, inherent in the current union agreement that provide inefficiencies in operator scheduling. A prime example is that the ATU agreement requires that VTA maintains 60% percent of weekday runs as straight runs. This affects the scheduling efficiency of operator runs for a given day by limiting the amount of operators that work both peak periods and paying overtime for these runs.</p>	<p>We recommend that VTA use the same cost-benefit analysis above and explore the possibility of removing the union restriction on straight runs. This would provide a more efficient solution for scheduling.</p>	<p>VTA management agrees with the recommendation to remove run restrictions that are part of the collective bargaining agreement with ATU. This will be addressed during the current negotiations with ATU on a new collective bargaining agreement.</p> <p>Responsible Person: Mike Hursh, Chief Operating Officer</p> <p>Target Date: June 2015</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>Implementing this change would require agreement and renegotiation with ATU. VTA addressed this issue and was unable to negotiate this change in the latest round of ATU negotiations.</p>

#	Observation	Recommendation	Management Response	Recommendation Implementation Status
2.3	<p><u>Operator Work Rules:</u></p> <p>After runs have been bid and assigned, the runs by day that were not assigned are pieced together (called group relief packages), which are offered to operators in a second round of bidding. We found that the process for creating the group relief packages is heavily manual and time-intensive. The Chaboya division created 47 group relief packages this first quarter. It was estimated that the entire process required two office support positions working 32 hours in total.</p>	<p>Quarterly schedule bidding provides operators flexibility in selecting work hours and routes, but lowering the bidding frequency would result in administrative efficiencies and cost savings related to schedule preparation and bidding. We recommend that VTA proposes to change the frequency of schedule bidding from four to three times per year, as well as having date flexibility when operators' scheduling bidding occurs and their effective dates. Through these changes, VTA gains process efficiency and flexibility to adjust for service changes such as school schedules, sporting events, holiday events, and other external impacts.</p>	<p>VTA management agrees that the recommendation to reduce the frequency of schedule bids from quarterly to three times per year would be more efficient. Again, this would need to be addressed in the collective bargaining agreement with ATU.</p> <p>To make this recommendation most effective, management recommends that the labor agreement be modified to have more flexibility as to when the date of the sign up is effective to adjust for service changes, school schedules and other impacts.</p> <p>Responsible Person: Mike Hursh, Chief Operating Officer</p> <p>Target Date: June 2015</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>Implementing this change would require agreement and renegotiation with ATU. VTA addressed this issue and was unable to negotiate this change in the latest round of ATU negotiations.</p>
2.4	<p><u>Operator Work Rules:</u></p> <p>Throughout our review we observed low operator staffing levels, which resulted in the borrowing of operators, operators working on scheduled days off, and operators volunteering on a regular basis. Each of these scheduling practices place potentially undue stress on the workforce.</p>	<p>We recommend that VTA implement an operator work rule that allows supervisors to operate vehicles in case of emergency situations related to shortage of manpower. This will give VTA more flexibility to handle high volume traffic and congestion areas when necessary, as well as reducing stress on staff operators.</p>	<p>VTA management agrees with the recommendation to implement a work rule that allows supervisors to operate vehicles in case of emergencies or shortage of personnel.</p> <p>Responsible Person: Mike Hursh, Chief Operating Officer</p> <p>Target Date: June 2015</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>VTA supervisors are only authorized to operate vehicles in case of emergency, not due to a shortage of personnel. Allowing supervisors to operate vehicles due to a shortage of personnel would place additional demands on the supervisory staff. In case of a shortage of operators, VTA will call upon operators not currently scheduled to work to fill the shortage.</p>
3.1	<p><u>Levi's Stadium and Special Events: Staffing Sustainability and Vasona Branch Enhancement:</u></p> <p>A review of the Levi's Stadium special events and operations was performed. Levi's Stadium hosts 10 NFL games per year, the 2016 Super Bowl, and other large events. These events attract tens of thousands of visitors that depend on mass transit, especially rail transit. VTA's overall service for Levi's Stadium events was largely successful in 2014: the first year for major events. The events, however, placed stress on operating and supervision staff that is not sustainable, especially as events are added at Levi's Stadium and Avaya Stadium opens in 2015. Many operators volunteered for the special assignments, but the reliance of staffing through this method should be accompanied by additional options and facilities.</p>	<p>VTA is well aware that the current staffing levels and requirements for Levi's Stadium Special Events is unsustainable long-term and have recently hired several people to address this. Still, we recommend that VTA evaluate alternative staffing and operation strategies, including the use of part-time operators, possibly creating a new category of operators that can work on bus and rail, and options to augment existing services provided by VTA.</p>	<p>VTA management agrees and will investigate other operating personnel deployment strategies (use of part time operators, dual bus/rail operators, etc.) to sustain event operations while continuing to provide effective day to day service. Many potential changes would need union agreement or change in current operating practices, which will be addressed during the current negotiations with ATU on a new collective bargaining agreement.</p> <p>Responsible Party: David Hill, Deputy Director, Transit Operations</p> <p>Target Date: July 2015</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>Implementing this change would require agreement and renegotiation with ATU. VTA addressed this issue and was unable to negotiate this change in the latest round of ATU negotiations.</p>

#	Observation	Recommendation	Management Response	Recommendation Implementation Status
3.2	<p><u>Levi's Stadium and Special Events: Staffing, Sustainability and Vasona Branch Enhancement:</u></p> <p>Planning for Levi's Stadium Special Events was performed with current staff. It was noted during interviews that VTA had a dedicated Levi's Stadium coordinator assigned to managing Levi's Stadium events in 2014.</p>	<p>Due to the scale of special events and Levi's Stadium Service, VTA should consider maintaining the Levi's Stadium Coordinator position to focus solely on special events and Levi's Stadium service and also provide support staff to ensure continued successful event operations in a sustainable manner.</p>	<p>Upon resignation of the Levi's Stadium Coordinator, a Transportation Superintendent position was approved and filled to manage Levi's Stadium plus other events such as San Jose Earthquakes games, July 4th fireworks, etc. The position will also coordinate operational impacts from the VTA and third-party various construction projects impacting VTA light rail and bus operations. A Transit Service Development Supervisor was also recently hired in Service and Operations Planning to lead the complex event service planning. Six new Transportation Supervisor positions were approved to support event days and daily service, and two more are proposed in the FY16 budget. Finally, VTA has initiated a retiree ambassador program, where VTA retirees can return to paid part time status as ambassadors for events, removing work load from other full time staff. Finally, VTA will use these retirees and other trained staff to work the queue teams. We don't see a need to augment our staffing levels with third-party vendors beyond the current use of Allied-Barton and Sheriff's Transit Patrol.</p> <p>Responsible Party: David Hill, Deputy Director, Transit Operations and Jim Unites, Deputy Director, Service & Operations Planning.</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>VTA created and filled the Transportation Superintendent - Service Management, Operations Control Center position in April 2015. This individual will coordinate with city officials and legislators regarding special events. VTA has also created Assistant Superintendent positions that will be directly involved with all special events at Levi's Stadium. Special events are planned for based on expected attendance and level of service.</p>
3.3	<p><u>Levi's Stadium and Special Events: Staffing, Sustainability and Vasona Branch Enhancement:</u></p> <p>We realize that VTA continues to look into the future and quickly adapt to future needs; however, the Vasona Branch contains several stations that are restricted to two-car berthing which limits flexibility for operations for special events, constrains operations, and often requires more operators.</p>	<p>We recommend analyzing a cost-benefit of extending station platforms to accommodate three-car trains, consistent with the rest of the rail system thus improving your ability to handle increased ridership.</p>	<p>VTA management agrees that the current Vasona line infrastructure with two car platforms and two single track segments constrains event day operations as well as daily service. The VTA Planning and Project Development Division has a study underway, the Light Rail Enhancement Project, to review a variety of system design and operational strategies that would improve service, ridership and operating speed. Vasona line improvements are only one of many enhancements being studied. The study will consider the cost and benefits of each potential improvement. Future decisions will be made on which improvements to pursue for funding and implementation. The study is targeted for completion by the end of 2016.</p> <p>Responsible Party: John Ristow, Director, Planning & Programming</p> <p>Target Date: January 2017 to determine next steps</p>	<p><u>Auditor General's Office:</u> Status: Not Complete</p> <p>VTA has not completed the study related to the Vasona line infrastructure and possible use of three car platforms. The light rail enhancement project focused on improving speed and safety throughout the system and did not focus on specific track and platform improvements. An RFP is in development for a consulting firm to examine possible platform improvements to be completed by September 30, 2018.</p>

#	Observation	Recommendation	Management Response	Recommendation Implementation Status
4.1	<p><u>Trapeze OPS Next Steps:</u></p> <p>4.1 – 4.5 VTA implemented a commercial off-the-shelf software package owned and licensed by Trapeze Software Inc. ("Trapeze"), called Trapeze OPS, as its new bidding, dispatching, timekeeping, workforce and yard management solution for approximately 1,500 operators, maintenance and other personnel. The launch was successful, but as a result of staff interviews and fieldwork, we identified the following ways Trapeze OPS could be further leveraged:</p> <ul style="list-style-type: none"> • Utilize run-cutting for group relief schedules • Create ability to duplicate previous reports • Web-based bidding • Additional training for Office Timekeeper Technicians • Automatically generate fixed items, as birthdays, on calendar 	<p>4.1 The current group relief runs are created manually and have potential for errors, and add unnecessary time and risk to the picking process. We recommend Trapeze OPS be utilized for run-cutting group relief work.</p>	<p>4.1 Management agrees with the recommendation to alleviate the manual process in packaging group relief runs. VTA is currently establishing a scope of work for Trapeze to develop a solution to automate the group relief packaging process.</p> <p>Responsible Person: Joonie Tolosa, Manager, Operations, Analysis, Systems and Reporting</p> <p>Target Date: October 2015</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>VTA contracted Trapeze to develop a solution to automate the group relief packaging process. This solution was finalized and accepted in June 2016.</p>
4.2	<p><u>Trapeze OPS Next Steps:</u></p> <p>4.1 – 4.5 VTA implemented a commercial off-the-shelf software package owned and licensed by Trapeze Software Inc. ("Trapeze"), called Trapeze OPS, as its new bidding, dispatching, timekeeping, workforce and yard management solution for approximately 1,500 operators, maintenance and other personnel. The launch was successful, but as a result of staff interviews and fieldwork, we identified the following ways Trapeze OPS could be further leveraged:</p> <ul style="list-style-type: none"> • Utilize run-cutting for group relief schedules • Create ability to duplicate previous reports • Web-based bidding • Additional training for Office Timekeeper Technicians • Automatically generate fixed items, as birthdays, on calendar 	<p>4.2 Trapeze contains information utilized for a variety of functions, but does not duplicate reports previously available. We recommend establishing a process to create special reports to duplicate previous reports, especially in regards to time worked/not worked.</p>	<p>4.2 Management agrees with the recommendation. This process has been in place since the June 2014 Trapeze OPS deployment. Development of internal reports is ongoing. Report developer staff will continue to reach out to users for reporting requirements. In addition, VTA will engage Trapeze to conduct database structure training for VTA staff. Viewpoint, a business and reporting intelligence tool for OPS, is currently in design review with a target implementation of August 2015. This business intelligence tool will provide another layer of reporting solution for Trapeze OPS.</p> <p>Responsible Person: Joonie Tolosa, Manager, Operations, Analysis, Systems and Reporting</p> <p>Target Date: August 2015</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>The development of standard Trapeze internal reports is ongoing based on user requests and needs, and Trapeze provided database structure training for VTA staff in 2015. The installation of Viewpoint is in the configuration and testing phase with a targeted implementation of May 2017.</p>
4.3	<p><u>Trapeze OPS Next Steps:</u></p> <p>4.1 – 4.5 VTA implemented a commercial off-the-shelf software package owned and licensed by Trapeze Software Inc. ("Trapeze"), called Trapeze OPS, as its new bidding, dispatching, timekeeping, workforce and yard management solution for approximately 1,500 operators, maintenance and other personnel. The launch was successful, but as a result of staff interviews and fieldwork, we identified the following ways Trapeze OPS could be further leveraged:</p> <ul style="list-style-type: none"> • Utilize run-cutting for group relief schedules • Create ability to duplicate previous reports • Web-based bidding • Additional training for Office Timekeeper Technicians • Automatically generate fixed items, as birthdays, on calendar 	<p>4.3 Currently bidding is done manually and Trapeze may have ability to perform this function in a Web-based format. We recommend investigating Trapeze to allow for bidding via the Web, saving time and money.</p>	<p>4.3 Management agrees with the recommendation. The implementation of web bidding requires ATU participation and extensive changes to administrative procedures and processes. This will be addressed during the current negotiations with ATU on a new collective bargaining agreement.</p> <p>Responsible Person: David Hill, Deputy Director, Transit Operations</p> <p>Target Date: August 2015</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>Implementing this change would require agreement and renegotiation with ATU. VTA addressed this issue and was unable to negotiate this change in the latest round of ATU negotiations.</p>

#	Observation	Recommendation	Management Response	Recommendation Implementation Status
4.4	<p><u>Trapeze OPS Next Steps:</u></p> <p>4.1 – 4.5 VTA implemented a commercial off-the-shelf software package owned and licensed by Trapeze Software Inc. ("Trapeze"), called Trapeze OPS, as its new bidding, dispatching, timekeeping, workforce and yard management solution for approximately 1,500 operators, maintenance and other personnel. The launch was successful, but as a result of staff interviews and fieldwork, we identified the following ways Trapeze OPS could be further leveraged:</p> <ul style="list-style-type: none"> • Utilize run-cutting for group relief schedules • Create ability to duplicate previous reports • Web-based bidding • Additional training for Office Timekeeper Technicians • Automatically generate fixed items, as birthdays, on calendar 	<p>4.4 Current staff was trained on Trapeze, but additional, more specific training would facilitate better performance of job functions. We recommend providing additional training for operations staff, Office Time Technicians and Office Support Supervisors.</p>	<p>4.4 Management agrees with the recommendation. Training items have been identified and VTA is planning to start these training sessions mid-March 2015. In June 2015, VTA also plans to bring Trapeze back onsite for specialized training sessions catered to Operations Superintendents and Supervisors.</p> <p>Responsible Person: Joonie Tolosa, Manager, Operations, Analysis, Systems and Reporting</p> <p>Target Date: June 2015</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>VTA has implemented targeted training for all Trapeze users, including Operations Superintendents and Supervisors, and trains new employees on an ongoing basis. Operations holds monthly super-user meetings to discuss the use of Trapeze and ensure coordination.</p>
4.5	<p><u>Trapeze OPS Next Steps:</u></p> <p>4.1 – 4.5 VTA implemented a commercial off-the-shelf software package owned and licensed by Trapeze Software Inc. ("Trapeze"), called Trapeze OPS, as its new bidding, dispatching, timekeeping, workforce and yard management solution for approximately 1,500 operators, maintenance and other personnel. The launch was successful, but as a result of staff interviews and fieldwork, we identified the following ways Trapeze OPS could be further leveraged:</p> <ul style="list-style-type: none"> • Utilize run-cutting for group relief schedules • Create ability to duplicate previous reports • Web-based bidding • Additional training for Office Timekeeper Technicians • Automatically generate fixed items, as birthdays, on calendar 	<p>4.5 Trapeze automates availability of operators for some functions, but some availability is documented manually, such as birthdays and incentive days. We recommend exploring the possibility of implementing this functionality into Trapeze, eliminating a manual process.</p>	<p>4.5 Management clarified with staff that this item refers to absence (vacation, floating holiday, incentives) quota configuration. This configuration activity is required once a year, before the annual general sign-up in January, and would be the first year VTA utilized Trapeze OPS for this purpose. Management agrees to review the quota configuration process and implement process improvements where necessary.</p> <p>Responsible Person: Joonie Tolosa, Manager, Operations, Analysis, Systems and Reporting</p> <p>Target Date: January 2016</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>As absence quota configurations are accrued once each year, any issues will be realized annually. Operations works with users to ensure that all issues are resolved and process improvements are implemented when possible.</p>
5.1	<p><u>Log Books:</u></p> <p>While VTA is compliant with log book requirements, historically, they were intended to protect commercial truck drivers from operating truck vehicles for an extended amount of time without adequate rest. VTA adheres to the requirement by having manual log books in operators' vehicles, as well as filing and maintaining log books in each division.</p> <p>VTA is the only one of 28 Bay Area transit agencies that does so because of CHP's inconsistent enforcement. For example, VTA bus operators are required to record time in log books, while other Bay Area operators are not.</p> <p>All superintendents, dispatchers, office support supervisors, office timekeeper technicians and headquarter staff throughout the organization agreed that the use of log books is redundant for tracking time. With the implementation of Trapeze OPS, operator runs cannot exceed 10 hours. The application is firmly arranged to accommodate this rule. With Trapeze OPS' stringent operator work rules, log books do not serve a purpose and result in unnecessary administrative cost.</p>	<p>We recommend that VTA investigate CHP log book requirements and discuss the need for this practice, especially with automation of Trapeze and Advanced Vehicle Systems (AVS) systems. If necessary, engage the Board of Directors for possible negotiation and resolution of eliminating requirement.</p>	<p>Management agrees with the recommendation. VTA previously engaged CHP regarding this issue 2.5 years ago, which did not result in any substantive improvement to the current process for VTA. VTA believes the underlying issue is that CHP is inconsistently and incorrectly applying this regulation in the transit industry. The preferred solution would be for CHP to not require log books in any form for public transit operators. VTA will approach the CHP again on this issue.</p> <p>Responsible Party: David Hill, Deputy Director, Transit Operations</p> <p>Target Date: October 2015</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>VTA addressed this issue with CHP and is required to comply with all log book requirements. VTA is in the process of automating the use of log books through a CAD/AVL system. In August 2016 the Board of Directors approved a contract with Clever Devices Ltd. to implement this software. Final acceptance is expected to occur by June 2018.</p>

#	Observation	Recommendation	Management Response	Recommendation Implementation Status
5.2	<p><u>Log Books:</u></p> <p>While VTA is compliant with log book requirements, historically, they were intended to protect commercial truck drivers from operating truck vehicles for an extended amount of time without adequate rest. VTA adheres to the requirement by having manual log books in operators' vehicles, as well as filing and maintaining log books in each division.</p> <p>VTA is the only one of 28 Bay Area transit agencies that does so because of CHP's inconsistent enforcement. For example, VTA bus operators are required to record time in log books, while other Bay Area operators are not.</p> <p>All superintendents, dispatchers, office support supervisors, office timekeeper technicians and headquarter staff throughout the organization agreed that the use of log books is redundant for tracking time. With the implementation of Trapeze OPS, operator runs cannot exceed 10 hours. The application is firmly arranged to accommodate this rule. With Trapeze OPS' stringent operator work rules, log books do not serve a purpose and result in unnecessary administrative cost.</p>	<p>We recommend that VTA investigate the implementation of a new AVS (communication) system that would provide greater accuracy and ability for reporting.</p>	<p>Management agrees with the recommendation. The CAD/AVL capital project expected to commence at the end of 2015 includes automation design requirements to replace manual monitoring and collection of information required for the logbooks. The technology design will require CHP consensus.</p> <p>Responsible Party: Joonie Tolosa, Manager, Operations, Analysis, Systems and Reporting</p> <p>Target Date: June 2015</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>VTA is required to comply with all log book requirements. VTA is in the process of automating the use of log books through a CAD/AVL system. In August 2016 the Board of Directors approved a contract with Clever Devices Ltd. to implement this software. Final acceptance is expected to occur by June 2018.</p>



Date: June 6, 2017
 Current Meeting: August 3, 2017
 Board Meeting: August 3, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Board of Directors

FROM: Auditor General, Bill Eggert

SUBJECT: Follow-Up on the Sheriff's Office Contract Compliance Internal Audit

Policy-Related Action: No

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Review and receive the Auditor General's follow-up report on the implementation status of management's action plans contained in the Sheriff's Office Contract Compliance Internal Audit performed during Fiscal Year 2013.

BACKGROUND:

VTA's Auditor General's Office is responsible for conducting the internal audits specified in the Board-approved Internal Audit Work Plan. It is also responsible for determining the implementation status, adequacy and timeliness of corrective actions that VTA management committed to implement on reported observations and recommendations contained in these internal audits.

During Fiscal Year 2013, the Auditor General's Office completed the Sheriff's Office Contract Compliance Internal Audit. The primary objective of this review was to obtain an understanding of the terms and requirements of the Sheriff's Office contract, ensure compliance with all applicable requirements, and review the service delivery and invoicing processes. To achieve this objective, we reviewed the terms of the Sheriff's Office contract as well as supporting documents and invoices provided to VTA.

Based on the work performed, an overall *Medium* level of potential opportunity for process improvement was issued, based on *eight* identified areas of potential process improvement: three judged as *Medium* potential and five *Low*.

VTA management agreed with most, but not all, of the Auditor General's Office recommendations. It committed to implement all agreed-upon recommendations by the end of December 2015.

Recommendations of opportunities for improvement contained in that report were presented by the Auditor General for consideration by the VTA Board of Directors, Governance & Audit Committee and management, which are solely responsible for the effective implementation of any recommendation.

DISCUSSION:

In March and April 2017, the Auditor General's Office completed its follow-up process to assess if the management action plans specified in the Sheriff's Contract Compliance Internal Audit had been completed. The results of this follow-up, as well as a summary of the findings, recommendations and VTA management responses from the subject report, are included on Attachment A.

Based on the evidence submitted by VTA, we have confirmed that the agreed-upon recommendations that do not require formal contract changes or amendments have been successfully implemented. It should be noted that the recommendations that have not been completed will be addressed as part of formal negotiations as the current contract becomes set to expire.

FISCAL IMPACT:

There is no financial impact associated with acceptance of this report.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Governance & Audit Committee considered this item at its June 1, 2017 meeting as part of its Regular Agenda. The Committee, without discussion, unanimously recommended Board acceptance of this follow-up report and that it be placed on the Board's Consent Agenda.

Prepared by: Lily Rogers, AG's Office and Stephen Flynn, Advisory Committee Coordinator
Memo No. 5984

ATTACHMENTS:

- A--Followup on Sheriff Contract Compliance IA (PDF)

Follow-up Report: Sheriff's Office Contract Compliance Internal Audit

June 1, 2017

#	Observation	Recommendation	Management Response	Recommendation Implementation Status
1a	<p><u>Timekeeping Procedures</u></p> <p>Based upon our experience reviewing labor costs, combined with the absence of other checks, balances, and controls related to time for one employee being entered by another employee, we believe that the rate of occurrence of manual time entries, combined with the absence of other additional controls, results in a medium degree of risk that timekeeping could be misstated by one or more Sheriff's Office personnel, which could result in overbilling to the VTA. While we did not see evidence that this has occurred in the information it has reviewed, the risk should be mitigated. Although Sheriff's Office personnel indicated there may be other documents available that could corroborate an employee's time, it does not appear these documents are used to track actual time or substantiate labor billings. We concluded that this is a control deficiency in the time recording process that should be remedied by the Sheriff's Office.</p>	<p>In order to mitigate the risk of timekeeping being misstated, we recommend that additional controls be put in place and adhered to in instances where there is a valid reason that the employee cannot enter his or her own time. To the extent the operational procedures of the Sheriff's Office do not align with current timekeeping procedures, we recommend the Sheriff's Office consider implementing additional controls that can provide confirmation and certification of an employee's actual time worked, such as reviewing the monthly staffing level report in conjunction with these labor costs.</p>	<p>VTA Management agrees. VTA will enter into discussions with the Sheriff's Office about implementing additional procedures to minimize manual time entries as much as if feasible. VTA will initiate these feasibility discussions by June 30, 2014, with completion targeted by December 31, 2014. These discussions will be conducted in combination with other efforts to comprehensively address other recommended actions contained in this audit report.</p> <p>The Sheriff's Office disagrees with this calculation, believing it is somewhat overstated. It should be noted that manual time entries are required to close payroll early due to a holiday (this occurred five time during the audit review period), and for vacation, industrial injury, FLMA and sick calls. It is the contention of Sheriff's Office that if mandatory manual entries for holidays that fall at the end of a pay period are eliminated from the data set, manual entries into Kronos are reduced to approximately 12%.</p> <p>Responsible Party: VTA System Safety and Security</p> <p>Target Date: 12/31/2014</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>VTA has worked with the Sheriff's Office to reduce manual time entries and maintain the use of Kronos for time recording. Manual time entries are still used to record vacation, holiday, FLMA and sick calls, however, Kronos is used for all regular time entries. VTA receives timekeeping information as part of the monthly invoices received from the Sheriff's Office and spot checks the amounts monthly. VTA also performs more detailed checks twice per year.</p>
1b	<p><u>Timekeeping Procedures</u></p> <p>Based upon our experience reviewing labor costs, combined with the absence of other checks, balances, and controls related to time for one employee being entered by another employee, we believe that the rate of occurrence of manual time entries, combined with the absence of other additional controls, results in a medium degree of risk that timekeeping could be misstated by one or more Sheriff's Office personnel, which could result in overbilling to the VTA. While we did not see evidence that this has occurred in the information it has reviewed, the risk should be mitigated. Although Sheriff's Office personnel indicated there may be other documents available that could corroborate an employee's time, it does not appear these documents are used to track actual time or substantiate labor billings. We concluded that this is a control deficiency in the time recording process that should be remedied by the Sheriff's Office.</p>	<p>During our review, we noted that the Sheriff's Office does not generally provide, nor does the VTA request, timekeeping records that would typically be provided as support in time and material billings. As a function of our review, we requested this documentation and the Sheriff's Office provided it. We recommend that time records reconciling to total hours incurred and billed during each pay period be provided with invoices as a control measure to prevent inaccuracies in billings and to provide sufficient actual cost support documentation for the VTA's own review of invoices.</p>	<p>VTA Management agrees. VTA already receives a Payroll Detail report and Overtime Approval forms with each invoice that supports the labor expenses. VTA will enter into discussions with the Sheriff's Office to determine if it is possible and feasible for the Kronos system to run a more detailed payroll record report for each person assigned to the contract for VTA review. VTA will initiate these feasibility discussions by June 30, 2014, with completion targeted by December 30, 2014. Should the Kronos system not be able to run such a report, efforts will be made to identify other acceptable detail reports.</p> <p>Responsible Party: VTA System Safety and Security</p> <p>Target Date: 12/31/2014</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>The Sheriff's Office now provides detailed information on payroll, overtime, fuel, and other items to VTA as part of the monthly invoicing process. VTA receives a summary of each category as well as a direct SAP system download of the related support. VTA pays the Sheriff's Office the actual cost of services provided and receives backup information to support these costs.</p>

#	Observation	Recommendation	Management Response	Recommendation Implementation
2a	<p>Overtime Costs</p> <p>The overtime costs that the Sheriff's Office charges the VTA for employees "backfilling" for normally assigned staff are in excess of the agreement terms, based on interpretation of current Agreement verbiage. We also noted that the ambiguity in the Agreement terms (such as the absence of definition of "normally scheduled hours") could potentially result in other billing risks. For example, the VTA could bear a disproportionate amount of Sheriff's Office overtime costs if: 1) a high number of "backfill" replacements were located from outside the pool of VTA-assigned personnel; 2) those employees incurred most or all of their regular hours outside of VTA assignments; and 3) those employees incurred most or all of their overtime hours on VTA assignments. We did not observe any indication that this is presently occurring in the billings from the Sheriff's Office; however, the risk that such a situation can occur is present and should be mitigated through the clarification of agreement verbiage. Doing so will not only reduce the risk of such occurrences, but will also reduce the risk of potential disputes arising in the future as a result of ambiguous agreement verbiage.</p>	<p>Should the VTA and the Sheriff's Office agree that the intent of the Agreement is to define "normally scheduled hours" as the 40-hour workweeks performed by assigned staff, we calculated an adjustment for overtime costs that were billed in excess of agreement terms. Based on a review of all overtime hours assigned to the VTA in "backfill" situations, the adjustment was calculated by multiplying the overtime hours assigned to the VTA for specific personnel by the difference between their regular time rate and their overtime rate. Based on this finding, we recommend that VTA request a credit to billings for the total adjustment amount of \$3,305, which represents the overbilling correlated to the total costs incurred under the contract to-date.</p>	<p>VTA Management agrees in part. It should be noted that VTA has always paid "actuals," including overtime associated with backfilling staffing requirements. VTA will enter into discussions with the Sheriff's Office to clarify and better define a 40-hour work week for incorporation into the Agreement at the next reasonable opportunity, either at expiration of the contract or in combination with the need for another amendment. VTA will initiate these discussions by June 30, 2014, with completion targeted by December 31, 2014. These discussions will be conducted in combination with other efforts to comprehensively address other recommended actions contained in this audit report.</p> <p>Regarding the identified adjustment of \$3,305, the Sheriff's Office does not agree with the need for the adjustment based on its understanding of the terms of the contract combined with past practice. It should be noted that other than the overtime used to backfill vacant shifts, in VTA Management's estimation the Sheriff's Office does an excellent job of limiting overtime. This small amount of overtime is typically billed to VTA when deputies have a late report to file or a late call for service. Due to non-agreement over this refund being warranted, both VTA and the Sheriff's Office have agreed to defer this item pending further review.</p> <p>Responsible Party: VTA System Safety and Security</p> <p>Target Date: 12/31/2014</p>	<p>Auditor General's Office: Status: Complete</p> <p>VTA has amended the standard contract to better clarify the standard workweek, which is now defined as either four 10 hour shifts, three 12 hour shifts, or five 8 hour shifts. In addition, the contract amendments increased staffing to eliminate the need for "backfill" situations and the need for overtime.</p> <p>Based on the limited use of overtime and the immaterial amount of the identified adjustment, VTA will not seek a credit for the identified adjustment of \$3,305.</p>
2b	<p>Overtime Costs</p> <p>The overtime costs that the Sheriff's Office charges the VTA for employees "backfilling" for normally assigned staff are in excess of the agreement terms, based on interpretation of current Agreement verbiage. We also noted that the ambiguity in the Agreement terms (such as the absence of definition of "normally scheduled hours") could potentially result in other billing risks. For example, the VTA could bear a disproportionate amount of Sheriff's Office overtime costs if: 1) a high number of "backfill" replacements were located from outside the pool of VTA-assigned personnel; 2) those employees incurred most or all of their regular hours outside of VTA assignments; and 3) those employees incurred most or all of their overtime hours on VTA assignments. We did not observe any indication that this is presently occurring in the billings from the Sheriff's Office; however, the risk that such a situation can occur is present and should be mitigated through the clarification of agreement verbiage. Doing so will not only reduce the risk of such occurrences, but will also reduce the risk of potential disputes arising in the future as a result of ambiguous agreement verbiage.</p>	<p>It appears that the Agreement between the VTA and Sheriff's Office is based at least in part on the underlying labor agreement between the County of Santa Clara and the Deputy Sheriffs' Association. It also appears that the intent of the Agreement is to mirror the labor agreement to make VTA responsible for the labor costs that will be borne for VTA-dedicated (and potentially other) personnel under the labor agreement. We observed several instances where the compensatory terms of the Agreement are not defined and therefore subject to interpretation to determine intent. We recommend that a review of the compensatory terms and definitions be performed in order to clarify said terms.</p>	<p>VTA Management agrees. VTA will initiate review of the compensatory terms and definitions by June 30, 2014, with completion targeted by December 31, 2014. These efforts will be conducted in combination with other efforts to comprehensively address other recommended actions contained in this audit report. Should there be a need for VTA and the Sheriff's Office to execute a contract amendment or when the existing contract terminates, references to the compensatory terms and definitions will be included in the Agreement. In addition, a reference to the Memorandum of Understanding between the County of Santa Clara and the Deputy Sheriffs' Association, Inc. of Santa Clara County will be incorporated.</p> <p>Responsible Party: VTA System Safety and Security</p> <p>Target Date: 12/31/2014</p>	<p>Auditor General's Office: Status: Not Complete</p> <p>The existing Memorandum of Understanding between the County of Santa Clara and the Deputy Sheriffs' Association has been extended through September 6, 2020. This item will be addressed as part of formal negotiations as the current contract becomes set to expire.</p>

#	Observation	Recommendation	Management Response	Recommendation Implementation
3	<u>Sick Pay</u> VTA has agreed to reimburse the Sheriff's Office for sick leave costs in excess of the collective bargaining agreement without sufficient consideration of whether those costs are necessary and reasonable.	We recommend that the VTA review this section of the Agreement to determine the necessity and reasonableness of their obligation to pay 30 days of sick leave costs, which is in excess of the sick day accrual specified by the collective bargaining agreement. Consideration of the legal obligations of the VTA and the Sheriff's Office under the County's collective bargaining agreement and Labor Code 4850, the sharing of risk resulting from those obligations, and the reasonable apportionment of any costs arising from those obligations.	VTA Management agrees. VTA will enter into discussions with the Sheriff's Office on reducing the number of days VTA is obligated to pay for sick leave costs from 30 to a lesser amount, whether that be a negotiated amount or the eight that is the specified annual accrual rate stated in the Memorandum of Understanding between the County of Santa Clara and the Deputy Sheriffs' Association, Inc. of Santa Clara County. The goal of the discussions will be to reasonably incorporate any changes in combination with any contract amendment or when the existing contract terminates. VTA will initiate these discussions by June 30, 2014, with completion targeted by December 31, 2014. These discussions will be conducted in combination with other efforts to comprehensively address other recommended actions contained in this report. Responsible Party: VTA System Safety and Security Target Date: 12/31/2014	<u>Auditor General's Office:</u> Status: Complete Although VTA has not amended the Memorandum of Understanding to reduce the number of days the Agency is required to pay for sick leave costs, VTA has not had any issues with excessive sick leave. This item will be addressed as part of formal contract negotiations as the current contract becomes set to expire.
4a	<u>Required Staffing Levels</u> During the rare instances in which Sheriff's Office does not provide the number of assigned staff stipulated in the Agreement, the Sheriff's Office is not fulfilling their obligations under the terms of the Agreement.	In the rare occasions that assigned staffing levels are not met, we recommend that VTA request that the Sheriff's Office both provide additional personnel to fulfill their obligations under the terms of the Agreement and to provide documentation of any such occurrences.	VTA Management agrees. The Sheriff's Office has established minimal staffing levels for each day of the week and shift. When events occur where additional resources are needed, the Sheriff's Office provides the support to VTA, at no extra charge for their services. Examples of this include suspicious package disruptions, responding to a major crime or accident, etc. Effective with issuance of this report, VTA Management is now receiving the monthly Transit Staffing Level report. Should VTA determine that additional staffing is needed beyond the established minimal staffing levels, a request will be made by VTA Management to the Sheriff's Office. Responsible Party: VTA System Safety and Security Target Date: 6/30/2014	<u>Auditor General's Office:</u> Status: Complete The Sheriff's Office prepares and VTA receives the monthly Transit Staffing Level report detailing all sheriff assignments. VTA has also amended the contract to increase staffing levels beyond those originally agreed to, reducing the need for unplanned additional resources. In the rare instances where additional resources are needed, the Sheriff's Office provides this service at no additional cost.
4b	<u>Required Staffing Levels</u> During the rare instances in which Sheriff's Office does not provide the number of assigned staff stipulated in the Agreement, the Sheriff's Office is not fulfilling their obligations under the terms of the Agreement.	VTA should explore the feasibility of entering into an hourly-based agreement, similar to the Sheriff's Office's other law enforcement service agreements with the contract cities located in the County of Santa Clara. For example, the Santa Clara County cities of Cupertino, Los Altos Hills and Saratoga have such an agreement. The purpose of replacing the current contract with an hourly-based or similar type agreement would be to simplify the current administrative process, which is burdensome, and to clarify and simplify the compensatory terms and process.	VTA Management agrees. VTA will investigate the feasibility and benefits of executing an hourly based contract, similar to the contract cities. VTA will initiate this analysis by June 30, 2014, with completion targeted by December 31, 2015, well in advance of expiration of the current Agreement (June 2017). Based on the results of the analysis, an hourly based contract may or not be overall mutually beneficial to VTA and the Sheriff's Office. Responsible Party: VTA System Safety and Security Target Date: 12/31/2015	<u>Auditor General's Office:</u> Status: Not Complete The existing Memorandum of Understanding between the County of Santa Clara and the Deputy Sheriffs' Association has been extended through September 6, 2020. This item will be addressed as part of formal negotiations as the current contract becomes set to expire.
5	<u>Wage Rates</u> During our wage rate testing, it was noted that certain employees receive compensation related to "pay job earnings" that are not indicated in the underlying labor agreement (collective bargaining agreement). Per inquiry of Sheriff's Office contractual personnel, these costs were initially determined to be non-compensable by the Sheriff's Office and were adjusted out of the SAP (billing) system. However, due to an oversight, the costs were never adjusted out of the payroll report included with billings and were passed through on invoices to the VTA.	The total amount identified in excess of Agreement terms related to this finding is \$2,466. Sheriff's Office personnel have indicated they will process a credit for this amount in a future invoice, and will provide credits for all other pay job earnings amounts going forward. We recommend that VTA review future billings to confirm that pay job earnings are excluded from billing. Additionally, we recommend that the Sheriff's Office consider reviewing either the Burden Detail report, Fringe Pay report, or their equivalents to help identify pay job earnings prior to generating invoices.	VTA Management agrees. Effective January 1, 2014 or earlier, the Sheriff's Office will include the Burden Detail report and the Fringe Pay report or equivalent with each monthly invoice submitted to VTA. With these, VTA will begin verifying that pay job earnings have been excluded from future billings. In addition, the Sheriff's Office agrees with the total adjustment amount of \$2,466 identified in this audit and will be issuing a credit to VTA. Responsible Party: VTA System Safety and Security Target Date: 12/31/2013	<u>Auditor General's Office:</u> Status: Complete The Sheriff's Office now provides detailed information on payroll, including the Burden Detail report and the Fringe Pay report, with each monthly invoice. Pay job earnings are now excluded from billings. VTA received the \$2,466 credit identified in November 2013.

#	Observation	Recommendation	Management Response	Recommendation Implementation
6	<p><u>Burden Rates</u></p> <p>The payroll details included with billings do not segregate overtime costs incurred for non-VTA related activities from overtime costs charged to VTA. To compensate for this, the Sheriff's Office includes a schedule with each billing that delineates between overtime hours incurred for "transit" related activities and overtime hours incurred for "non-transit" related activities during each pay period. The non-transit overtime wages are then deducted from the billings (as a product of the non-transit hours multiplied by overtime wage rates). In addition to this amount, workers compensation and unemployment insurance related to these costs are also deducted from billings (as a cost equal to 4.58% of overtime wages). However, no portion of Medicare cost is excluded. The overtime portion of this cost should also be excluded, as the amount is calculated on both regular time and overtime wages. Sheriff's Office personnel agree that this cost should be excluded and have indicated that they will deduct it from future billings.</p>	<p>In our calculations, we made an adjustment for this item by arriving at total excludable non-transit overtime Medicare costs as a product of non-transit overtime wages multiplied by the Medicare payroll tax percentage of 1.45%. The total amount of non-transit related overtime Medicare costs that has been billed in excess of Agreement terms is \$3,735 for the period under review. We recommend that the VTA confirm a credit for this amount in a future billing and review subsequent billings to confirm the non-transit overtime Medicare deductions.</p>	<p>VTA Management agrees. Effective with issuance of this report, VTA is verifying that Medicare costs have been excluded from non-transit overtime. In addition, the Sheriff's Office agrees with the total adjustment amount of \$3,735 identified in this audit and will issue VTA a credit.</p> <p>Responsible Party: VTA System Safety and Security</p> <p>Target Date: 12/31/2013</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>The Sheriff's Office now provides detailed information on payroll on a monthly basis. Medicare costs are now excluded from non-transit overtime. VTA received the \$3,375 credit in December 2013.</p>
7	<p><u>Holiday Pay</u></p> <p>We noted that Sheriff's Office contractual staff are regularly compensated for holiday time by the VTA. The Sheriff's Office's collective bargaining agreement provides for personnel who work holidays to be compensated for both eight hours of regular time pay, and time and a half overtime pay for all hours worked, effectively earning two-and-a-half times their base wages when working on a holiday. The topic of holiday pay is not specifically defined in the Agreement reviewed.</p>	<p>VTA should assess the number of assigned staff on holidays, and amend the terms of the contract accordingly or as needed.</p>	<p>VTA Management does not agree. It is not prudent to decrease law enforcement services on holidays, given that VTA operates service on those days. In addition, many holidays fall on days of national significance or celebratory events. VTA Management is cognizant of the elevated labor cost for holiday service and for each specific holiday analyzes and adjusts staffing requirements accordingly based on specific needs and conditions in order to most efficiently protect the public. Due to the nature of the transportation business and the potential threat to the surface transportation sector, the Department of Homeland Security Transportation Security Administration (TSA) has requested transit agencies to increase security and law enforcement presence on holidays.</p> <p>Also, the Memorandum of Understanding between the County of Santa Clara and the Deputy Sheriffs' Association, Inc. of Santa Clara County is clear on the labor rates paid to deputies on holidays. Reference to this document and its compensatory terms was agreed to and will be addressed as part of Recommendation #2B, which incorporates clarifying compensatory terms or definitions into the Agreement at the next reasonable opportunity when the contract is amended or when the existing contract terminates.</p> <p>Responsible Party: VTA System Safety and Security</p> <p>Target Date: Not Applicable</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>VTA has maintained its existing holiday staffing levels and plans to maintain these levels going forward. Only enforcement staff are assigned to holiday duty and administrative staff are not assigned. Holiday labor rates are defined in the current Memorandum of Understanding and will be clearly referenced as part of the next contract negotiations.</p>
8a	<p><u>Scheduled Time Off (STO)</u></p> <p>Per the collective bargaining agreement, employees accrue scheduled time off (STO) at rates reflective of their years of service. We requested and reviewed the years of service for staff assigned to the VTA and corresponding STO accrual rates from the collective bargaining agreement to verify that STO charged to the VTA contract was reasonable in respect to the STO accrued to date. During our review, we noted that the amount of STO taken by VTA-assigned staff was generally in line with the amount of STO that had been accrued during an employee's assignment to the VTA. As part of our testing, we noted one instance in which an employee used 237 hours of STO during his time assigned to the VTA, which exceeded the 166 hours he accrued during that same period.</p>	<p>We recommend the VTA periodically request and be provided a report showing accrued STO versus incurred STO. The report should be reviewed to ensure the VTA is not paying a disproportionate amount of STO costs.</p>	<p>VTA Management agrees. VTA will enter into discussions with the Sheriff's Office to determine the feasibility and level of effort required for the Sheriff's Office to periodically provide VTA reports indicating the amount of STO accrued versus used. VTA will initiate these feasibility discussions by June 30, 2014, with completion targeted by December 31, 2014. Should the Kronos system not be able to generate such a report, efforts will be made to identify other acceptable detail reports or other methods of having the information supplied.</p> <p>Responsible Party: VTA System Safety and Security</p> <p>Target Date: 12/31/2014</p>	<p><u>Auditor General's Office:</u> Status: Complete</p> <p>Generating a report showing accrued STO versus incurred STO would be labor intensive and is not currently feasible. VTA will not require this report as the Agency has not had issues with excessive STO use in the past and all STO must be approved by the Sheriff's Office. VTA staffing levels have been adequate.</p>

#	Observation	Recommendation	Management Response	Recommendation Implementation
8b	<p><u>Scheduled Time Off (STO)</u></p> <p>Per the collective bargaining agreement, employees accrue scheduled time off (STO) at rates reflective of their years of service. We requested and reviewed the years of service for staff assigned to the VTA and corresponding STO accrual rates from the collective bargaining agreement to verify that STO charged to the VTA contract was reasonable in respect to the STO accrued to date. During our review, we noted that the amount of STO taken by VTA-assigned staff was generally in line with the amount of STO that had been accrued during an employee's assignment to the VTA.</p> <p>As part of our testing, we noted one instance in which an employee used 237 hours of STO during his time assigned to the VTA, which exceeded the 166 hours he accrued during that same period.</p>	<p>The Agreement should be clarified such that the amount of STO accruable and allowable for Sheriff's Office contractual staff is clearly stated.</p>	<p>VTA Management agrees. VTA will enter into discussions with the Sheriff's Office to define the amount of STO allowable for the Sheriff's Office contractual staff for incorporation into the Agreement at the next reasonable opportunity, either at expiration of the contract or in combination with the need for another amendment. VTA will initiate these discussions by June 30, 2014, with completion targeted by December 31, 2014. These discussions will be conducted in combination with other efforts to comprehensively address other recommended actions contained in this report.</p> <p>Responsible Party: VTA System Safety and Security</p> <p>Target Date: 12/31/2014</p>	<p><u>Auditor General's Office:</u></p> <p>Status: Not Complete</p> <p>The existing Memorandum of Understanding between the County of Santa Clara and the Deputy Sheriffs' Association has been extended through September 6, 2020. This item will be addressed as part of formal negotiations as the current contract becomes set to expire.</p>



Date: May 15, 2017
 Current Meeting: August 3, 2017
 Board Meeting: August 3, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Interim Director - Planning & Programming, Carolyn M. Gonot

SUBJECT: Programmed Project Monitoring - Quarterly Report

FOR INFORMATION ONLY

Every quarter, the Programmed Projects Quarterly Monitoring Report is presented to the Technical Advisory Committee (TAC), Policy Advisory Committee (PAC) and the VTA Board of Directors. The purpose of the report is to assist the VTA Board, committees, staff and project sponsors in tracking progress of Federal or State-funded projects that are sponsored by VTA Member Agencies and funded through programming actions of the VTA Board. Additionally, the report helps to ensure implementing agencies comply with Metropolitan Transportation Commission's (MTC) Regional Project Funding Delivery Policy and do not lose any funds due to missing a federal or state funding deadline.

The Programmed Projects Quarterly Monitoring Report for January - March 2017 is attached for review. This report provides the latest status on discretionary funded projects. A project summary sheet highlighting status of projects with funds expiring in FY2016/17 is also attached. The project summary sheet identifies projects in three categories:

- Red: Projects at the risk of losing funds due to delivery difficulties.
- Yellow: Projects that need extra attention, and are at risk running into difficulties.
- Green: Projects are progressing smoothly.

This quarter, all FY2016/17 projects are labeled "green."

The next Programmed Projects Quarterly Monitoring Report will cover the period for April-June 2017.

Prepared By: Bill Hough
 Memo No. 6097

Attachment A: Status summary of FY2016/17 Projects

Red = Project at risk of losing funds due to delivery difficulties.
 Yellow = Project may need extra attention or will risk running into difficulties.
 Green = Project is progressing smoothly.

Sponsor	Project Title	Project #	Federal/State Funds for 2016/17	Status			Comments
				Green	Yellow	Red	
Morgan Hill	Monterey Road Preservation	SCL130043	\$1,379,000	●			Awarded May 3.
Mountain View	El Camino Real Streetscape Study	SCL150017	\$260,000	●			In progress-obligated 12/23/2016.
San Jose	North 1st Street Urban Village Plan	SCL150020	\$369,962	●			Funds obligated-study in progress.
San Jose	Berryessa BART Urban Village Plan	SCL150021	\$331,630	●			Funds obligated-study in progress.
SC County	Capitol Expressway ITS and Bike/Ped Improvements	SCL130037	\$6,258,637	●			Project scheduled to go out for bid late summer/early fall 2017
Saratoga	Prospect Road Complete Streets	SCL130026	\$4,205,000	●			Obligated 3/13/2017.
Sunnyvale	Sunnyvale SRTS Pedestrian Infrastructure	SCL130032	\$1,569,000	●			Advertising for Construction. Bids due 5/2017.



Programmed Projects Quarterly Monitoring Report

January - March 2017

Sponsor:		City of Campbell	Project Title:		Virginia Avenue Sidewalks				
1 of 1	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL130017	On Virginia Avenue between Budd Avenue and Hacienda Avenue, add pedestrian sidewalks, curb, gutter, and curb ramps.			Programmed Year	Start mm/yyyy	End mm/yyyy	Construction completed-in closeout phase.	
	Fund Source		Field Review		2014		complete		
	CMAQ \$708 Local \$92		ENV	\$0	2014		complete		
			Design	\$92	2014		complete		
Manager Name		Fred Ho	ROW	\$0	N.A.		N.A.		
Phone/Fax		408-866-2156	Construction	\$708	2015		complete	Funding Deadline	completed
E-Mail		fredh@cityofcampbell.com	Total	\$800	E-76 Const (sub/app)	2/2015	3/19/2015	Last Updated	4/12/2017
					Last Invoice (sub/app)		2/17/2017		



Programmed Projects Quarterly Monitoring Report

January - March 2017

Sponsor:		City of Gilroy	Project Title:		New Ronan Channel and Lions Creek Trail-BEP G02					
1 of 1	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments		
	SCL110032				Programmed Year	Start mm/yyyy	End mm/yyyy			
Fund Source		Project will convert existing unpaved creek-side maintenance road closed to the public to a multi-use public trail along the New Ronan Channel.	Field Review					SCVWD permit obtained. Beginning construction management consultant selection process as per Caltrans Local Assistance Program Manual.		
CMAQ \$1,706 Local \$223			ENV	\$760	2011	10/2011	7/2015			
			Design	\$0		5/2015	11/2015			
			Manager Name	David Stubchaer	ROW	\$0				4/2016
Phone/Fax		408-846-0275	Construction	\$1,169	2017	7/2017	12/2018	Funding Deadline	obligated	
E-Mail		David.Stubchaer@cityofgilroy.org	Total	\$1,929	E-76 Const (sub/app)	4/2016		Last Updated	5/15/2017	
					Last Invoice (sub/app)	5/10/2016	7/22/2016			



Programmed Projects Quarterly Monitoring Report

January - March 2017

Sponsor:		City of Morgan Hill	Project Title:		Monterey Road Preservation				
1 of 1	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL130043	Resurfacing of Monterey Road between East Dunne Avenue and East Middle Avenue			Programmed Year	Start mm/yyyy	End mm/yyyy		
	Fund Source		Field Review			10/2015			
	Local \$332 STP \$1379		ENV	\$0	2015		7/2016		
			Design	\$153	2015	5/2015	7/2015		
Manager Name	Scott Creer	ROW	\$0	n.a.		7/2016	Funding Deadline	awarded	
Phone/Fax	408-778-6480	Construction	\$1,558	2017	6/2017	8/2017			
E-Mail	scott.creer@morganhill.ca.gov	Total	\$1,711	E-76 Const (sub/app)	9/1/2016	1/2017			Last Updated
				Last Invoice (sub/app)					



Programmed Projects Quarterly Monitoring Report

January - March 2017

Sponsor:		City of Mountain View	Project Title:		Castro Street Complete Streets				
1 of 1	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL130015	Implement complete street and "road diet" on Castro Street between El Camino Real and Miramonte Avenue.	Field Review		Programmed Year	Start mm/yyyy	End mm/yyyy	Notice to Proceed to the contractor on May 15th.	
	Fund Source						complete		
	CMAQ \$840 Local \$110						complete		
							complete		
Manager Name		Darwin Galang	ROW	\$0					
Phone/Fax		650-903-6511	Construction	\$950	2017	6/2017	12/2017	Funding Deadline	awarded
E-Mail		Darwin.Galang@mountainview.gov	Total	\$950	E-76 Const (sub/app)	10/30/2015	1/2016	Last Updated	5/8/2017
					Last Invoice (sub/app)				



Programmed Projects Quarterly Monitoring Report

January - March 2017

Sponsor:		City of Palo Alto	Project Title:		Arastradero Road Schoolscape/Multiuse Trail				
1 of 2	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL130034	Reconstruct the sidewalk along the south side of Arastradero Road between the Hetch Hetchy Los Altos Pathway and Miranda Avenue to a multiuse trail.			Programmed Year	Start mm/yyyy	End mm/yyyy		
Fund Source			Field Review			5/2016			
CMAQ \$1,000 Local \$502			ENV	\$196	2015	4/2016	10/2016		
			Design	\$0		1/2016	8/2017		
			Manager Name	Holly Boyd	ROW	\$0		5/2017	6/2017
Phone/Fax		650-329-2612	Construction	\$1,306	2018	12/2017	12/2018	Funding Deadline	11/1/2017
E-Mail		holly.boyd@cityofpaloalto.org	Total	\$1,502	E-76 Const (sub/app)	9/2017	11/2017	Last Updated	5/11/2017
Last Invoice (sub/app)									

Sponsor:		City of Palo Alto	Project Title:		Adobe Creek / Highway 101 Bicycle Pedestrian Bridge				
2 of 2	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL130041	In Palo Alto, provide a year round ped crossing of Highway 101 to replace the existing Lefkowitz tunnel, which is a seasonal underpass subject to repeated and unanticipated closures that limit its use to less than half the year.			Programmed Year	Start mm/yyyy	End mm/yyyy		
	Fund Source								
	Local \$5,500 OBAG2 4,350 RTP-LRP \$3,150		Field Review						
			ENV	\$750	2014	1/2013	12/2017		
	Design	\$750	2014	6/2015	11/2018				
Manager Name		Elizabeth Ames	ROW	\$0	2016	2/2018	9/2018		
Phone/Fax		650-329-2502	Construction	\$11,500	2017	1/2019	4/2020	Funding Deadline	11/1/2018
E-Mail		elizabeth.ames@cityofpaloalto.org	Total	\$13,000	E-76 Const (sub/app)	9/2018	11/2018	Last Updated	4/7/2017
					Last Invoice (sub/app)				



Programmed Projects Quarterly Monitoring Report

January - March 2017

Sponsor:		City of San Jose	Project Title:		Bay Trail Reach 9 & 9B				
1 of 14	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL050082	Preparation of CON and ENV documents for 1.2 miles of trail, a pedestrian bridge, and underpass with safety and enhancement improvements.			Programmed Year	Start mm/yyyy	End mm/yyyy	NEPA completed for both reaches. Reach 9 (1.1-mile) trail is designed to the 95% stage. -Reach 9B (Ped Bridge) is designed to the 35% stage. Continuing to seek large grants and funding opportunities. Private development has been moving forward with 350-foot loop trail. City continues to monitor large grant opportunities.	
	Fund Source		Field Review						
	Earmark \$675 Local \$7,863		ENV	\$815	06/07		complete		
			Design	\$0	08/09	3/2008	12/2013		
Manager Name		Yves Zsutty	ROW	\$63	08/09				
Phone/Fax		(408) 793-5561	Construction	\$7,660	not determined			Funding Deadline	no expiration
E-Mail		yves.zsutty@sanjoseca.gov	Total	\$8,538	E-76 Const (sub/app)			Last Updated	4/12/2017
					Last Invoice (sub/app)				

Sponsor:		City of San Jose	Project Title:		Coyote Creek Trail (Hwy 237-Story Rd)				
2 of 14	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL050083	Master Plan, design of 9.8 miles transportation trail, including safety and improvements between SR 237 and Story Rd.			Programmed Year	Start mm/yyyy	End mm/yyyy	Awaiting E76 from Caltrans for construction of trail between Story Road and I-280. That project will likely lead to full expenditure of remaining balance and City will seek close-out of this account once trail is constructed. City seeking to resolve budget conflict between finance letter and engineer's estimate.	
	Fund Source		Field Review						
	Earmark \$3,674 Local \$5,095 RTP-LRP \$6,000		ENV	\$572	08/09		complete		
			Design	\$1,077	08/09	9/2008			
Manager Name		Yves Zsutty	ROW	\$0					
Phone/Fax		(408) 793-5561	Construction	\$13,120	13/14	10/2016	10/2017	Funding Deadline	No expiration
E-Mail		yves.zsutty@sanjoseca.gov	Total	\$14,769	E-76 Const (sub/app)		4/10/2012	Last Updated	4/12/2017
					Last Invoice (sub/app)				



Programmed Projects Quarterly Monitoring Report

January - March 2017

Sponsor:		City of San Jose	Project Title:		Almaden Ave & Vine St Safety Improvement Project						
3 of 14	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments			
	SCL090004	In San Jose: Construct pedestrian safety improvements along Almaden Ave and Vine Street.			Programmed Year	Start mm/yyyy	End mm/yyyy				
	Fund Source										
	CMAQ \$1,500 Local \$315				Field Review				12/2016		
					ENV	\$0		12/2016	3/2017		
	Design	\$562	2016	1/2017	10/2017						
Manager Name		Beza Kedida	ROW	\$0				Submitted TIP amendment to re-scope the project.			
Phone/Fax		408-535-3534	Construction	\$1,252	2018	5/2018	8/2018			Funding Deadline	11/1/2017
E-Mail		beza.kedida@sanjoseca.gov	Total	\$1,814	E-76 Const (sub/app)	11/2015	12/2015			Last Updated	5/10/2017
					Last Invoice (sub/app)	11/2016					

Sponsor:		City of San Jose	Project Title:		Los Gatos Creek Reach 5 Bridge Crossings						
4 of 14	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments			
	SCL110029	Develop construction drawings for trail improvements			Programmed Year	Start mm/yyyy	End mm/yyyy				
	Fund Source		Field Review								
	CMAQ \$1,200 Local \$1,350 RTP-LRP \$2,500		ENV	\$1,450	2011	3/2011	6/2013				
			Design	\$0			TBD				
Manager Name		Yves Zsutty	ROW	\$100	2013		TBD	Caltrain has decided to build its retaining wall without trail-related enhancements, so no cost sharing agreement will be developed. The City will need to assume additional costs in the future as it grades near and below the pilings of the bridge structure. City monitoring Caltrain as they redesign due to Feb. storm impacts. City will reinitiate design process as they gain certainty on RR bridge project.			
Phone/Fax		408-793-5561	Construction	\$3,500	not yet determined		TBD			Funding Deadline	CMAQ PE obligated
E-Mail		yves.zsutty@sanjoseca.gov	Total	\$5,050	E-76 Const (sub/app)		2/23/2012			Last Updated	5/10/2017
					Last Invoice (sub/app)						



Programmed Projects Quarterly Monitoring Report

January - March 2017

Sponsor:		City of San Jose	Project Title:		Park Avenue Multi-Modal Improvements				
5 of 14	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL110117	In San Jose: Improve pedestrian and bicycle facilities along Park Avenue between Hedding and Montgomery Streets.	Field Review		Programmed Year	Start mm/yyyy	End mm/yyyy	Under construction.	
	Fund Source								
	Local \$364 STIP-TE \$1,456						complete		
Manager Name		Beza Kedida	ROW	\$0	2013	11/2016	3/2017		
Phone/Fax		408-535-3534	Construction	\$1,234	2015	11/2016	10/2017	Funding Deadline	awarded
E-Mail		beza.kedida@sanjoseca.gov	Total	\$1,899	E-76 Const (sub/app)	10/22/2015	1/2016	Last Updated	5/10/2017
					Last Invoice (sub/app)	4/7/2017			

Sponsor:		City of San Jose	Project Title:		Meridian Bike/Ped Improvements				
6 of 14	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL130004	Complete the connection between Scott Street and Auzerais Avenue, providing a functional cross-town bikeway to San Carlos Street all the way into downtown.	Field Review		Programmed Year	Start mm/yyyy	End mm/yyyy	CON moved to FY2018. Scope modified; design work in process. City studying ROW issues	
	Fund Source								
	CMAQ \$1,150 Local \$306						complete		
Manager Name		John Brazil	ROW	\$37	2014				
Phone/Fax		408-975-3206	Construction	\$1,299	2018	5/2018	10/2018	Funding Deadline	11/1/2017
E-Mail		john.brazil@sanjoseca.gov	Total	\$1,456	E-76 Const (sub/app)	11/2017	2/2018	Last Updated	5/10/2017
					Last Invoice (sub/app)				



Programmed Projects Quarterly Monitoring Report

January - March 2017

Sponsor:		City of San Jose	Project Title:		San Jose Citywide SRTS Program				
7 of 14	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL130006	Implement walking route improvements around schools.			Programmed Year		Start mm/yyyy		
	Fund Source				RFP out to bid in August 2017.				
	CMAQ \$1,150 Local \$157				Field Review				
	ENV		\$173	2014	1/2016	10/2016			
	Design		\$0		7/2015	9/2016			
	Manager Name	Sam Koosha	ROW	\$0					
Phone/Fax	408-794-1950	Construction	\$1,133	2018	9/2017	6/2018	Funding Deadline	obligated	
E-Mail	sam.koosha@sanjoseca.gov	Total	\$1,306	E-76 Const (sub/app)	3/31/2017	5/17/2017	Last Updated	5/10/2017	
	Last Invoice (sub/app)			2/28/2017					

Sponsor:		City of San Jose	Project Title:		Jackson Ave Bicycle and Pedestrian Improvements					
8 of 14	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments		
	SCL130007	Construct pedestrian safety and transit access enhancements along Jackson Avenue.			Programmed Year		Start mm/yyyy			End mm/yyyy
	Fund Source						Under construction.			
	CMAQ \$1,500 Local \$399		Field Review					complete		
			ENV	\$95	2014					
			Design	\$570	2014	6/2014		6/2015		
	Manager Name		Beza Kedida	ROW	\$0	2014				
Phone/Fax		408-535-3534	Construction	\$1,234	2015	1/2017	7/2017	Funding Deadline	awarded	
E-Mail		beza.kedida@sanjoseca.gov	Total	\$1,899	E-76 Const (sub/app)	2/2015	4/2015	Last Updated	5/10/2016	
					Last Invoice (sub/app)	11/4/2016				

Programmed Projects Quarterly Monitoring Report

January - March 2017

Sponsor:		City of San Jose	Project Title:		San Jose Pedestrian Oriented Traffic Safety Signals				
9 of 14	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL130010	Traffic signal controlled crossings will be implemented at 6 key intersections.			Programmed Year	Start mm/yyyy	End mm/yyyy	All CON funds obligated. King/Virgina & Hyland/White beneficial use. Verglade/King & Story/Sunset currently in construction and to be completed by August 2017. Bids for Bascom/Pamilar came in \$360K over engineer's estimate and were rejected. Will reevaluate the construction market in Spring for rebid. Henry / Stevens Creek 100% design. In Encroachment Permit application process with City of Santa Clara.	
	Fund Source		Field Review						
	CMAQ \$3,000 Local \$798		ENV	\$1,899	2014	2/2014	7/2014		
			Design	\$0	2014	4/2014	6/2014		
	Manager Name	Ken Jung	ROW	\$0					
	Phone/Fax	408-975-3262	Construction	\$1,899	2015/17	1/2015	12/2017	Funding Deadline	obligated
	E-Mail	ken.jung@sanjoseca.gov	Total	\$3,798	E-76 Const (sub/app)	11/2016	2/2017	Last Updated	5/10/2017
					Last Invoice (sub/app)	4/21/2017			

Sponsor:		City of San Jose	Project Title:		St. John Street Bikeway and Pedestrian Improvements				
10 of 14	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL130011	In San Jose: fill bikeway and sidewalk gaps on St. John Street.			Programmed Year	Start mm/yyyy	End mm/yyyy	Under construction	
	Fund Source		Field Review				complete		
	CMAQ \$1,185 Local \$615 STIP-TE \$1,500		ENV	\$78	2014				
			Design	\$400	2014		complete		
	Manager Name	Beza Kedida	ROW	\$0	2014				
	Phone/Fax	408-535-3534	Construction	\$2,898	2016	5/2017	10/2017	Funding Deadline	awarded
	E-Mail	beza.kedida@sanjoseca.gov	Total	\$3,376	E-76 Const (sub/app)	11/2015	6/2016	Last Updated	5/10/2017
					Last Invoice (sub/app)		5/1/2017		



Programmed Projects Quarterly Monitoring Report

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Sponsor:		City of San Jose	Project Title:		The Alameda Grand Blvd Phase 2				
11 of 14	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL130012	Extends work on The Alameda that enhances pedestrian and vehicle safety in accordance with the Grand Boulevard Initiative.			Programmed Year	Start mm/yyyy	End mm/yyyy		
	Fund Source		Field Review			complete			
	CMAQ \$3,150 Local \$930		ENV	\$30	2014				
			Design	\$900	2014		complete		
Manager Name	Beza Kedida	ROW	\$0	2014			Funding Deadline		awarded
Phone/Fax	408-353-3534	Construction	\$3,150	2015	7/2017	3/2018			
E-Mail	beza.kedida@sanjoseca.gov	Total	\$4,080	E-76 Const (sub/app)	2/2015	4/2015			
				Last Invoice (sub/app)		4/27/2017			

Sponsor:		City of San Jose	Project Title:		East San Jose Bikeways				
12 of 14	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL130016	Make improvements to the bikeway network including the installation of new bikeways, traffic calming features, public bike racks, bike-friendly signal detection and pavement markings.			Programmed Year	Start mm/yyyy	End mm/yyyy		
	Fund Source		Field Review			3/2014			
	CMAQ \$2,000 Local \$532		ENV	\$75	2014				
			Design	\$382	2014	7/2015	10/2016		
Manager Name		John Brazil	ROW	\$75	2014			Funding Deadline	11/1/2017
Phone/Fax		408-975-3206	Construction	\$2,000	2018	4/2017	10/2017		
E-Mail		john.brazil@sanjoseca.gov	Total	\$2,532	E-76 Const (sub/app)	11/2016	12/2016		
					Last Invoice (sub/app)				



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Sponsor:		City of San Jose	Project Title:		San Jose Smart Intersections Program				
13 of 14	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL130036	Upgrade traffic signal controls at 35 intersections along six miles of Tully Road and Saratoga Avenue.	Field Review		Programmed Year	Start mm/yyyy	End mm/yyyy	Obligated 3/24/2016. RFP posted 8/2016. DBE appeal in progress. Plan to award in August.	
	Fund Source						8/2015		
	CMAQ \$1,150 Local \$157								
Manager Name		Ho Nguyen	ROW	\$0					
Phone/Fax		408-975-3254	Construction	\$897	2016	9/2017	1/2018	Funding Deadline	obligated
E-Mail		ho.nguyen@sanjoseca.gov	Total	\$1,307	E-76 Const (sub/app)	11/1/2015	12/1/2015	Last Updated	5/10/2017
					Last Invoice (sub/app)	1/3/2017			

Sponsor:		City of San Jose	Project Title:		San Jose Transportation Demand Management				
14 of 14	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL150012	Encourage the use of transit, bike, walking and other alternative transportation modes in San Jose, beginning with the Downtown and Central City.	Field Review		Programmed Year	Start mm/yyyy	End mm/yyyy	Began outreach for Cycle 1 (downtown residential) and developing implementation phase for Cycle 2 (downtown employees). The outreach phase for Cycle 1 will conclude at the end of July. Evaluation will follow. Outreach for Cycle 2 is expected to begin in August.	
	Fund Source								
	CMAQ \$1,500 Local \$194								
Manager Name		Laura Stuchinsky	ROW	\$0					
Phone/Fax		408-975-3226	Construction	\$1,694	2016	6/2016		Funding Deadline	awarded
E-Mail		laura.stuchinsky@sanjoseca.gov	Total	\$1,694	E-76 Const (sub/app)	9/29/2015		Last Updated	5/10/2017
					Last Invoice (sub/app)				



Programmed Projects Quarterly Monitoring Report

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Sponsor:		City of Saratoga	Project Title:		Highway 9 Safety Improvements (BEP Project)					
1 of 3	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments		
	SCL070050	Construct bike/ped safety improvements on SR9 in Saratoga.			Programmed Year	Start mm/yyyy	End mm/yyyy			
	Fund Source				Under construction.					
	CMAQ \$462 HSIP-T3 \$900 HSIP-T4 \$900 Local \$364					Field Review				
	ENV					\$522	2008/09		complete	
	Design		\$0							
Manager Name		Iveta Harvancik	ROW	\$0						
Phone/Fax		408-868-1274	Construction	\$2,104	2008/09	2/2017	12/2017	Funding Deadline	obligated	
E-Mail		iharvancik@saratoga.ca.us	Total	\$2,626	E-76 Const (sub/app)		3/2016	Last Updated	5/12/2017	
					Last Invoice (sub/app)	2/2017				

Sponsor:		City of Saratoga	Project Title:		Prospect Road Complete Streets				
2 of 3	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL130026	Traffic calming on Prospect Road between Saratoga/Sunnyvale Rd and Lawrence Expressway and on Saratoga Ave between Highway 85 to the City Limits to the north.			Programmed Year	Start mm/yyyy	End mm/yyyy		
	Fund Source		Field Review			4/2014	Obligated 3/13/2017.		
	CMAQ \$4,205 Local \$560		ENV	\$260	2014	1/2015		11/2015	
			Design	\$0		1/2015		5/2016	
Manager Name		Macedonio Nunez	ROW	\$5	2014	3/2016		6/2016	
Phone/Fax	408-868-1218	Construction	\$4,500	2017	4/2017	12/2017	Funding Deadline	obligated	
E-Mail	mnunez@saratoga.ca.us	Total	\$4,765	E-76 Const (sub/app)	2/2016	4/2016	Last Updated	3/14/2017	
				Last Invoice (sub/app)					



Programmed Projects Quarterly Monitoring Report

January - March 2017

Sponsor:		City of Saratoga	Project Title:		Saratoga Village Sidewalk Rehabilitation				
3 of 3	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL130027	Sidewalk rehabilitation along Big Basin Way between 6th street and Hwy 9.			Programmed Year	Start mm/yyyy	End mm/yyyy		
	Fund Source				Moved CON funding to 2018.				
	CMAQ \$162 Local \$40					Field Review			6/2017
	ENV					\$19		6/2015	8/2017
Design	\$0		2014	4/2015		9/2017			
Manager Name		Macedonio Nunez	ROW	\$0		2014	8/2015	10/2017	
Phone/Fax		408-868-1218	Construction	\$183	2018	4/2018	9/2018	Funding Deadline	11/1/2017
E-Mail		mnunez@saratoga.ca.us	Total	\$202	E-76 Const (sub/app)	9/2017	11/2017	Last Updated	5/12/2017
		Last Invoice (sub/app)							



Programmed Projects Quarterly Monitoring Report

January - March 2017

Sponsor:		City of Sunnyvale	Project Title:		Sunnyvale/Saratoga Road Bike/Ped Safety				
1 of 4	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL130028	In Sunnyvale: On Sunnyvale-Saratoga Road at Mathilda: Upgrade the existing traffic signal and install new ramps, bike detection and ped signals.			Programmed Year	Start mm/yyyy	End mm/yyyy		
	Fund Source				CMAQ \$524 Local \$21		5/2016	6/2016	Design at 90% complete.
						Field Review		5/2016	
	ENV		\$90	2015		5/2016	2/2017		
	Design	\$0		5/2016	6/2017				
Manager Name		Shahid Abbas	ROW	\$0					
Phone/Fax		408-730-733	Construction	\$524	2018	10/2017	7/2018	Funding Deadline	11/1/2017
E-Mail		sabbas@sunnyvale.ca.gov	Total	\$614	E-76 Const (sub/app)	6/2017	8/2017	Last Updated	4/24/2017
					Last Invoice (sub/app)				

Sponsor:		City of Sunnyvale	Project Title:		Fair Oaks Avenue Bikeway and Streetscape				
2 of 4	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL130029	In Sunnyvale: On three separate sections of Fair Oaks Avenue, construct bike lanes and two-way left turn lanes.			Programmed Year	Start mm/yyyy	End mm/yyyy		
	Fund Source							City council to approve concept in June 2017. Design to commence thereafter.	
	CMAQ \$956 Local \$254				Field Review				3/2015
	ENV		\$0	2015	5/2017	9/2017			
	Design	\$174	2015	6/2017	10/2017				
Manager Name		Shahid Abbas	ROW	\$0					
Phone/Fax		408-730-7330	Construction	\$1,036	2018	2/2018	7/2018	Funding Deadline	11/1/2017
E-Mail		sabbas@sunnyvale.ca.gov	Total	\$1,210	E-76 Const (sub/app)	11/2017	1/2018	Last Updated	4/28/2017
					Last Invoice (sub/app)	10/31/2016			

Programmed Projects Quarterly Monitoring Report

January - March 2017

Sponsor:		City of Sunnyvale	Project Title:		Maude Avenue Bikeway and Streetscape					
3 of 4	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments		
	SCL130030	In Sunnyvale, on Maude Avenue between Mathilda Avenue and Fair Oaks Avenue, install bike lanes, remove on street parking and center turn lane. Modify road geometry at Sunnyvale intersection. Curb ramp/curb/gutter repairs and ped. Crossing improvements.			Programmed Year	Start mm/yyyy	End mm/yyyy			
	Fund Source				Field Review		12/2016	1/2017	Design progress at 90% completion.	
CMAQ \$695 Local \$135	ENV		\$135	2015	12/2016	3/2017				
	Design	\$0		12/2016	7/2017					
Manager Name	Shahid Abbas	ROW	\$0							
Phone/Fax	408-730-7330	Construction	\$695	2018	9/2017	5/2018	Funding Deadline	11/1/2017		
E-Mail	sabbas@sunnyvale.ca.gov	Total	\$830	E-76 Const (sub/app)	5/2017	7/2017	Last Updated	4/24/2017		
				Last Invoice (sub/app)						

Sponsor:		City of Sunnyvale	Project Title:		Sunnyvale SRTS Ped Infrastructure Improvements					
4 of 4	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments		
	SCL130032	In Sunnyvale: Construct sidewalks, bulb-outs, and curb ramps; install in-pavement crosswalk lights, signs, and pavement markings; upgrade (reduce) corner radius.			Programmed Year	Start mm/yyyy	End mm/yyyy			
	Fund Source							Advertising for Construction. Bids due 5/2017.		
	CMAQ \$1569 Local \$331				Field Review				8/2012	
					ENV	\$331	2014		6/2015	10/2016
		Design	\$0		10/2015	3/2017				
Manager Name		Shahid Abbas	ROW	\$0						
Phone/Fax		408-730-7330	Construction	\$1,569	2017	6/2017	1/2018	Funding Deadline	obligated	
E-Mail		sabbas@sunnyvale.ca.gov	Total	\$1,900	E-76 Const (sub/app)	6/2016	10/2016	Last Updated	4/28/2017	
					Last Invoice (sub/app)					



Programmed Projects Quarterly Monitoring Report

January - March 2017

Sponsor:		County of Santa Clara	Project Title:		East San Jose Pedestrian Improvements					
1 of 4	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments		
	SCL110121	Fill in sidewalk gaps and provide ADA enhancements within existing rights-of-way on various roads.			Programmed Year	Start mm/yyyy	End mm/yyyy			
	Fund Source				Field Review			3/2013	Under construction.	
	Local \$532 STP \$2,128					ENV	\$0			7/2013
Design			\$210	2013		5/2013	4/2016			
Manager Name	Sadegh Sadeghi/Dawn Cameron	ROW	\$0		8/2015	10/2015				
Phone/Fax	408-494-1335/408-573-2465	Construction	\$2,340	2016	3/2017	8/2017	Funding Deadline	awarded		
E-Mail	sadegh.sadeghi@dawn.cameron@ rda.sccgov.org	Total	\$2,550	E-76 Const (sub/app)	3/2/2015		Last Updated	5/12/2017		
				Last Invoice (sub/app)		7/7/2016				

Sponsor:		County of Santa Clara	Project Title:		Santa Clara County Non Infrastructure SRTS Program					
2 of 4	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments		
	SCL130021	Non-infrastructure SRTS education and encouragement services for schools.			Programmed Year	Start mm/yyyy	End mm/yyyy			
	Fund Source				In progress.					
	CMAQ \$838 Local \$08					Field Review		4/2014		
ENV	\$0			N.A.						
	Design	\$0		N.A.						
Manager Name		Bonnie Broderick	ROW	\$0		N.A.				
Phone/Fax		(408) 793-2700	Construction	\$946	2014	7/2015	6/2017	Funding Deadline	obligated	
E-Mail		Bonnie.Broderick@phd.sccgov.org	Total	\$946	E-76 Const (sub/app)	7/10/14	8/21/14	Last Updated	5/12/2017	
		Last Invoice (sub/app)				8/15/2016				



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Sponsor:		County of Santa Clara	Project Title:		San Tomas Aquino Spur Trail Multi-Use Trail Phase 2				
3 of 4	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL130022	Construct an extension of the San Tomas Aquino Spur Trail (a Class I bicycle/pedestrian trail) on the west side of San Tomas Expressway from SR 82 (El Camino Real) to Homestead Road.			Programmed Year	Start mm/yyyy	End mm/yyyy		
	Fund Source					Under construction.			
	CMAQ \$1,884 Local \$1,760 TAP \$1,350		Field Review			complete			
			ENV	\$400	2013		complete		
	Design	\$0			complete				
Manager Name		Dawn Cameron/Craig Petersen	ROW	\$0			complete		
Phone/Fax		408-573-2465/408-573-2490	Construction	\$4,994	2015	6/2016	9/2017	Funding Deadline	awarded
E-Mail		dawn.cameron/craig.petersen@rda.sccgov.org	Total	\$5,394	E-76 Const (sub/app)	2/2015	5/1/2015	Last Updated	5/12/2017
					Last Invoice (sub/app)		7/7/2016		

Sponsor:		County of Santa Clara	Project Title:		Capitol Expressway ITS and Bike/Ped Improvements				
4 of 4	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL130037	In San Jose: Install Intelligent Transportation System			Programmed Year	Start mm/yyyy	End mm/yyyy		
	Fund Source	infrastrucure, fill in sidewalk gaps, install pedestrian sensors and bike detection at all intersections and implement traffic responsive and adaptive signal timing.	Field Review			12/2013	Project scheduled to go out for bid late summer/early fall 2017.		
	CMAQ \$6,085 Local \$1,899 STP \$1,650	ENV	\$0		5/2014	6/2016			
		Design	\$1,434	2014	3/2014	5/2016			
Manager Name	Dawn Cameron/Jamil Salas	ROW	\$0		12/2015				
Phone/Fax	408-573-2465/408-494-1375	Construction	\$8,200	2017	9/2017	10/2018	Funding Deadline	obligated	
E-Mail	dawn.cameron/jamil.salas@rda.sccgov.org	Total	\$9,634	E-76 Const (sub/app)	11/2016	2/2017	Last Updated	5/12/2017	
				Last Invoice (sub/app)		7/7/2016			



Programmed Projects Quarterly Monitoring Report

January - March 2017

Sponsor:		VTA	Project Title:		Route 152 New Alignment Study				
1 of 4	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments	
	SCL090016	Route 152 new alignment from Rte 101 to Rte 156. Realign highway and evaluate route management strategies, including potential roadway pricing. Also includes SR152 "trade corridor" study from 101 to I-5.			Programmed Year	Start mm/yyyy	End mm/yyyy		
	Fund Source								
	IIP \$5 Local \$5 STP \$2.86								
Manager Name			Gene Gonzalo	ROW	\$0				
Phone/Fax		408-952-4236	Construction	\$0				Funding Deadline	
E-Mail		gene.gonzalo@vta.org	Total	\$10	E-76 Const (sub/app)			Last Updated	5/2/2017
					Last Invoice (sub/app)				

Sponsor:		VTA	Project Title:		I-680 Soundwalls - Capitol Expwy to Mueller Ave					
2 of 4	Project No	Project Description Construct sound walls on I-680 between Capitol Expressway and Mueller Avenue.	Project Milestone	Funds (\$000)	Schedule			Comments		
	SCL150001				Programmed Year	Start mm/yyyy	End mm/yyyy			
	Fund Source		Field Review				Consultant contract executed in August 2016. Public meeting conducted 12/14/2016 at Mayfair Community Center. PDT meetings held on 2nd Wednesday of each month.			
	Local \$502 STIP \$4,456		ENV	\$597	2016	8/2016		9/2017		
Design		\$731	2017	9/2017	8/2018					
Manager Name		Brian Pantaleon	ROW	\$355	2018	9/2017		8/2018		
Phone/Fax		408-952-4283	Construction	\$3,275	2019	7/2019	3/2020	Funding Deadline	11/1/2018	
E-Mail		brian.pantaleon@vta.org	Total	\$4,958	E-76 Const (sub/app)			Last Updated	2/8/2017	
					Last Invoice (sub/app)					



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January - March 2017

Sponsor:		VTA	Project Title:		I-280/Winchester Study			
3 of 4	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments
	SCL150014	Conduct environmental studies and prepare environmental document for improvements in the vicinity of the I-280/Winchester Boulevard interchange.			Programmed Year	Start mm/yyyy	End mm/yyyy	
	Fund Source		Field Review					
	Local \$250 San Jose \$250 STP \$500		ENV	\$1,000	2015	12/2015	6/2018	
Manager Name		Lam Trinh	ROW	\$0				
Phone/Fax		408-952-4217	Construction	\$0				Funding Deadline obligated
E-Mail		lam.trinh@vta.org	Total	\$1,000	E-76 Const (sub/app)			Last Updated 2/8/2017
					Last Invoice (sub/app)			

Sponsor:		VTA	Project Title:		Regional Planning Activities and PPM - Santa Clara			
4 of 4	Project No	Project Description	Project Milestone	Funds (\$000)	Schedule			Comments
	SCL170001	Santa Clara: Regional Planning Activities and Planning, Programming and Monitoring			Programmed Year	Start mm/yyyy	End mm/yyyy	
	Fund Source		Field Review					
	Local \$787 STIP \$1,836 STP \$6,078		ENV	\$2,620	2017-19			
Manager Name		Amin Surani	ROW	\$0				
Phone/Fax		408-546-7989	Construction	\$0				Funding Deadline
E-Mail		amin.surani@vta.org	Total	\$9,485	E-76 Const (sub/app)			Last Updated 4/24/2013
					Last Invoice (sub/app)			

Programmed Projects Quarterly Monitoring Report

Attachment C

List of Acronyms

ABAG -Association of Bay Area Governments	NOP -Notice of Preparation
ABC -Across Barrier Connections	NPDES- National Pollution Discharge Elimination System
AC -Asphalt Concrete	PCC -Portland Concrete Cement
ACE -Altamont Commuter Express	PDR -Planned Development Rezoning
ADA-Americans with Disabilities Act	PE -Preliminary Engineering
ARRA-American Recovery and Reinvestment Act	PTG- VTA Pedestrian Technical Guidelines
BART -Bay Area Rapid Transit	PUC-Public Utilities Commission
BEP-Bicycle Expenditure Program	PUD -Planned Urban Development
BRT- Bus Rapid Transit	R&D -Research & Development
BTG - VTA Bicycle Technical Guidelines	RFP-Request for Proposals
CDT - VTA Community Design & Transportation	ROW -Right-Of-Way
CEQA-California Environmental Quality Act	RTP/LRP-Long Range Undefined Funds
CIP-Capital Improvement Program	SCVWD -Santa Clara Valley Water District
CMAQ-Congestion Mitigation and Air Quality Improvement Program	SF -Square Foot
CMIA-Corridor Mobility Improvement Account	SHOPP-State Highway Operation and Protection Program
CMP -Congestion Management Program	SPA- Specific Plan Amendment
CTC-California Transportation Commission	STIP-State Transportation Improvement Program
CUP-Conditional Use Permit	STP-Surface Transportation Program
CWC -Citizen Watchdog Committee	SVRT -Silicon Valley Rapid Transit
DASH - San Jose Downtown Area Shuttle	SVRTC- Silicon Valley Rapid Transit Corridor
DEIR -Draft Environmental Impact Report	SWPPP -Storm Water Pollution Prevention Program
DU/AC -Dwelling Units Per Acre	TDM -Transportation Demand Management
E76-Formally called "Authorization to Proceed"	TE-Transportation Enhancements
EIR -Environmental Impact Report	TFCA – Transportation Fund for Clean Air
EIS-Environmental Impact Statement	TIA -Transportation Impact Analysis
ER -Environmental Review	TOD -Transit-Oriented Development
ETS-Electronic Toll System	UPRR- Union Pacific Railroad
FAR- Floor Area Ratio	VPPP-Value Pricing Pilot Program
FEIR -Final Environmental Impact Report	
GPA -General Plan Amendment	
HBRR- Highway Bridge Replacement and Rehabilitation	
HOV -High-Occupancy Vehicle	
HPP-High Priority Project	
HSR -High-Speed Rail	
IS -Initial Study	
ITS -Intelligent Transportation System	
LPR-Local Program Reserve	
LRT -Light Rail Transit	
LU/TD -Land Use/Transportation Diagram	
MND -Mitigated Negative Declaration	
MTC -Metropolitan Transportation Commission	
ND -Negative Declaration	
NEPA-National Environmental Policy Act	
NOI -Notice of Intent	



Date: July 20, 2017
 Current Meeting: August 3, 2017
 Board Meeting: August 3, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Director of Government & Public Relations, Jim Lawson

SUBJECT: Legislative Update Matrix

FOR INFORMATION ONLY

BACKGROUND:

The Legislative Update Matrix summarizes the key bills that are being considered by the California State Legislature during the first year of the 2017-2018 regular session. The matrix indicates the status of these measures and any VTA positions with regard to them.

DISCUSSION:

The purpose of this report is to provide an update on transportation-related issues and legislation facing lawmakers in Sacramento.

FY 2018 Budget: On June 15, 2017, the Democratic-controlled Legislature passed and sent to Gov. Jerry Brown the FY 2018 Budget Act. The vote capped several weeks of negotiations involving the Governor and Democratic legislative leaders. Among other things, the \$182 billion spending plan expands the eligibility for tax credits available for working families; uses a portion of new revenues resulting from a voter-approved increase in tobacco taxes to raise Medi-Cal provider rates for physicians and other health care professionals; boosts funding for after-school care, subsidized child care and legal assistance for immigrants facing deportation; and imposes financial restrictions on the University of California following an audit that was critical of its budgeting and record-keeping practices.

In the case of transportation, the Budget Act focuses on providing the resources that are needed to begin implementing SB 1, which was signed by Gov. Brown on April 28. It includes an appropriation of \$2.8 billion, which is the amount expected to be generated by SB 1 in FY 2018 from the following revenue sources:

- Gas Tax Increase = \$1.25 billion.

- Diesel Excise Tax Increase = \$400 million.
- Diesel Sales Tax Increase = \$200 million.
- Transportation Improvement Fee = \$727 million.
- General Fund Loan Repayments = \$235 million.

Because the increases in the gas tax, diesel excise tax and diesel sales tax take effect November 1, 2017, the numbers reflect eight months' worth of money. The transportation improvement fee starts on January 1, 2018, so the \$727 million figure is the amount expected to be raised from this revenue sources over the last six months of the fiscal year. The \$235 million in General Fund loan repayments represents one-third of the outstanding balance of \$706 million.

In addition, the FY 2018 Budget Act indicates how much of the \$2.8 billion would be distributed to each SB 1 expenditure category in the upcoming fiscal year, as follows:

- State Highway Maintenance and Rehabilitation = \$445.4 million.
- State Highway Bridges and Culverts = \$400 million.
- Solutions for Congested Corridors Program = \$250 million.
- Trade Corridor Enhancement Account = \$200 million.
- Local Streets/Roads = \$445.4 million.
- Transit and Intercity Rail Capital Program = \$330 million.
- State Transit Assistance Program = \$305.1 million.
- Local Partnership Program = \$200 million.
- Active Transportation Program = \$100 million.
- Local/Regional Planning Grants = \$25 million.
- Freeway Service Patrol = \$25 million.
- University of California/California State University Research = \$7 million.
- Workforce Development = \$5 million.

The Brown Administration is moving to implement SB 1 in an expeditious manner. The California Transportation Commission (CTC), the California State Transportation Agency (CalSTA) and Caltrans have been directed by the Governor to quickly develop guidelines for the competitive funding programs, such as the Transit & Intercity Rail Capital Program, the Trade Corridor Enhancement Account, the Solutions for Congested Corridors Program, and the Active Transportation Program. The intent is to begin awarding grants under these competitive programs next spring.

In addition, the CTC will need to develop a process for allocating SB 1 formula funds to cities/counties for local streets/roads in order to be able to perform the significant oversight responsibilities that the legislation delegates to the commission with regard to the expenditure of those dollars. SB 1 also requires the CTC to adopt guidelines for distributing the \$200 million per year that the bill dedicates to the Local Partnership Program. It is likely that the CTC will prepare guidelines that will call for allocating 50 percent of this money by formula to agencies administering local transportation sales tax programs and 50 percent on a competitive basis.

Meanwhile, SB 1 tasks CalSTA with developing guidelines to distribute the portion of revenues

resulting from the increase in the diesel sales tax that is targeted for commuter and intercity rail operators, while Caltrans is responsible for setting up a process for public transit agencies to claim their formula shares for state-of-good repair projects coming from a portion of the revenues generated by the new transportation improvement fee.

Cap-and-Trade: On May 23, 2017, the California Air Resources Board (CARB) announced the results of the May quarterly cap-and-trade allowance auction, the last one for FY 2017. The auction generated approximately \$512 million in revenues for the Greenhouse Gas Reduction Fund, bringing the total for the fiscal year to slightly more than \$893 million. For those programs that receive continuous appropriations under the state’s cap-and-trade expenditure framework, the amounts that would be allocated to them for FY 2017 would be as follows:

- Low Carbon Transit Operations Program (5 percent) = \$45 million.
- Transit & Intercity Rail Capital Program (10 percent) = \$89 million.
- Affordable Housing & Sustainable Communities Program (20 percent) = \$179 million.
- High-Speed Rail (25 percent) = \$223 million.

On July 17, 2017, the Legislature passed AB 398 (E. Garcia), which extends the authority of the California Air Resources Board (CARB) to adopt and implement a regulation that establishes a system of market-based declining annual aggregate emissions limits known as “cap-and-trade” for sources that emit greenhouse gases to December 31, 2030. This measure was approved by both the Assembly and Senate with a two-thirds majority, which ensures the constitutionality of cap-and-trade and insulates it from potential legal challenges. AB 398 would end any uncertainty as to whether cap-and-trade could continue to exist beyond December 31, 2020, and ensure that this strategy would remain a key component of California’s climate change efforts during the next decade.

Regional Measure 3: SB 595 (Beall) provides the Metropolitan Transportation Commission (MTC), acting as the Bay Area Toll Authority (BATA), with the statutory authority to pursue an increase in the base toll rate in an amount not to exceed \$3 for vehicles crossing the seven state-owned toll bridges in the region to fund projects and programs that are determined to reduce congestion or make travel improvements in the toll bridge corridors. The bill allows MTC to phase in the toll increase, commonly referred to as “Regional Measure 3,” over a period of time and to adjust the increase for inflation based on the California Consumer Price index after it has been phased in completely. Under the provisions of SB 595, the revenues from the toll increase and indexing must be used to fund projects and programs included in a Regional Measure 3 expenditure plan.

SB 595 requires the City/County of San Francisco and the eight other Bay Area counties to place the proposed toll increase on the November 6, 2018, general election ballot. If approved by a simple majority vote regionwide, the increase would take effect in all nine counties beginning January 1, 2019. If the toll increase is not approved, the legislation allows MTC to resubmit the measure to the voters at a subsequent general election.

If Regional Measure 3 is approved by the voters, MTC, under the provisions of SB 595, would be required to do both of the following: (1) establish an independent oversight committee

comprised of two representatives from each of the counties within MTC's jurisdiction to ensure that the toll revenues are being expended consistent with the Regional Measure 3 expenditure plan; and (2) prepare an annual report to the Legislature on the status of the projects and programs funded pursuant to the Regional Measure 3 expenditure plan. In addition, the bill includes some general language expressing the intent of the Legislature to authorize or create a transportation inspector general to conduct audits and investigations of any activities involving Regional Measure 3 toll revenues. This part of SB 595 will need to be further defined through subsequent amendments to the legislation.

SB 595 was approved by the Assembly Transportation Committee on July 13, 2017, by a vote of 10-2. During the committee hearing, amendments were offered and accepted that reflect the makings of a \$4.2 billion expenditure plan to be funded with the revenues generated from the toll increase and indexing. This expenditure plan framework assumes a \$3 toll increase, which would raise roughly \$375 million per year. For Santa Clara County, it includes the following:

- BART Silicon Valley Extension Project Phase 2 = \$400 million.
- Expansion of the San Jose Diridon Station Complex = \$120 million.
- Extension of VTA's Light Rail System to Eastridge = \$130 million.

The expenditure plan framework includes \$300 million for a Regional Express Lanes Program, but limits the projects that would be eligible for funding to certain corridors in Alameda, Contra Costa, San Mateo, San Francisco, and Solano Counties. MTC would have the discretion to choose which of the eligible corridors would actually receive Regional Measure 3 money.

The next stop for SB 595 is the Assembly Appropriations Committee. It is likely that the bill will be heard by this committee in late August. While SB 595 contains more details now than it did when it was approved by the Senate in May, it still is a work-in-progress. It is expected that there will be further refinements to the expenditure plan, as well as some fine-tuning of other elements of the legislation, resulting in another round of amendments prior to its consideration by the Assembly Appropriations Committee.

State Transit Assistance Program (STA): STA was created through the enactment of the Transportation Development Act in the early 1970s. Funding for the program is derived solely from the sales tax on diesel fuel. The State Controller's Office is responsible for allocating STA dollars to regional transportation planning agencies (RTPAs) and metropolitan planning organizations (MPOs) in California in the following manner:

- 50 percent of all STA funding flows from the Controller's Office to regions based on the ratio of the population of each region to the population of the state. Each regional agency has the discretion to determine how to suballocate these population-based dollars to eligible STA recipients within its jurisdiction.
- 50 percent of all STA funding flows from the Controller's Office to regions based on a calculation that takes into consideration the locally generated operating revenues of the public transit operators in the region in comparison to the rest of the state. Each regional agency is required to suballocate these revenue-based dollars to public transit operators

within its jurisdiction based on the specific operator shares calculated and published by the Controller's Office.

In FY 2016, the Controller's Office, based on advice from its legal counsel, implemented a number of changes to the methodology used to calculate a public transit operator's share of STA revenue-based funds. These changes impacted all public transit operators in California to varying degrees. In response, the Legislature included in SB 838, the FY 2017 transportation budget trailer bill, provisions that temporarily deferred the implementation of these changes by requiring the Controller's Office to use the same list of eligible recipients and the same proportional operator shares from the fourth quarter of FY 2015 to distribute any unallocated FY 2016, and all FY 2017 and FY 2018 STA revenue-based funds.

Subsequent to the enactment of SB 838, the California Transit Association worked with its member agencies and the Controller's Office to develop a consensus on a follow-up policy bill to address the ambiguities in the current STA statutory and regulatory framework that may have led to confusion. This consensus has been incorporated into AB 1113.

While primarily technical in nature, AB 1113 does provide clarity to such important issues as: (1) who is eligible to receive STA revenue-based funds; (2) what revenue sources may be used to determine a public transit operator's revenue-based share; (3) how an individual operator's revenue-based share is to be calculated; and (4) how RTPAs and MPOs, which serve as the direct recipients of STA population- and revenue-based funds, are to suballocate these dollars to public transit operators within their respective jurisdictions.

Fare Evasion and Passenger Misconduct Violations: In 2012, legislation was enacted to allow a public transit agency to impose and enforce civil administrative penalties for fare evasion and passenger misconduct violations in lieu of criminal penalties. There are a number of advantages to this approach. First, an administrative process does not require the citing officer to appear in court, whereas a trial does. Therefore, public transit security officers would be able to spend less time in court and more time on patrol, thereby enhancing the safety and security of their systems. Second, an administrative process allows public transit agencies to have immediate access to information on the status of individual citations and the penalties assessed, rather than having to track this information down from the courts. Third, an administrative process offers fare evaders and other violators a less confrontational setting than a criminal proceeding, while still affording them the right to a full hearing should they so choose.

However, current state law requires any administrative fines to be allocated to the general fund of the county where the citation was issued, not to the public transit agency. In other words, a public transit agency would incur one-time costs to set up the administrative process, as well as ongoing costs to implement it, but would have to cover these added expenses through its existing operating budget, which would impact the resources that would be available for providing transit service. At the same time, the county would no longer incur the costs to process these cases through the courts, but would receive the revenues from the administrative fines. This situation has proved to be a major disincentive for public transit agencies to transition from criminal penalties to an administrative process for handling fare evasion and passenger misconduct violations.

To address this issue, the California Transit Association is sponsoring SB 614 (Hertzberg), which seeks to remove the barriers in current law that are deterring public transit agencies from switching to an administrative process in lieu of criminal penalties for fare evasion and passenger misconduct violations. In particular, this bill allows the fine revenues to be kept by the public transit agency to help cover the costs associated with implementing the administrative process.

In addition, SB 614 caps the administrative fines that a public transit agency could impose for the first and second violation at \$125, and for the third and any subsequent violation at \$200. The legislation also requires the public transit agency to permit a minor or a person proving financial hardship to perform community service in lieu of paying the administrative fine, as well as to allow the fines to be paid in installments or handled through deferred payments under certain circumstances. These provisions are intended to ease the burden on youths and low-income individuals with regard to remedying minor transit violations.

HOV and Express Lanes: There are a number of pieces of legislation that have been introduced relating to high-occupancy vehicle (HOV) and express lanes. AB 544 (Bloom) is the latest in a string of bills that address the use of HOV and express lanes by low-emission vehicles. Under the state's existing Clean Air Vehicle Program, certain low-emission vehicles are exempt from the occupancy requirements for using HOV lanes if they display a sticker issued by the Department of Motor Vehicles (DMV). In addition, these vehicles are allowed to access express lanes for free or at a discounted toll rate. The purpose of this program is to provide incentives to encourage Californians to purchase such vehicles.

Under the Clean Air Vehicle Program, the DMV issues white and green stickers. Pure battery electric, dedicated compressed natural gas, liquid petroleum gas, and hydrogen fuel cell vehicles, such as the Nissan Leaf, Tesla Model S and Toyota Mirai, are eligible for white stickers. Vehicles eligible for green stickers are generally plug-in hybrids, such as the Chevrolet Volt, Ford C-Max Energi, Honda Accord Plug-in Hybrid, and Toyota Prius Plug-in.

AB 544 sets expiration dates for white and green stickers, depending on when a particular sticker was issued to the motorist. It retains the 2019 expiration date for stickers issued on or before January 1, 2018, while stickers issued after January 1, 2018, would be valid for up to four years. The bill also retains provisions in current law that would sunset the Clean Air Vehicle Program in 2025.

AB 697 (Fong) exempts private ambulances from paying tolls on express lanes and other tolled facilities when responding to an emergency. Meanwhile, SB 406 (Leyva) allows vehicles operated by the American Red Cross or a blood bank that are transporting blood between collection points and hospitals or storage centers to use HOV lanes without the required number of occupants. Finally, AB 344 (Melendez) prohibits tolling agencies from requiring a person who is contesting a toll evasion violation to pre-pay the associated penalty at the time an appeal is sought. Instead, the bill requires the penalty to be paid, if necessary, following the results of an administrative hearing or upon a finding by a court, whichever occurs later. Agencies implementing tolling facilities and express lanes are concerned that AB 344, by removing the requirement of up-front payment, would encourage more recipients of toll violation notices to

carry their protest to the administrative hearing phase, even if they know they are at fault, simply to postpone payment or take their chances at receiving a reduced penalty.

Project Delivery: AB 1282 (Mullin) directs CalSTA to create a task force to establish a process for early engagement of all parties involved in transportation project development in order to: (1) reduce environmental permit processing times; (2) put in place reasonable deadlines for permit approvals; and (3) provide for greater certainty of permit approval requirements. The bill is based on a recommendation made by the CTC in its annual report to the Legislature. According to the CTC, current state environmental permit processes for transportation projects lead to increased costs and less efficient project delivery. In its report, the CTC noted, “Early engagement of permitting agencies and a commitment to reasonable deadlines for permit approvals would improve the predictability and management of the project development process and, in turn, reduce the cost of delivering critical infrastructure.”

Fair Housing: In 2015, the Obama Administration adopted a regulation to strengthen compliance with the longstanding obligation for recipients of federal housing grants to advance fair housing goals. This regulation requires Department of Housing & Urban Development (HUD) grantees to incorporate fair housing community planning into HUD-required planning documents and to prioritize actions to address impediments to achieving full housing integration within their jurisdictions. The Trump Administration, however, has indicated its opposition to this regulation and may take steps to repeal it. In response, AB 686 (Santiago) seeks to place the duty to advance fair housing goals in state law and to add failure to affirmatively further fair housing as a new category of housing discrimination, creating an avenue for potential litigation. While the federal regulation affects only HUD grantees, AB 686 applies the fair housing obligation to any state, regional or local agency that administers programs and activities related to housing and community development, including regional and local transportation organizations. In addition, this bill specifically requires MPOs, such as MTC, to incorporate a fair housing assessment, as well as a commitment to take meaningful actions to eliminate barriers to fair housing, into their regional transportation plans (RTPs).

Student Transit Passes: AB 17 (Holden) creates the Transit Pass Pilot Program to fund programs that provide free or reduced-fare public transit passes for low-income students attending K-12 schools, community colleges, the California State University, or the University of California. The program would be administered by Caltrans and funded with a one-time appropriation of \$20 million from the Public Transportation Account (PTA). Under the Transit Pass Pilot Program, Caltrans would award grants to transit operators, school districts, community college districts, the California State University, or the University of California on a competitive basis to implement new student pass programs or expand existing ones.

Bus Procurements: AB 673 (Chu) requires a public transit agency, before procuring new buses, to take into consideration any recommendations or best practice standards that may be offered by the labor organization representing its bus operators relating to: (1) reducing the risk of assaults on bus operators; (2) preventing accidents caused by blind spots created by bus equipment or design; or (3) enhancing the safety of passengers, bus operators, or other vehicles or pedestrians that the bus may encounter while in service. While the bill specifies that the public transit agency must consider such recommendations, it specifically states that the agency is not required

to implement them.

Intercity Rail: SB 477 (Cannella) allows the joint powers authorities (JPAs) overseeing the operation of the state's three intercity rail corridors to expand service beyond their statutorily defined geographic boundaries if certain conditions are met. The primary purpose of this measure is to allow intercity rail service to be provided to Monterey County by permitting the Capital Corridor to extend south of San Jose and the San Diego-Los Angeles-San Luis Obispo (LOSSAN) Corridor to extend north of the city of San Luis Obispo.

Prepared By: Kurt Evans, Government Affairs Manager
Memo No. 5885

LEGISLATIVE UPDATE MATRIX

2017 State Legislative Session

July 21, 2017

2017 Regular Session Calendar

DAY	JANUARY
1	Statutes signed into law in 2016 take effect.
4	Legislature reconvenes.
10	Budget must be submitted by the Governor to the Legislature on or before this date.
20	Last day to submit bill requests to the Legislative Counsel's Office.

DAY	FEBRUARY
17	Last day for new bills to be introduced.

DAY	MARCH
	None.

DAY	APRIL
6	Spring Recess begins upon adjournment.
17	Legislature reconvenes from Spring Recess.
28	Last day for policy committees to hear and report fiscal bills introduced in their house of origin.

DAY	MAY
12	Last day for policy committees to hear and report to the floor non-fiscal bills introduced in their house of origin.
26	Last day for fiscal committees to hear and report to the floor bills introduced in their house of origin.

DAY	JUNE
2	Last day for bills to be passed out of their house of origin.
15	Budget must be passed by midnight.

DAY	JULY
14	Last day for policy committees to hear and report fiscal bills introduced in the other house.
21	Last day for policy committees to hear and report non-fiscal bills introduced in the other house. Summer Recess begins upon adjournment, provided that the Budget Bill has been enacted.

DAY	AUGUST
21	Legislature reconvenes from Summer Recess.

DAY	SEPTEMBER
1	Last day for fiscal committees to hear and report to the floor bills introduced in the other house.
8	Last day to amend bills on the Assembly and Senate floors.
15	Last day for each house to pass bills. Interim Recess begins at the end of this day's session.

DAY	OCTOBER
15	Last day for the Governor to sign or veto bills passed by the Legislature before September 15, and in his possession on or after September 15.

State Assembly Bills

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1 (Frazier) Transportation Funding	Creates the Road Maintenance and Rehabilitation Account to be funded from the following sources: (1) an increase in the gasoline excise tax of 12 cents per gallon, which would be indexed to inflation every three years; (2) a registration surcharge of \$38 per year imposed on all motor vehicles, which would be indexed to inflation every three years; (3) a registration surcharge of \$165 per year imposed on zero-emission vehicles starting with the second year of ownership, which would be indexed to inflation every three years; and (4) revenues obtained by Caltrans through the rental or sale of property, the sale of documents, and charges for other miscellaneous services provided to the public. Distributes the revenues deposited into the Road Maintenance and Rehabilitation Account in the following manner: (1) \$200 million per year would be taken off the top for allocation to local jurisdictions that have sought and gained voter approval of a local transportation special tax, or that have imposed uniform developer or other fees solely for transportation improvements; (b) \$80 million per year would be taken off the top and distributed to the Active Transportation Program; (c) for FY 2018 through FY 2021, \$30 million per year would be taken off the top to be used to fund the implementation of advance environmental mitigation plans for future transportation projects; (4) \$2 million per year would be taken off the top and distributed to the California State University to conduct transportation research, and transportation-related workforce education, training and development; (5) \$3 million would be taken off the top and distributed to the University of California for institutes of transportation studies; (6) 50 percent of the amount remaining after the aforementioned set-asides would be allocated to Caltrans for maintenance of the state highway system, and for projects programmed in the State Highway Operation and Protection Program (SHOPP); and (6) 50 percent of the amount remaining after the aforementioned set-asides would be provided to cities and counties for their local roadway systems. Provides new funding for public transit through the following sources: (1) an increase in the diesel sales tax by a rate of 3.5 percent for the State Transit Assistance Program (STA); (2) an increase in the percentage of cap-and-trade auction proceeds continuously appropriated to the Transit and Intercity Rail Capital Program from 10 percent to 20 percent; and (3) an increase in the percentage of cap-and-trade auction proceeds continuously appropriated to the Low Carbon Transit Operations Program from 5 percent to 10 percent. Increases the diesel excise tax by 20 cents per gallon, which would be indexed to inflation every three years, and deposits these revenues into the Trade Corridors Improvement Fund for goods movement projects programmed by the California Transportation Commission (CTC). Requires revenues apportioned to California from the formula-based National Highway Freight Program to be deposited into the Trade Corridors Improvement Fund. Converts the variable gas tax to a fixed rate of 17.3 cents per gallon, which would be indexed to inflation every three years. Requires the repayment of approximately \$700 million in outstanding loans owed by the General Fund to various transportation accounts over a two-year period ending June 30, 2018. Distributes these one-time revenues in the following manner: (1) 50 percent to Caltrans for maintenance of the state highway system, and for SHOPP projects; and (2) 50 percent to cities and counties for their local roadway systems. Recaptures \$500 million of the annual amount of vehicle weight fee revenues for the State Highway Account over a five-year period ending June 30, 2022.	As Introduced	Assembly Transportation Committee	Support

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 5 (Gonzalez-Fletcher) Opportunity to Work Act	Enacts the Opportunity to Work Act. Requires an employer with 10 or more employees to offer additional hours of work to an existing employee who, in the employer's reasonable judgment, has the skills and experience to perform the additional work, before hiring any additional employees or subcontractors. Requires an employer to use a transparent and non-discriminatory process to distribute the additional hours of work among existing employees. Specifies that an employer shall not be required to offer an existing employee additional work hours if the employer would be required to compensate the employee with overtime pay under any law or collective bargaining agreement. Requires an employer to retain all of the following: (1) for any new hire of an employee or subcontractor, documentation that the employer offered additional hours of work to existing employees prior to hiring the new employee or subcontractor; (2) work schedules of all employees; and (3) any additional records or documents that the Division of Labor Standards Enforcement requires an employer to maintain to demonstrate compliance with this bill. Authorizes the Division of Labor Standards Enforcement to adopt rules and regulations to carry out the provisions of the bill. Allows an employee to file a complaint for a violation of the provisions of the bill with the Division of Labor Standards Enforcement or bring a civil action in a court of competent jurisdiction. Provides that it is unlawful for an employer or any other party to discriminate in any manner or take adverse action against any employee in retaliation for exercising his or her rights under the bill. To the extent required by federal law, authorizes all or any portion of the applicable requirements of the bill to be waived in a bona fide collective bargaining agreement provided that such waiver is explicitly set forth in the agreement in clear and unambiguous terms.	As Introduced	Assembly Appropriations Committee	
AB 6 (Obernolte) Financial Information System for California	Requires the Financial Information System for California (FISCAL), the state's integrated financial management system, to be modified to include information on an Internet Web site regarding the amount, type and description of each state expenditures.	6/19/17	Senate Rules Committee	
AB 12 (Cooley) State Agency Regulations	By January 1, 2020, requires each state agency to do all of the following: (1) review all provisions of the California Code of Regulations adopted by that agency; (2) identify any regulations that are duplicative, overlapping, inconsistent, or out of date; and (3) adopt, amend or repeal regulations to reconcile or eliminate any duplication, overlap, inconsistencies, or out-of-date provisions. By January 1, 2020, requires each state agency, if applicable, to notify a department, board or other unit within that agency of any existing regulation adopted by that department, board or other unit that the agency has determined may be duplicative, overlapping or inconsistent with a regulation adopted by another department, board or other unit within that agency. Requires the department, board or other unit to notify the agency of revisions to regulations that it proposes to make to address any duplication, overlap or inconsistencies.	As Introduced	Assembly Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 17 (Holden) Transit Pass Pilot Program	Creates the Transit Pass Pilot Program to fund programs that provide free or reduced-fare public transit passes to any of the following: (1) pupils attending public middle schools or high schools that are eligible for funding under Title 1 of the federal Elementary and Secondary Education Act of 1965; (2) students attending a California community college who qualify for a waiver of student fees pursuant to the Education Code; or (3) a student who attends a campus of the California State University or the University of California, and who receives an award under the Cal Grant Program, the federal Pell Grant Program, or both. Requires Caltrans to administer this program. Appropriates \$20 million from the Public Transportation Account (PTA) to Caltrans to implement the Transit Pass Pilot Program. Requires Caltrans to award grants to eligible participants to fund the pilot testing of new or the expansion of existing public transit student pass programs. Defines “eligible participants” to mean a public agency, including a transit operator, school district, community college district, the California State University, or the University of California. Requires Caltrans to develop guidelines that describe the application process and selection criteria for the awarding of the funding made available for the Transit Pass Pilot Program. Requires Caltrans to develop performance measures and reporting requirements to evaluate the effectiveness of the program. Specifies that the minimum amount that Caltrans shall award to a selected eligible participant is \$20,000, while the maximum amount is \$5 million. By January 1, 2020, requires Caltrans to submit a report to the Legislature on the outcomes of the Transit Pass Pilot Program, as well as on the status of public transit student pass programs statewide. Repeals the provisions of the bill on January 1, 2022.	5/30/17	Senate Appropriations Committee	
AB 28 (Frazier) Federal Environmental Review Process	Reinstates the statutory authorization for Caltrans to participate in a federal program that allows states to assume the responsibilities of the Federal Highway Administration (FHWA) under the National Environmental Policy Act (NEPA). In addition, reinstates provisions that authorize Caltrans to consent to the jurisdiction of the federal courts with regard to the assumption of FHWA’s responsibilities under NEPA and that waive the state’s Eleventh Amendment protection against NEPA-related lawsuits brought in federal court. Repeals the provisions of the bill on January 1, 2020.	3/2/17	Signed into Law: Chapter #4	Support
AB 33 (Quirk) Electric Vehicle Service Equipment	By March 30, 2018, requires the California Public Utilities Commission (CPUC), in an existing proceeding, to consider authorizing electrical corporations to offer programs and investments that support customers who purchase used electric vehicles. If authorized by the CPUC, requires such programs and investments to be designed to: (1) accelerate widespread transportation electrification; (2) achieve ratepayer benefits; (3) reduce dependence on petroleum; (4) meet air quality standards; and (5) reduce greenhouse gas emissions. If authorized, requires the CPUC to review, modify and decide whether to approve each proposal to offer such programs and investments filed by an electrical corporation within one year of the date of filing of the completed proposal. Specifies that customers of an electrical corporation receiving access to an electric vehicle charging program approved by the CPUC to receive electrical service pursuant to a grid-integrated rate for charging their electric vehicles. Defines “grid-integrated rate” to mean an electrical service rate design that reflects dynamic electrical grid conditions.	6/22/17	Senate Energy, Utilities & Communications Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 65 (Patterson) High-Speed Rail Bond Debt Service	Prohibits money in the Transportation Debt Service Fund from being used to pay debt service for bonds issued pursuant to the Safe, Reliable high-Speed Passenger Train Bond Act for the 21 st Century (Proposition 1A).	As Introduced	Assembly Transportation Committee	
AB 66 (Patterson) California High-Speed Rail Authority: Reporting Requirements	Requires the business plan prepared by the California High-Speed Rail Authority to identify projected financing costs for each segment or combination of segments of the high-speed rail system for which financing is proposed by the authority. In the business plan and in other reports that High-Speed Rail Authority is required to prepare, specifies that the authority shall call out any significant changes in scope for segments of the high-speed rail system identified in the previous version of the report, and provide an explanation of adjustments in cost and schedule attributable to the changes.	As Introduced	Assembly Transportation Committee	
AB 77 (Fong) Regulations: Legislative Review	Requires the Office of Administrative Law to submit each major regulation to both the Assembly and Senate for review. Provides that a regulation shall not become effective if the Legislature enacts a statute to override it.	2/7/17	Assembly Appropriations Committee	
AB 87 (Ting) Autonomous Vehicles	Requires the Department of Motor Vehicles (DMV) to revoke the registration of an autonomous vehicle that is being operated on public streets or roads in violation of current state law. Authorizes a peace officer to cause the removal and seizure of an autonomous vehicle operating on public streets or roads with a registration that has been revoked by the DMV. Authorizes the DMV to impose a penalty of up to \$25,000 per day that an autonomous vehicle is operated on public streets roads in violation of current state law.	As Introduced	Assembly Transportation Committee	
AB 91 (Cervantes) HOV Lanes: Riverside County	Beginning July 1, 2018, prohibits a high-occupancy vehicle (HOV) lane from being established in Riverside County, unless the lane is established as an HOV lane only during the hours of heavy commuter traffic, as determined by Caltrans. Requires any existing HOV lane in Riverside County that is not a toll lane to be modified to operate as an HOV lane under those same conditions. Specifies that those two provisions of the bill would apply only if Caltrans, with the concurrence of the Riverside County Transportation Commission (RCTC) and the Southern California Association of Governments (SCAG), determines that compliance does not result in federal financial penalties, disqualification from future federal funding, or costs to local or regional governments to supply replacement transportation control measures in the federal Transportation Improvement Program (TIP). On or after May 1, 2019, authorizes Caltrans to reinstate 24-hour HOV lanes in Riverside County if the department determines that there is an adverse impact on safety, traffic conditions or the environment by limiting the use of HOV lanes during hours of heavy commuter traffic. Before reinstating 24-hour HOV lanes in Riverside County, requires Caltrans to notify the Legislature. Specifies that nothing in the bill is intended to prevent Caltrans or RCTC from developing and operating a high-occupancy toll (HOT) facility.	6/20/17	Senate Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 92 (Bonta) Public Contracts: Retention Proceeds	Extends the sunset date from January 1, 2018, to January 1, 2023, for provisions in current law that authorize the retention proceeds withheld from any payment by a public entity from the original contractor, by the original contractor from any subcontractor, and by a subcontractor from any other subcontractor to exceed 5 percent if: (1) a finding is made prior to contract bid that the project is substantially complex and requires a higher retention; and (2) this finding and the actual retention amount is included in the bid documents.	As Introduced	Signed into Law: Chapter #37	
AB 115 (Budget Committee) Transportation Budget Trailer Bill	Increases the number of projects for which Caltrans is authorized to use the Construction Manager/General Contractor (CMGC) method of procurement from 12 to 24. Of those 12 additional projects, requires two to be in Riverside County. Allows Caltrans to delegate the implementation of those two projects to the Riverside County Transportation Commission (RCTC), and authorizes RCTC to use CMGC contracting for them. Authorizes cities, counties and transit districts to use design-build contracting for up to six projects that involve local streets/roads construction or rehabilitation, bridge replacement or railroad grade separations. Requires these six projects to be selected by Caltrans. Requires three of these six projects to be reserved for and selected by RCTC. Clarifies that funds provided for the Local Partnership Program created by SB 1 (Beall): (1) are to be allocated to local and regional transportation agencies that have sought and received voter approval of taxes or that have imposed fees solely for transportation purposes; and (2) may be used for road maintenance and rehabilitation and other transportation improvement projects. Authorizes the use of Letters of No Prejudice (LONPs) for projects programmed under the Active Transportation Program (ATP). Requires any guidelines developed by Caltrans and the California State Transportation Agency (CalSTA) to implement SB 1 to be adopted only after the department and CalSTA have posted formal draft guidelines on their Internet Web sites and have conducted at least two public workshop or hearings on the draft guidelines.	6/8/17	Signed into Law: Chapter #20	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 118 (Budget Committee) Advance Mitigation and Trade Corridors	<p>Creates the Advance Mitigation Account in the State Transportation Fund as a revolving fund. Continuously appropriates the money in the account for the purposes of the Advance Mitigation Program established by SB 1 (Beall), and states that the program is intended to be self-sustaining. Requires expenditures from the account to be reimbursed from project funding available at the time a planned transportation project is constructed. Further states that the 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). Requires the funds in the Advance Mitigation Account to be used only to do the following: (1) purchase credits from mitigation banks, conservation banks or in-lieu fee programs approved by one or more regulatory agencies; (2) pay mitigation fees or other costs associated with coverage for Caltrans projects or other transportation agency projects under a natural community conservation plan or habitat conservation plan; (3) prepare regional conservation assessments and regional conservation investment strategies; or (4) implement advance mitigation by Caltrans in accordance with a programmatic mitigation plan. Provides that mitigation credits or values generated or obtained with funds from the Advance Mitigation Account may be used only for transportation improvements in the State Transportation Improvement Program (STIP), or the State Highway Operation and Protection Program (SHOPPP). Requires Caltrans, prior to making any expenditure from the Advance Mitigation Account, to determine that the proposed expenditure is likely to accelerate the delivery of specific projects. Deletes references to the Trade Corridors Improvement Fund (TCIF) in current state law, and revises and recasts the requirements currently applicable to that fund and makes them applicable to the Trade Corridor Enhancement Account created by SB 1. Requires federal formula funds apportioned to California from the National Highway Freight Program established by the Fixing America's Surface Transportation (FAST) Act to be deposited into the Trade Corridor Enhancement Account. Requires the California Transportation Commission (CTC) to allocate the money in the Trade Corridor Enhancement Account for trade infrastructure improvements as follows: (1) 60 percent of the funds shall be available for projects nominated by regional transportation agencies and other public agencies, in consultation with Caltrans; and (2) 40 percent of the funds shall be available for projects nominated by Caltrans, in consultation with regional transportation agencies. In adopting a program of projects for the Trade Corridor Enhancement Account, requires the CTC to: (1) evaluate the total potential economic and non-economic benefits of the program of projects to California's economy, environment and public health; and (2) prioritize projects jointly nominated and funded by the state and local agencies. Requires the CTC to adopt guidelines for the Trade Corridor Enhancement Account, including a transparent process for evaluating projects and allocating the money in the account in a manner, that: (1) addresses the state's most urgent needs; (2) balances the demands of various land ports of entry, seaports and airports; (3) places an emphasis on projects that improve trade corridor mobility and safety, while reducing emissions of diesel particulates, greenhouse gases and other pollutants, and reducing other negative community impacts, particularly in disadvantaged communities; (4) makes a significant contribution to the state's economy; (5) recognizes the key role of the state in project identification; (6) supports integrating statewide goods movement priorities in a corridor approach; and (7) includes disadvantaged communities measures. Expresses the intent of the Legislature that the CTC adopt an initial program of projects as soon as practicable, and no later than May 17, 2018.</p>	6/26/17	Senate Floor	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 151 (Burke) Climate Change: Scoping Plan and Offset Protocols	Requires CARB to report to the appropriate policy and fiscal committees of the Legislature to receive input, guidance and assistance before adopting guidelines and regulations to implement the Scoping Plan for ensuring that statewide greenhouse gas emissions are reduced to at least 40 percent below the 1990 level by 2030. By January 1, 2019, requires CARB to report to the Legislature on the need for increased education, career technical education, job training, and workforce development in ensuring that statewide greenhouse gas emissions are reduced to at least 40 percent below the 1990 level by 2030. Establishes the Compliance Offsets Protocol Task Force to investigate, analyze and provide guidance to CARB in approving new offset protocols for a market-based compliance mechanism, with a priority on the development of new urban offset protocols.	5/2/17	Assembly Floor	
AB 161 (Levine) CalPERS: Infrastructure Investments	Authorizes the Department of Finance to identify infrastructure projects in the state for which the department will guarantee a rate of return for an investment made in that infrastructure project by the Public Employees' Retirement System (CalPERS). Creates the Reinvesting in California Special Fund as a continuously appropriated fund. Requires money in the fund to be used to pay the rate of return on investments made in infrastructure projects. States the intent of the Legislature to identify special fund dollars to be transferred to the Reinvesting in California Special Fund.	As Introduced	Senate Appropriations Committee	
AB 168 (Eggman) Employers: Salary Information	Prohibits an employer from seeking salary history information, including compensation and benefits, about an applicant for employment.	6/6/17	Senate Appropriations Committee	
AB 174 (Bigelow) California Transportation Commission: Rural County Representation	Requires at least one voting member of the California Transportation Commission (CTC) to reside in a rural county with a population of less than 100,000 people.	As Introduced	Senate Transportation & Housing Committee	
AB 179 (Cervantes) California Transportation Commission: Gubernatorial Appointments	In making appointments to the California Transportation Commission (CTC), requires the Governor to ensure that the commission has a diverse membership with expertise in transportation issues, taking into consideration such factors as socioeconomic background and professional experience, which may include experience working in or representing disadvantaged communities. Requires the CTC and the California Air Resources Board (CARB) to hold at least two joint meetings per calendar year to coordinate their implementation of the state's transportation policies.	7/13/17	Senate Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 193 (Cervantes) Clean Reused Vehicle Rebate Project	By July 1, 2019, requires the California Air Resources Board (CARB) to establish the Clean Reused Vehicle Rebate Project to provide incentives to low- and moderate-income individuals to purchase used clean air vehicles. Requires the project to provide an applicant with any of the following: (1) a rebate with a value of up to \$1,800 for the acquisition of an eligible used vehicle from a licensed dealer; (2) a rebate for the replacement or refurbishment of an electric vehicle battery and related components for an eligible used vehicle, for a vehicle service contract for the battery and related components, or for both; or (3) a rebate for a vehicle service contract to cover unexpected vehicle repairs not covered by the manufacturer's warranty related to unique problems in eligible used vehicles. Limits the rebate to one per vehicle. Requires an applicant who applies for a rebate under the Clean Reused Vehicle Rebate Project to be given priority if he or she meets either of the following criteria: (1) has an annual household income that is less than 60 percent of either the relevant countywide or citywide annual median household income; or (2) resides in an air district that has been designated by CARB as not meeting any one state ambient air quality standard. Provides that the implementation of the bill is contingent upon the appropriation of funds for this purpose in the annual Budget Act or another statute.	6/29/17	Senate Appropriations Committee	
AB 195 (Obernalte) Local Government Ballot Measures	If a ballot measure proposed by a local governing body calls for imposing a tax or raising the rate of a current tax, requires the ballot to include in the statement of the measure to be voted on the amount of money to be raised annually, and the rate and duration of the tax to be levied. Requires the statement of the measure to be a true and impartial synopsis of its purpose, and to be in language that is neither argumentative nor likely to create prejudice for or against the measure.	3/14/17	Governor's Office	
AB 278 (Steinorth) CEQA Exemption for Certain Transportation Projects	Exempts from the California Environmental Quality Act (CEQA) a project that consists of the inspection, maintenance, repair, rehabilitation, replacement, or removal of existing transportation infrastructure, including highways, roadways, bridges, tunnels, culverts, public transit systems, bikeways, paths and sidewalks serving bicycles or pedestrians, and the addition of auxiliary lanes or bikeways to existing transportation infrastructure, if the project meets all of the following conditions: (1) the project is located within an existing right-of-way; (2) any area surrounding the right-of-way that is to be altered as a result of construction activities that are necessary for the completion of the project will be restored to its condition before the project; and (3) the project does not add additional motor vehicle lanes, except auxiliary lanes.	As Introduced	Assembly Natural Resources Committee	
AB 301 (Rodriguez) Commercial Driver's License: Driving Skill Test	Requires the Department of Motor Vehicles (DMV) to establish performance goals related to administering driving skills tests for operating a commercial vehicle. Requires these performance goals to include both of the following: (1) a goal that by July 1, 2019, the average wait time to obtain an appointment to take the commercial driving skills test in any particular DMV field office shall not exceed 14 days; and (2) a goal that by July 1, 2021, the average wait time to obtain an appointment to take the commercial driving skills test in any particular DMV field office shall not exceed seven days	7/13/17	Senate Appropriations Committee	
AB 332 (Bocanegra) Local Street Closures: Illegal Dumping	Based upon the recommendation of law enforcement, allows a local authority to temporarily close a highway under its jurisdiction to through traffic in order to curb illegal dumping.	5/30/17	Signed into Law: Chapter #34	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 342 (Chiu) Automated Speed Enforcement: San Jose and San Francisco Five-Year Pilot Program	<p>Authorizes the city of San Jose and the city/county of San Francisco to implement a five-year pilot program utilizing an automated speed enforcement (ASE) system for speed limit enforcement on streets or portions of streets that: (1) have a speed limit of 50 miles per hour or less; and (2) have had a documented incidence of collisions resulting in fatalities or injuries as evidenced by either a three-year fatality and injury collision rate, or a three-year fatality rate that is higher than the three-year collision rates published by Caltrans for comparable roadways. Requires the ASE system to be activated no later than January 1, 2019, and to be operated for no longer than five years. Requires the ASE system to meet all of the following: (1) is operated in cooperation with a law enforcement agency; (2) clearly identifies the presence of the fixed or mobile ASE system by signs stating "Photo Enforced" along with the posted speed limit; (3) identifies vehicles containing a mobile ASE system with distinctive markings; (4) identifies the streets or portions of the streets that have been approved for enforcement using an ASE system and the hours of enforcement on the municipality's Internet Web site; (5) utilizes trained peace officers or other trained designated municipal employees to oversee the operation of the ASE system and maintain control over enforcement activities; (6) ensures that the ASE system is regularly inspected, and certifies that the system is installed and operated properly; and (7) utilizes fixed and mobile systems that provide real-time notification when violations are detected. Prior to enforcing speed limits using an ASE system, requires the city of San Jose and the city/county of San Francisco to do both of the following: (1) administer a public information campaign for at least 30 calendar days prior to the initial commencement of the use of the system; and (2) issue warning notices rather than notices of violation for the first violations detected by the ASE system during the first 90 calendars days of enforcement. If the ASE system is utilized on additional streets after initial implementation, requires the city of San Jose and the city/county of San Francisco to issue warning notices rather than notices of violations during the first 30 calendar days of enforcement for the additional streets. Requires the governing body of the city of San Jose and the city/county of San Francisco to adopt an ASE System Use Policy to include all of the following: (1) specific purposes for the ASE system, the uses that are authorized, the rules and processes required prior to that use, and the uses that are prohibited; (2) the data or information that can be collected by the ASE system, the individuals who can access or use the collected information, and the rules and processes related to the access or use of the information; and (3) provisions for protecting data from unauthorized access, data retention, public access, third-party data sharing, training, auditing, and oversight to ensure compliance with the policy. Requires the governing body of the city of San Jose and the city/county of San Francisco to approve an ASE System Impact Report to include all of the following: (1) description of the ASE system and how it works; (2) proposed purpose of the ASE system; (3) locations where the ASE system may be deployed, and traffic data for those locations; (4) assessment of the potential impact of the ASE system on civil liberties and civil rights, and any plans to safeguard those public rights; (5) a determination of why locations in low-income neighborhoods experience high fatality and injury collisions due to unsafe speed if potential deployment locations of the ASE system are predominantly in such neighborhoods; and (6) fiscal costs associated with the ASE system. Specifies that a speed violation recorded by the ASE system shall be subject only to a civil penalty, the total amount of which cannot exceed \$100.</p>	4/6/17	Assembly Transportation Committee	Support

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 344 (Melendez) Toll Evasion Violations	Specifies that a person contesting a notice of a toll evasion violation or a notice of a delinquent toll evasion violation shall not be required to pay the penalty until after it is found that the person committed the violation. Allows for an administrative hearing conducted by a tolling agency to include reviews of multiple notices of toll evasion or notices of delinquent toll evasion of a person.	7/3/17	Senate Transportation & Housing Committee	
AB 351 (Melendez) Transportation Funding: Loan Repayments, Vehicle Weight Fees and Non-Article 19 Transportation Revenues	Requires loans of revenues to the General Fund from the State Highway Account, the Public Transportation Account (PTA), the Bicycle Transportation Account, the Motor Vehicle Fuel Account, the Highway Users Tax Account (HUTA), the Pedestrian Safety Account, the Transportation Investment Fund, the Traffic Congestion Relief Fund (TCRF), the Motor Vehicle Account, and the Local Airport Loan Account to be repaid by December 31, 2018, to the account or fund from which the loan was made. Specifies that this requirement applies to all loans that otherwise have a repayment date of January 1, 2019, or later. Eliminates the annual transfer of vehicle weight fee revenues from the State Highway Account to the General Fund for payment of debt service for general obligation bonds issued for transportation purposes and, instead, retains these revenues in the State Highway Account. Deletes provisions in current law relating to the reimbursement of the State Highway Account with gasoline excise tax revenues for vehicle weight fee revenues transferred to the General Fund and, instead, allows these gasoline excise tax revenues to be allocated in the following manner: (1) 44 percent to the State Transportation Improvement Program (STIP); (2) 44 to cities and counties for local streets/roads; and (3) 44 percent to the State Highway Operation and Protection Program (SHOPP). Eliminates the annual transfer of so-called Non-Article 19 revenues obtained by Caltrans through the rental or sale of property, the sale of documents, and charges for other miscellaneous services provided to the public to the General Fund, and, instead, retains these revenues in the State Highway Account for transportation purposes.	As Introduced	Assembly Transportation Committee	
AB 378 (C. Garcia) Greenhouse Gas Emissions Reductions	To complement direct emissions reduction measures in ensuring that statewide greenhouse gas emissions are reduced to at least 40 percent below the 1990 level by 2030, authorizes the California Air Resources Board (CARB) to adopt or amend regulations that establish a system of market-based compliance declining aggregate emissions limits for sources or categories of sources that emit greenhouse gases, applicable from January 1, 2021, to December 31, 2030. Authorizes CARB to adopt no-trade zones or facility-specific declining greenhouse gas emissions limits where facilities' emissions contribute to a cumulative pollution burden that creates a significant health impact. In consultation with the affected air pollution control and air pollution management districts, requires CARB to adopt standards for emissions of criteria air pollutants and toxic air contaminants at industrial facilities that are subject to a market-based compliance mechanism. Prohibits CARB from allocating allowances as part of a market-based compliance mechanism to industrial facilities that do not meet these standards. Requires CARB, in ensuring that statewide greenhouse gas emissions are reduced to at least 40 percent below the 1990 level by 2030, to adopt the most effective and equitable mix of emissions reduction measures, and to ensure that such measures collectively and individually support achieving air quality, and other environmental and public health goals.	5/30/17	Assembly Floor	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 382 (Voepel) Off-Highway Vehicle Trust Fund	In FY 2018, provides that up to \$1 million of revenues derived from the gasoline excise tax imposed on off-highway vehicles may be transferred to the Off-Highway Vehicle Trust Fund to be available for local assistance grants for law enforcement, environmental monitoring and maintenance work supporting federal off-highway vehicle recreation.	5/26/17	Senate Transportation & Housing Committee	
AB 398 (E. Garcia) Cap-and-Trade Extension	Extends the authority of the California Air Resources Board (CARB) to adopt and implement a regulation that establishes a system of market-based declining annual aggregate emissions limits known as “cap-and-trade” for sources or categories of sources that emit greenhouse gases to December 31, 2030. In adopting a cap-and-trade regulation that would be applicable from January 1, 2021, to December 31, 2030, requires CARB to do all of the following: (1) establish a price ceiling and two price containments points at levels below the ceiling; (2) evaluate and address concerns related to over-allocation in CARB’s determination of the number of available emissions allowances for years 2021 to 2030, as appropriate; and (3) establish allowance banking rules that discourage speculation, avoid financial windfalls, and consider the impacts on covered entities and volatility in the market. Requires CARB to establish offset credit limits according to the following: (1) from January 1, 2021, to December 31, 2025, allow a total of 4 percent of a covered entity’s compliance obligation to be met by surrendering offset credits, of which no more than half may be sourced from projects that do not provide direct environmental benefits in California; and (2) from January 1, 2026, to December 31, 2030, allow a total of 6 percent of a covered entity’s compliance obligation to be met by surrendering offset credits, of which no more than half may be sourced from projects that do not provide direct environmental benefits in California. Establishes the Compliance Offsets Protocol Task Force to provide guidance to CARB in approving new offset protocols for the purposes of increasing offset projects with direct environmental benefits in California, while prioritizing disadvantaged communities, Native American or tribal lands, and rural and agricultural regions. Requires CARB to increase offset projects in the state considering the guidance provided by the Compliance Offsets Protocol Task Force. Declares the intent of the Legislature that revenues collected from the sale of allowances at auctions conducted by CARB be appropriated in a manner that includes the following priorities at the time an expenditure plan is adopted: (1) air toxic and criteria air pollutants from stationary and mobile sources; (2) low- and zero-carbon transportation alternatives; (3) sustainable agricultural practices that promote the transitions to clean technology, water efficiency and improved air quality; (4) healthy forests and urban greening; (5) short-lived climate pollutants; (6) climate adaptation and resiliency; and (7) climate and clean energy research. By January 1, 2019, requires the California Workforce Development Board, in consultation with CARB, to report to the Legislature on the need for increased education, career technical education, job training, and workforce development resources or capacity to help industry, workers and communities transition to economic and labor-market changes related to California’s statewide greenhouse emissions reduction goals. Requires CARB to designate cap-and-trade as the rule for petroleum refineries, and oil and gas production facilities to achieve their greenhouse gas emissions reductions. Prohibits an air district from adopting or implementing an emissions reduction rule for carbon dioxide from stationary sources that are also subject to cap-and-trade. Until January 1, 2031, suspends the fire prevention fee that is currently imposed on habitable structures in areas of the state that have a high risk of wildfires and, instead, declares the intent of the Legislature to use cap-and-trade revenues to fund fire prevention activities.	7/10/17	Senate Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 408 (Chen) Eminent Domain: Final Offer of Compensation	Changes the standards by which courts decide whether to award litigation expenses in eminent domain actions. Provides that if a court finds, on motion of the defendant, that the offer of the plaintiff was lower than 90 percent of the compensation awarded in the proceeding, then the court would be required to include the defendant's litigation expenses in the costs allowed. Provides that if the court finds that the offer of the plaintiff was at least 90 percent and less than 100 percent of the compensation awarded in the proceeding, then the court may include the defendant's litigation expenses in the costs allowed.	As Introduced	Assembly Judiciary Committee	
AB 467 (Mullin) Local Transportation Authorities: Expenditure Plans	Upon the request of a local transportation authority, exempts a county elections official from including the entire adopted expenditure plan for a retail transactions and use tax in the voter information guide if: (1) the authority posts the plan on its Internet Web site; and (2) the sample ballot and voter information guide sent to voters include information on viewing an electronic version of the plan on the authority's Internet Web site and on obtaining a printed copy of the plan by calling the county elections office. Requires the county elections official to mail a printed copy of the plan at no cost to each person requesting it, if the county elections official chooses to exercise the exemption provided by this bill.	5/16/17	Senate Floor	
AB 468 (Santiago) LA Metro: Prohibition Orders	Authorizes the Los Angeles County Metropolitan Transportation Authority (LA Metro) to issue a prohibition order to any person cited for committing certain acts on LA Metro vehicles or at LA Metro's transit facilities, under which the person would be prohibited from entering the property, facilities or vehicles of LA Metro for a specified period of time.	6/27/17	Assembly Floor: Concurrence	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 496 (Fong) Transportation Funding	<p>Creates the Traffic Relief and Road Improvement Account to be funded from the following sources: (1) sales and use tax revenues from new and used motor vehicle sales and purchases; (2) insurance tax revenues from automobile and motor vehicle policies; (3) specified diesel sales tax revenues transferred from the State Transit Assistance (STA) Program, if those revenues are backfilled with cap-and-trade auction proceeds from the Greenhouse Gas Reduction Fund; (4) specified vehicle registration fee revenues transferred from the Air Quality Improvement Fund, the Alternative and Renewable Fuel and Vehicle Technology Fund, and the Enhanced Fleet Modernization Subaccount, if those revenues are backfilled with cap-and-trade auction proceeds from the Greenhouse Gas Reduction Fund; and (5) revenues obtained by Caltrans through the rental or sale of property, the sale of documents, and charges for other miscellaneous services provided to the public. Distributes the revenues deposited into the Traffic Relief and Road Improvement Account in the following manner: (1) 40 percent would be allocated to Caltrans for maintenance of the state highway system, and for projects programmed in the State Highway Operation and Protection Program (SHOPP); (2) 40 percent would be provided to cities and counties for their local roadway systems; and (3) 20 percent would be allocated for projects programmed in the State Transportation Improvement Program (STIP) that create measurable reductions in traffic congestion. Requires revenues apportioned to California from the formula-based National Highway Freight Program to be deposited into the Trade Corridors Improvement Fund and allocated by the California Transportation Commission (CTC) according to the original guidelines that the commission adopted for the fund in 2007. Requires the repayment of approximately \$700 million in outstanding loans owed by the General Fund to various transportation accounts by December 31, 2017. Distributes these one-time revenues to cities and counties for their local roadway systems. Eliminates the annual transfer of vehicle weight fee revenues from the State Highway Account to the General Fund for payment of debt service for general obligation bonds issued for transportation purposes and, instead, retains these revenues in the State Highway Account. Deletes provisions in current law relating to the reimbursement of the State Highway Account with gasoline excise tax revenues for vehicle weight fee revenues transferred to the General Fund and, instead, allows these gasoline excise tax revenues to be allocated in the following manner: (1) 44 percent to the STIP; (2) 44 to cities and counties for local streets/roads; and (3) 44 percent to the SHOPP.</p>	2/28/17	Assembly Transportation Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 515 (Frazier) State Highway System Management Plan	Requires Caltrans to prepare a State Highway System Management Plan consisting of the existing 10-year rehabilitation plan that forms the basis of the State Highway Operation and Protection Program (SHOPP), and a five-year maintenance plan addressing the maintenance needs of the state highway system. Requires the maintenance plan to include only maintenance activities that, if not performed, could result in increased SHOPP costs in the future. In addition, requires the maintenance plan to identify any existing backlog in those maintenance activities, and to recommend a strategy, specific activities and an associated funding level to reduce or prevent any backlog during the plan's five-year period. Requires the State Highway System Management Plan to do all of the following: (1) include specific quantifiable accomplishments, goals, objectives, costs, and performance measures consistent with Caltrans' Assets Management Plan; (2) contain strategies to control costs and improve the efficiency of the SHOPP; and (3) attempt to balance resources between the SHOPP and maintenance activities in order to achieve identified goals at the lowest possible long-term total cost. Requires the State Highway Management Plan to be updated every two years.	6/20/17	Senate Floor	
AB 536 (Melendez) Counties: Federal Funding	If compliance with a state law would result in a county losing federal funding, authorizes the county to elect to not comply with that law to the extent that compliance jeopardizes its federal funding.	As Introduced	Assembly Judiciary Committee	
AB 544 (Bloom) HOV Lanes: Low-Emission and Energy Efficient Vehicles	Provides that decals, stickers or other identifiers issued by the Department of Motor Vehicles (DMV) prior to January 1, 2017, allowing battery electric, hydrogen fuel cell, compressed natural gas, and plug-in hybrid electric vehicles to use high-occupancy vehicle (HOV) lanes without the required number of occupants in the vehicle are valid until January 1, 2019. Provides that decals, stickers or other identifiers issued by the DMV to such vehicles on or after January 1, 2017, and before January 1, 2019, are valid until January 1, 2019. Provides that decals, stickers or other identifiers issued by the DMV on or after January 1, 2019, to such vehicles that previously had been issued identifiers that have expired, are valid until January 1, 2022. Provides that decals, stickers or other identifiers issued by the DMV on or after January 1, 2019, to such vehicles that previously have not been issued identifiers are valid until January 1 of the fourth year after the year of issuance. Provides that a person is not eligible to be issued a decal, sticker or other identifier if he or she has received a consumer rebate under the state's Clean Vehicle Rebate Project, unless certain income restrictions are met. Repeals the provisions of this bill, as well as those in current law related to the issuance of such decals, stickers and other identifiers on September 30, 2025.	7/3/17	Senate Appropriations Committee	
AB 555 (Cunningham) Zero-Emission and Near-Zero-Emission School Buses	Requires the California Air Resources Board (CARB) to establish a grant program to provide funding for replacing older, high-polluting school buses with zero-emission or near-zero-emission vehicles. Requires CARB to award grants to school districts based on the following indicators: (1) school district income; (2) pupil population; (3) average miles traveled by pupils; and (4) age of the school bus fleet. Requires CARB to adopt a regulation to implement this grant program. Continuously appropriates four percent of annual cap-and-trade auction proceeds deposited in the Greenhouse Gas Reduction Fund for each of FY 2018, FY 2019 and FY 2020 to CARB to implement the grant program.	3/21/17	Assembly Natural Resources Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 570 (Gonzalez-Fletcher) Workers' Compensation: Permanent Disability Causation	In making a determination of apportionment of permanent disability based on causation for purposes of payment of workers' compensation, prohibits apportionment, in the case of a physical injury occurring on or after January 1, 2018, from being based on pregnancy, childbirth, or other medical conditions related to pregnancy or childbirth.	As Introduced	Senate Appropriations Committee	
AB 617 (C. Garcia) Criteria Air Pollutants and Toxic Air Contaminants	Requires the California Air Resources Board (CARB) to establish a uniform statewide system of annual reporting of emissions of criteria pollutants and toxic air contaminants for stationary sources. Requires a stationary source to report its annual emissions of criteria pollutants and toxic air contaminants to CARB using the uniform statewide system of annual reporting. By October 1, 2018, requires CARB to prepare a plan regarding technologies for monitoring criteria pollutants and toxic air contaminants, and the need for and benefits of additional community air monitoring systems. Based on this monitoring plan, requires CARB to select the highest priority locations in California for the deployment of community air monitoring systems. Requires an air district containing a selected location to deploy a community air monitoring system in that location by July 1, 2019. Authorizes an air district to require a stationary source that emits air pollutants in, or that materially affects, a selected location to deploy a fence-line monitoring system. By January 1, 2020, and annually thereafter, authorizes CARB to select additional locations for the deployment of community air monitoring systems. By October 1, 2018, requires CARB to prepare a statewide strategy to reduce emissions of criteria pollutants and toxic air contaminants in communities affected by a high cumulative exposure burden. Requires CARB to update this strategy at least once every five years. Requires CARB to select locations around the state for preparation of community emissions reduction programs. Requires an air district containing a selected location to adopt a community emissions reduction program. Requires CARB to provide grants to community-based organizations for technical assistance to support community participation in such programs. Requires an air district that is in non-attainment for one or more air pollutants to adopt an expedited schedule for the implementation of best available retrofit control technologies. Requires the schedule to apply to each industrial sources that, as of January 1, 2017, was subject to cap-and-trade. Requires CARB to establish and maintain a statewide clearinghouse that identifies the best available control technologies and best available retrofit control technologies for criteria pollutants and toxic air contaminants.	7/10/17	Senate Appropriations Committee	
AB 623 (Rodriguez) Autonomous Vehicles: Accidents	Requires the operator of an autonomous vehicle who is involved in an accident that results in damage to the property of any one person in excess of \$1,000, in bodily injury or in the death of a person to report the accident to the Department of Motor Vehicles (DMV) within 10 days of occurrence. Requires a traffic collision report prepared by a California Highway Patrol (CHP) officer or by any other peace officer to specify if an autonomous vehicle was involved in the traffic collision in any manner.	7/5/17	Senate Appropriations Committee	
AB 636 (Irwin) Local Streets/Roads: Expenditure Reports	Requires the report by a city or county regarding Highway Users Tax Account (HUTA) expenditures for street/road purposes during the preceding fiscal year to be submitted to the Controller's Office within seven months of the close of the fiscal year, rather than by the first day of October, as is the case under current law.	6/27/17	Senate Rules Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 673 (Chu) Public Transit Bus Procurements: Safety Considerations	Before the procurement of a new bus to be used in revenue service, requires a public transit agency to take into consideration the recommendations of, and the best practice standards developed by, the labor organization representing the agency's bus operators related to the following purposes: (1) to reduce the risk of assaults on bus operators; (2) to prevent accidents caused by blind spots created by bus equipment or design; or (3) to enhance the safety of passengers, bus operators, or other vehicles or pedestrians that the bus may come into contact with while in service. Specifies that nothing in the bill shall be construed to require a public transit agency to implement specific recommendations.	5/15/17	Governor's Office	
AB 686 (Santiago) Housing Discrimination	Requires a public agency to administer its programs and activities relating to housing and community development in a manner to affirmatively further fair housing. Prohibits a public agency from taking any action that is inconsistent with this obligation. Provides that if a public agency fails to comply with its obligation to affirmatively further fair housing, then that failure would constitute a discriminatory housing practice under the California Fair Employment and Housing Act. Authorizes the Department of Fair Employment and Housing to exercise its discretion to investigate or to bring a civil action based on a verified complaint that alleges a violation of the obligation to affirmatively further fair housing. Defines "affirmatively further fair housing" to mean taking meaningful actions, in addition to combating discrimination, that: (1) overcome patterns of segregation; (2) address disparities in housing needs and in access to opportunity; (3) promote fair housing choice, both within and outside of areas of concentrated poverty; (4) foster inclusive communities free from barriers that restrict access to opportunity; and (5) transform racially and ethnically concentrated areas of poverty into areas of opportunity, while protecting existing residents from displacement. Defines "meaningful actions" to mean significant actions that are legally possible for a public agency to undertake that are designed and can be reasonably expected to achieve materially positive change that affirmatively furthers fair housing. Defines "programs and activities relating to housing and community development" to mean any action, inaction, policy, regulation, program, practice, decision, activity, or investment by a public agency that affects where a person may live; a person's ability to remain in their current housing; and the degree of access that person, based on where they live, has to opportunity, including education, jobs, health care, social services, and features of a healthy environment. Requires a public agency that completes or revises an assessment of fair housing pursuant to specified provisions of the federal Fair Housing Act to submit a copy of that assessment to the Department of Fair Employment and Housing. Requires any public agency that adopts a housing element or sustainable communities strategy to include in that element or strategy an analysis of barriers that restrict access to opportunity and a commitment to specific meaningful actions to affirmatively further fair housing.	5/30/17	Senate Transportation & Housing Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 694 (Ting) Bicycles	Except under specified conditions, requires a person operating a bicycle to ride in the right-hand lane or bicycle lane, if one is present, rather than as close as practicable to the right-hand curb or edge of the roadway, as is the case under current law. Requires a person operating a bicycle in a right-hand lane that is wide enough for a vehicle and a bicycle to travel safety side by side within the lane to ride far enough to the right in order to allow vehicles to pass, except under any of the following situations: (1) when reasonably necessary to avoid conditions that make it hazardous to continue along the right-hand edge of the lane; or (2) when approaching a place where a right turn is authorized.	As Introduced	Assembly Transportation Committee	
AB 697 (Fong) Toll Facilities: Privately Owned Emergency Ambulances	Exempts a private ambulance from any requirement to pay a toll or other charge on a toll bridge, toll road, toll highway, high-occupancy toll (HOT) lane, or vehicular crossing for which payment of a toll or charge is required, if the following conditions are met: (1) the private ambulance is properly displaying a valid California license plate and identification as the operator of a private ambulance; (2) the private ambulance is being driven while responding to or returning from an urgent or emergency call, engaged in an urgent or emergency response, or engaging in a fire station coverage assignment directly related to an emergency response; and (3) the driver of the private ambulance determines that the use of the toll facility shall likely improve the availability, or response and arrival time of the ambulance and its delivery of essential public safety services.	6/12/17	Senate Floor	
AB 730 (Quirk) BART: Prohibition Orders	Eliminates the January 1, 2018, sunset date and makes permanent provisions in current law that authorize the Bay Area Rapid Transit District (BART) to issue a prohibition order to any person cited for committing certain acts on BART vehicles or at BART's transit facilities, under which the person would be prohibited from entering the property, facilities or vehicles of BART for a specified period of time.	As Introduced	Signed into Law: Chapter #46	
AB 733 (Berman) Enhanced Infrastructure Financing Districts: Climate Change Projects	Allows an enhanced infrastructure financing district to finance projects that enable communities to adapt to the impacts of climate change, including higher average temperatures, decreased air and water quality, the spread of infectious and vector-borne diseases, other public health impacts, extreme weather events, sea level rise, flooding, heat waves, wildfires, and drought.	6/26/17	Senate Floor	
AB 758 (Eggman) Tri-Valley-San Joaquin Valley Regional Rail Authority	Establishes the Tri-Valley-San Joaquin Valley Regional Rail Authority for purposes of planning and developing a cost-effective and responsive connection between the Bay Area Rapid Transit District (BART) and the Altamont Commuter Express (ACE) in the Tri-Valley that meets the goals and objectives of the community. Requires the governing board of the authority to be composed of 14 members, as specified. On an annual basis, requires the authority to post a project feasibility report on its Internet Web site regarding the plans for the development and implementation of the connection. Requires the report, at a minimum, to include the proposed scope, schedule and cost of the connection. Requires the authority to be dissolved upon the completion of the connection.	7/5/17	Senate Transportation & Housing Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 765 (Low) Local Initiative Measures	Requires the election for a county, municipal or special district initiative measure that qualifies for the ballot to be the next statewide election or the jurisdiction's next regular election, as applicable, unless the governing body of the county, city or special district calls a special election. If the governing body of the county, city or special district calls a special election, requires that election to be held not less than 88 days nor more than 103 days after the order of the election.	5/11/17	Senate Floor	
AB 863 (Cervantes) Affordable Housing and Sustainable Communities Program	Provides that a project receiving cap-and-trade funding under the Affordable Housing and Sustainable Communities Program shall be encouraged to employ local entrepreneurs and workers utilizing appropriate workforce training programs.	6/22/17	Senate Appropriations Committee	
AB 943 (Santiago) Land-Use Ordinances	Provides that an ordinance or an amendment to an ordinance proposed by the voters that would reduce density, or stop development or construction of any parcels located less than one mile from a major public transit stop within a city or county shall be enacted only if approved by at least 55 percent of the votes cast on the ordinance or amendment at an election. Requires the city attorney or county counsel where the proposed ordinance or amendment to an ordinance would apply to determine whether it would reduce density, or stop development or construction of any parcels located less than one mile from a major public transit stop within the city or county. Specifies that the provisions of the bill apply only to the following: (1) a county that had a population of 750,000 or more as of January 1, 2017; and (2) a city located within a county that had a population of 750,000 or more as of January 1, 2017. Declares that the bill addresses a matter of statewide concern and, thus, its provisions apply to charter cities and counties.	6/28/17	Senate Elections & Constitutional Amendments Committee	
AB 964 (Gomez) California Affordable Clean Vehicle Program	Creates the California Affordable Clean Vehicle Program to be administered by the California Pollution Control Financing Authority to assist low-income individuals in purchasing or leasing zero-emission and plug-in electric vehicles for personal or commercial use by providing access to affordable financing mechanisms. To the extent that funds are appropriated for this purpose by the Legislature, authorizes the Pollution Control Financing Authority to implement the following financing mechanisms under the program: (1) establishing a loss reserve account with a participating financial institution to provide a loan or loan-loss reserve credit enhancement program to increase consumer access to zero-emission and plug-in electric vehicle financing and leasing options; (2) providing funds to participating financial institutions to reduce the interest rates charged on loans issued under the program; and (3) other financing methods, as determined by the authority, to increase the participation rate among low-income individuals in the program. Sunsets the program on January 1, 2027.	6/21/17	Senate Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 965 (Kiley) Caltrans: Civil Liability	In an action against Caltrans for personal injury, property damage or wrongful death based upon the principles of comparative fault, specifies that the liability of the department for economic damages shall be several only and shall not be joint. Specifies that Caltrans shall be liable only for the amount of economic damages allocated to the department in direct proportion to its percentage of fault, and requires a separate judgment to be rendered against the department for that amount. Requires Caltrans to identify savings achieved through the implementation of the bill on an annual basis. From the identified savings, requires Caltrans to propose an appropriation to be included in the annual Budget Act for expenditure on highway maintenance, operation, rehabilitation, and improvement.	4/17/17	Assembly Judiciary Committee	
AB 980 (Wood) Caltrans: Broadband	As part of each project located in a priority area, as defined, requires Caltrans to install a broadband conduit capable of supporting fiber optic communication cables.	As Introduced	Assembly Communications & Conveyance Committee	
AB 1017 (Santiago) Collective Bargaining Agreements: Arbitration	With regard to disputes concerning collective bargaining agreements for both public and private employment, requires a court to award attorney's fees to a prevailing party in an action to compel arbitration of a dispute, unless the other party has raised substantial and credible issues involving complex or significant questions of law or fact regarding whether or not the dispute is arbitrable. Provides only a labor organization or employer is liable for such attorney's fees.	7/5/17	Senate Appropriations Committee	
AB 1069 (Low) Taxi Cab Transportation Services	Authorizes, but does not require, the countywide transportation agency in the 10 largest counties in California to administer permits for taxi cab transportation services and taxi drivers. If issued by the countywide transportation agency, requires such permits to be valid countywide. Beginning January 1, 2019, prohibits the cities within the 10 largest counties and the county from regulating taxi cab companies except through the countywide transportation agency. If the countywide transportation agency does not administer the permitting of taxi cab transportation services and taxi drivers, requires the county sheriff to administer criminal background checks and drug testing for taxi drivers within that county. In those counties where the countywide transportation agency decides to undertake these permitting responsibilities, requires the county and each city within the county to enact an ordinance that adopts and provides for the enforcement of the regulations developed by the countywide transportation agency. Allows the countywide transportation agency to levy service charges, fees or assessments limited to the amount sufficient to pay for the costs of carrying out the regulation of taxi cab transportation services. Allows a city or county that operates an airport to adopt an ordinance or charter provision to regulate access to the airport by taxi cabs. Specifies that the airport operator shall have the ultimate authority to regulate taxi cab access to the airport and set access fees for taxi cabs at the airport. Provides that a countywide transportation agency, a city or the county shall not limit or prohibit a permitted taxi cab company from setting fares or charging a flat rate, but allows the countywide transportation agency to set a maximum rate. Requires a permitted taxi cab company to: (1) disclose fares, fees or rates to the customer; and (2) notify the customer of the rate prior to his or her accepting the ride for walk-up rides and street hails. Allows a city or the county to limit the number of taxi cab companies or vehicles that may use taxi stand areas or pick up street hails within its jurisdiction.	6/28/17	Senate Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1103 (Oberholte) Bicyclists: Rules of the Road	After slowing to a reasonable speed and yielding the right-of-way to any vehicle or pedestrian, allows a person operating a bicycle approaching a stop sign to cautiously make a turn or proceed through the intersection without stopping, unless safety considerations require otherwise. If necessary for safety, requires the bicyclist to stop before entering the intersection, and allows him or her to proceed after yielding the right-of-way.	4/6/17	Assembly Transportation Committee	
AB 1113 (Bloom) State Transit Assistance Program	Revises and recasts the provisions in current state law governing the State Transit Assistance Program (STA). Clarifies the definition of STA-eligible transit operator for purposes of allocating STA revenue-based funds. Clarifies that only transportation planning agencies, including county transportation commissions, can receive direct allocations of STA population-based and revenue-based funds from the Controller's Office. Requires a transportation planning agency to allocate revenue-based funds only to STA-eligible transit operators within its jurisdiction. Requires the Controller's Office to compute and publish the revenue-based shares that each STA-eligible transit operator in the state shall receive based on an operator's qualifying revenues. Defines "qualifying revenues" to mean an STA-eligible transit operator's fare revenues, including paratransit fare revenues, and other local funds used by the operator in the delivery of public transit service. Excludes the following from the definition of "qualifying revenues": (1) state and federal operating funds; and (2) all funds used for capital expenditures or depreciation. Specifies that an STA-eligible transit operator's revenue-based share cannot exceed its total annual operating expenses. Requires the amount of revenue-based funds allocated by the Controller's Office to a transportation planning agency to be based on the ratio that the total qualifying revenues of all STA-eligible transit operators within the jurisdiction of the transportation planning agency bears to the total qualifying revenues of all STA-eligible transit operators in the state. Requires the amount of revenue-based funds allocated by a transportation planning agency to each STA-eligible transit operators within its jurisdiction to be based on the ratio that an operator's qualifying revenues bears to the total qualifying revenues of all STA-eligible transit operators within the transportation planning agency's jurisdiction. Requires the Controller's Office to provide a mechanism for each transportation planning agency to use to report those public transit operators within its jurisdiction that are eligible claimants for STA dollars.	6/20/17	Governor's Office	Support
AB 1141 (Berman) Autonomous Freight Vehicles	By September 30, 2018, requires the Department of Motor Vehicles (DMV) to adopt regulations setting forth standards for the testing of autonomous vehicles used to transport freight. In developing these regulations, requires the DMV to consult with Caltrans and the California Highway Patrol (CHP) on related topics, including appropriate routes for autonomous freight vehicles, and compliance with federal and state requirements for commercial drivers. Requires an autonomous freight vehicle to have a person in the driver's seat at all times while being operated.	4/17/17	Assembly Communications & Conveyance Committee	
AB 1218 (Oberholte) CEQA: Bicycle Transportation Plans and Projects	Extends until January 1, 2021, the following two exemptions from the requirements of the California Environmental Quality Act (CEQA): (1) a bicycle transportation plan prepared for an urbanized area for the restriping of streets/highways, bicycle parking and storage, signal timing to improve street/highway intersection operations, and related signage for bicyclists, pedestrians and vehicles; and (2) a project that consists of restriping streets/highways for bicycle lanes in an urbanized area that is consistent with the area's bicycle transportation plan.	4/18/17	Governor's Office	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1233 (Cunningham) Office of the Transportation Inspector General	Creates the Office of the Transportation Inspector General to ensure that Caltrans, the California High-Speed Rail Authority and all other state agencies expending state transportation funds are operating efficiently, effectively, and in compliance with federal and state laws. Requires the Office of the Transportation Inspector General to review policies, practices and procedures, and to conduct audits and investigations of activities involving state transportation funds in consultation with affected state agencies. Requires the duties and responsibilities of the Office of the Transportation Inspector General to include all of the following: (1) examining the operating practices of all state agencies expending state transportation funds to identify fraud and waste, opportunities for efficiencies, and opportunities to improve the data used to determine appropriate project resource allocations; (2) identifying best practices in the delivery of transportation projects, and developing policies or recommending proposed legislation to enable state agencies to adopt these practices; (3) providing objective analysis of, and offering solutions to, concerns raised by the public or generated within agencies involving the state's transportation infrastructure and project delivery methods; (4) conducting, supervising and coordinating audits and investigations relating to the programs and operations of all state agencies with state-funded transportation projects; (5) recommending policies promoting economy and efficiency in the administration of programs and operations of all state agencies with state-funded transportation projects; and (6) ensuring that the California State Transportation Agency and the Legislature are fully and currently informed concerning fraud, or other serious abuses or deficiencies relating to the expenditure of funds, or the administration of programs and operations. Requires the Office of the Transportation Inspector General to provide a summary of its findings, investigations and audits at least annually to the Governor and Legislature. Requires this summary to include significant problems discovered by the Office of the Transportation Inspector General, and whether its recommendations relating to its investigations and audits have been implemented by the affected agencies.	As Introduced	Assembly Transportation Committee	
AB 1239 (Holden) Building Standards; Electric Vehicle Charging Infrastructure	Requires the Department of Housing & Community Development and the California Building Standards Commission to research, propose and adopt mandatory building standards regarding electric vehicle capable parking spaces for multifamily housing, commercial and parking structure construction and renovation.	7/5/17	Senate Transportation & Housing Committee	
AB 1259 (Calderon) Capital Access Loan Program: Electric Vehicles	Expands the existing Capital Access Loan Program under the California Pollution Control Financing Authority to include the purchase of an electric vehicle by low- and middle-income consumers and families.	4/27/17	Assembly Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1282 (Mullin) Transportation Permitting Task Force	By April 1, 2018, requires the California State Transportation Agency (CalSTA), in consultation with the Natural Resources Agency, to establish a Transportation Permitting Task Force consisting of representatives from specified state agencies and departments. Requires the task force to develop a structured coordination process for early engagement of all parties in the development of transportation projects to reduce permit processing times, to establish reasonable deadlines for permit approvals, and to provide for greater certainty of permit approval requirements. By December 1, 2019, requires CalSTA to prepare and submit to the Legislature a report of findings based on the efforts of the task force. Requires this report to include a detailed analysis of the following: (1) the existing permitting process for transportation projects in California, including a discussion of the points in the process where delays are most likely to occur; (2) the utilization of existing positions in the various state resources agencies currently supported by transportation funds, including an analysis of the benefits of those positions to the state's transportation programs relative to their costs; (3) the early engagement process developed by the task force; (4) resource levels needed to implement the task force's early engagement process; and (5) legislative or regulatory issues, if any, that need to be address to implement the task force's early engagement process. Sunsets the provisions of the bill on December 1, 2023.	6/29/17	Senate Appropriations Committee	
AB 1301 (Fong) Joint Legislative Committee on Climate Change Policies	Requires the Joint Legislative Committee on Climate Change Policies to do all of the following: (1) evaluate the actions that California, other states and foreign nations are taking to reduce greenhouse gas emissions, and quantify those reductions from those jurisdictions over the prior year; (2) evaluate the impact that California's climate policies have had on the price of transportation fuels, electricity and other commodities identified by the joint committee; (3) recommend to the Legislature how to prioritize the allocation of cap-and-trade auction proceeds in the Greenhouse Gas Reduction Fund in order to achieve the greatest reductions of greenhouse gas emissions for each dollar spent; and (4) track changes in the cost effectiveness of clean technologies based on the amount of emissions avoided. Requires the California Air Resources Board (CARB) to annually report to the joint committee the greenhouse gas emissions reduction measures identified in the board's Scoping Plan that are being implemented or considered.	3/22/17	Assembly Natural Resources Committee	
AB 1324 (Gloria) Metropolitan Planning Organizations: Sales Taxes	Allows a metropolitan planning organization (MPO) or regional transportation planning agency (RTPA) that has sales taxing authority under current law to levy, expand, increase, or extend such a tax in a portion of its area of jurisdiction, rather than in its entire area of jurisdiction, provided that the tax is approved by the required percentage of voters in that portion of its area of jurisdiction who vote on the measure. Requires the revenues derived from the tax to be used only within that portion of the MPO's or RTPA's area of jurisdiction.	3/20/17	Assembly Local Government Committee	
AB 1333 (Dababneh) Local Government Agency Notices	Requires a local government agency to post on its Internet Web site a notice of any upcoming election in which the voters will consider a tax measure or proposed bond issuance of the agency. Requires the notice to include the date of the election at which the tax measure or bond issuance will be voted on, and a brief common language description of the tax measure or bond issuance. Requires the local government agency to publish a similar notice in its electronic newsletter.	5/18/17	Assembly Appropriations Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1363 (Baker) Non-Article 19 Transportation Revenues	Beginning July 1, 2018, eliminates the annual transfer of so-called Non-Article 19 revenues obtained by Caltrans through the rental or sale of property, the sale of documents, and charges for other miscellaneous services provided to the public to the General Fund, and, instead, retains these revenues in the State Highway Account for transportation purposes.	As Introduced	Assembly Transportation Committee	
AB 1383 (Fong) Greenhouse Gas Emissions Regulations	Prior to adopting a regulation to reduce greenhouse gas emissions pursuant to the Global Warming Solutions Act, requires the California Air Resources Board (CARB) to do all of the following: (1) work with stakeholders to identify and address technical, market, regulatory, and other challenges and barriers in implementing the regulation; (2) provide a forum for public engagement by holding at least three public meetings in geographically diverse locations throughout the state; (3) make a finding that the regulation is technologically and economically feasible, is cost effective, and includes mechanisms to minimize and mitigate potential leakage to other states and countries; and (4) evaluate existing achievements made by incentive-based programs. Within two years of adopting a regulation pursuant to the Global Warming Solutions Act, requires CARB to both of the following: (1) determine if sufficient progress has been made to overcome any technical, market or regulatory challenges or barriers that were previously identified; and (2) evaluate whether there are any other challenges or barriers that have arisen. Requires CARB to revise the regulation, as needed, based on the findings of this review.	As Introduced	Assembly Natural Resources Committee	
AB 1395 (Chu) State Highways: Debris	By January 1, 2019, requires Caltrans to develop a uniform financial plan to remediate debris to maintain and preserve the state highway system. Requires the uniform financial plan to include recommendations that allow a municipality to carry out obligations specified in the plan with reimbursement provided by the state.	3/30/17	Assembly Transportation Committee	
AB 1421 (Dababneh) Railroads: Noise and Vibration	Requires the Department of Public Health to conduct a study to determine the noise and vibration levels associated with all railroad lines in the vicinity of residential areas or schools.	3/22/17	Senate Rules Committee	
AB 1442 (T. Allen) High-Speed Rail: Bond Funding	Specifies that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21 st Century (Proposition 1A), except as specifically provided with respect to an existing appropriation for early improvement projects related to the Phase I blended system. Upon appropriation by the Legislature, requires the unspent proceeds received from outstanding bonds issued and sold for high-speed rail purposes prior to the effective date of the provisions of this bill to be redirected to retiring the debt incurred from the issuance and sale of those outstanding bonds. Allows the remaining unissued bonds, as of the effective date of the provisions of this bill, that were authorized for high-speed rail purposes to be issued and sold. Upon appropriation by the Legislature, requires the net proceeds from the sale of these remaining unissued bonds to be made available to fund the construction of water capital projects that are part of the State Water Resources Development System, including the construction of desalination facilities, wastewater treatment and recycling facilities, reservoirs, water conveyance infrastructure, and aquifer recharge. Specifies that the provisions of the bill would become effective only upon approval by the voters at the next statewide election.	3/28/17	Assembly Transportation Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1444 (Baker) LAVTA: Autonomous Vehicles Demonstration Project	Authorizes the Livermore Amador Valley Transit Authority (LAVTA) to conduct a shared autonomous vehicle demonstration project for the testing of autonomous vehicles that do not have a driver seated in the driver's seat, and that are not equipped with a steering wheel, a brake pedal or an accelerator, provided that the following requirements are met: (1) the testing is conducted only within the city of Dublin; (2) the vehicles may traverse public roads within the area of the demonstration project; and (3) the vehicles operate at speeds of less than 35 miles per hour. Prior to the start of testing of any autonomous vehicles pursuant to this bill, requires LAVTA, or a private entity, or a combination of the two to do both of the following: (1) obtain an instrument of insurance, surety bond or proof of self-insurance in an amount of \$5 million; and (2) submit a detailed description of the testing program to the Department of Motor Vehicles (DMV). Requires the operator of the autonomous vehicle technology being tested to disclose to an individual participating in the demonstration project what personal information, if any, concerning the individual will be collected by the autonomous vehicle. For the testing of autonomous vehicles within the designated area of the city of Dublin, allows the DMV to require data collection for evaluating the safety of the vehicles. Specifies that the bill does not limit the authority of the DMV to promulgate regulations governing the testing and operation of autonomous vehicles on public roads, with or without the presence of a driver inside the vehicle. Prohibits LAVTA from conducting the demonstration project if the DMV has adopted regulations regarding autonomous vehicles by December 31, 2017. Requires LAVTA to comply with any regulations regarding the testing of autonomous vehicles promulgated by the DMV. Specifies that the provisions of the bill become inoperative on May 1, 2018.	6/20/17	Senate Floor	
AB 1452 (Muratsuchi) Parking for Electric Vehicle Charging	Authorizes a local jurisdiction, by ordinance or resolution, to dedicate on-street parking spaces for the exclusive use of electric vehicles while they are charging, provided that appropriate signage is installed.	As Introduced	Senate Floor	
AB 1454 (Bloom) Public-Private Partnerships	Declares the intent of the Legislature to re-establish the authority under state law to engage in public-private partnerships for projects on the state highway system with appropriate public interest and safety protections.	5/1/17	Assembly Rules Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1469 (Grayson) School Transportation	Provides that a pupil attending a public, non-charter school that receives Title 1 federal funding shall be entitled to free transportation to and from school if either of the following conditions are met: (1) the pupil resides more than one-half mile from the school; or (2) the neighborhood through which the pupil must travel to get to school is unsafe due to such factors as stray dogs, lack of sidewalks, known gang activity, presence of environmental problems and hazards, required crossings of freeways or busy intersections, or other reasons as documented by stakeholders. Requires a school district not currently providing transportation to all pupils attending schools that receive Title 1 federal funding to implement a plan to ensure that all pupils entitled to free transportation pursuant to this bill receive it. Requires the plan to be developed in consultation with teachers, school administrators, regional and local transit authorities, local air districts, Caltrans, parents, pupils, and other stakeholders. Specifies that if free, dependable and timely transportation is currently not already available to pupils who are entitled to it pursuant to this bill, the school district must ensure that such pupils are provided free transportation. Allows a school district to partner with a municipality owned transit system to provide the transportation required pursuant to this bill to middle school and high school pupils if all of the following conditions are met: (1) all drivers of the municipality owned transit system are public employees; and (2) the municipality owned transit system can certify that the transit system can ensure consistent, adequate routes and schedules to enable pupils to get home, to school and back, and does not charge the school district more than marginal cost for each transit pass. Creates the Transportation and Access to Public School Fund. Requires all transportation provided pursuant to this bill to be reimbursed by the Transportation and Access to Public School Fund. Upon appropriation by the Legislature, requires revenues distributed to the Transportation and Access to Public School Fund to be allocated to local educational agencies pursuant to a process established by the Department of Education.	As Introduced	Assembly Appropriations Committee	
AB 1470 (Wood) State Highway Bypasses	With respect to a project completed on or after January 1, 2014, that consists of relocating a state highway in order to bypass a city or business district, provides that the affected city or county shall be eligible to receive funding from an unspecified account for purposes of revitalizing the city or business district due to the loss of tourism resulting from the project.	As Introduced	Assembly Transportation Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1479 (Bonta) Public Records	Requires a public agency to designate a person/persons or office/offices to act as its custodian of records and to be responsible for responding to the following: (1) any requests made pursuant to the California Public Records Act; and (2) any inquiry from the public about a decision by the agency to deny a request for records. Specifies that this provision does not impose a duty upon a requester to direct his or her inquiry to an agency's designated custodian, or prevent a person or office that is not the agency's designated custodian from disclosing information pursuant to the bill. Authorizes a court to assess a civil penalty against a public agency in an amount not less than \$1,000 nor more than \$5,000, if the court finds that the agency did any of the following: (1) improperly withheld a record from a member of the public that was clearly subject to disclosure; (2) unreasonably delayed providing the contents of a record subject to disclosure in whole or in part; (3) improperly assessed a fee upon a requester that exceeded the direct cost of duplication, without substantial justification; or (4) otherwise did not act in good faith to comply with the California Public Records Act. Requires the civil penalty to be awarded to the requester. Prohibits a court from assessing a civil penalty if the record was not subject to disclosure pursuant to the California Public Records Act or decisional law.	7/3/17	Senate Judiciary Committee	
AB 1489 (Brough) Architects Practice Act	Provides that a licensed architect is not responsible for damage caused by construction deviating from a permitted set of plans, specifications, reports, or documents.	As Introduced	Assembly Business & Professions Committee	
AB 1509 (Baker) BART: Rapid Transit Facilities	Requires the Bay Area Rapid Transit District (BART) to maintain its existing commitment of funds for the acquisition, construction or completion of rapid transit facilities. Following the approval of Measure RR at the November 8, 2016, election, prohibits BART from redirecting any existing funds dedicated for system infrastructure capital improvements or rolling stock to cover operating expenses. In any fiscal year in which BART spends Measure RR revenues, requires BART to expend from other revenue sources an amount not less than the annual average of its expenditures on acquisition, construction or completion of rapid transit facilities during FY 2014, FY 2015 and FY 2016. Authorizes the Controller's Office to perform audits to ensure BART's compliance with the provisions of this bill.	5/11/17	Assembly Appropriations Committee	
AB 1523 (Obernalte) San Bernardino County Transportation Authority: Design-Build Contracting	Authorizes the San Bernardino County Transportation Authority to use design-build contracting for the Mt. Vernon Avenue Viaduct Project in the city of San Bernardino.	5/1/17	Governor's Office	
AB 1561 (Quirk-Silva) Port Infrastructure	Allows two or more local agencies to establish an authority under the state's joint powers law for the purpose of financing port infrastructure.	3/20/17	Assembly Local Government Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1565 (Thurmond) Overtime Compensation	Exempts from overtime compensation an executive, administrative or professional employee, if the employee earns a monthly salary equivalent to either \$3,956 or an amount no less than twice the state minimum wage for full-time employment, whichever amount is higher.	5/22/17	Senate Appropriations Committee	
AB 1579 (Daly) CEQA: Vehicle Miles Traveled Database	For purposes of implementing the California Environmental Quality Act (CEQA), requires the Office of Planning & Research to establish and maintain a vehicle miles traveled database containing methodological guidance on which models should be used for particular types of projects and the best sources of trip-length data for various land-use types.	4/3/17	Assembly Natural Resources Committee	
AB 1613 (Mullin) Retail Transactions and Use Tax: SamTrans	Authorizes the San Mateo County Transit District (SamTrans) to impose a retail transactions and use tax that would exceed the 2 percent maximum combined rate for all local option transactions and use taxes that could be imposed in San Mateo County if the following conditions are met: (1) the tax is set at a rate of no more than 0.5 percent; (2) the SamTrans Board of Directors adopts the ordinance approving the tax before January 1, 2021; and (3) the county of San Mateo has not already imposed a similar tax. Requires SamTrans, in concurrence with the county, to develop an expenditure plan of projects for this tax, which may include public transit, local streets/roads, state highways, bicycle and pedestrian facilities, intelligent transportation systems, and transportation planning.	7/5/17	Senate Floor	
AB 1628 (Grayson) Public Works Projects: Independent Contractors	Declares the intent of the Legislature to enact a bill to prohibit the use of independent contractors on public works projects.	As Introduced	Assembly Desk	
AB 1630 (Bloom) Wildlife Movement	Requires Caltrans, in coordination with the Department of Fish & Wildlife, to prepare a report describing the status of Caltrans' progress in locating, assessing and remediating existing barriers to wildlife connectivity. Requires this report to be submitted to the Legislature by October 31 every three years through 2030. Authorizes the Department of Fish & Wildlife or Caltrans to pursue the development of a programmatic environmental review process with appropriate state and federal regulatory agencies for wildlife connectivity-related transportation infrastructure. By January 1, 2019, requires the Department of Fish & Wildlife, in coordination with Caltrans and the California State Transportation Agency (CalSTA), to do both of the following: (1) update the California Essential Habitat Connectivity Project with new, best available data on wildlife movements; and (2) create a formal avenue for scientific data on wildlife movements gathered by universities, non-profit corporations, public agencies, and independent biologists to be submitted to those three agencies. By January 1, 2020, requires Caltrans to update the Highway Design Manual to address features to mitigate barriers to wildlife passage and improve wildlife connectivity, using the best available science to determine the placement and design of wildlife passage features.	4/17/17	Assembly Transportation Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
AB 1640 (E. Garcia) Regional Transportation Improvement Programs	Beginning January 1, 2020, requires a regional transportation improvement program (RTIP) to allocate a minimum of 25 percent of available State Transportation Improvement Program (STIP) funds to projects or programs that provide direct, meaningful and assured benefits to: (1) low-income individuals who live in certain identified communities; or (2) riders of public transit service, of which at least 65 percent of its ridership is composed of low-income riders, that connects low-income residents to critical amenities and services. Through an inclusive and transparent public process, and in consultation with the California Air Resources Board (CARB), the Strategic Growth Council and the Department of Public Health, requires Caltrans to adopt guidelines for the allocation of RTIP funds pursuant to the provisions of this bill no later than June 30, 2018. Requires these guidelines to do all of the following: (1) define and map urban and rural low-income communities in California that are disadvantaged with respect to transportation; (2) identify communities that would benefit from the allocation requirements of the bill; and (3) specify criteria for determining whether investments in transportation projects and programs benefit low-income residents of the communities identified by the department. In identifying communities, requires Caltrans to use the following factors: (1) inadequate access to high quality public transit; (2) lack of sidewalks, crossing facilities or bicycle infrastructure; (3) low rates of automobile ownership; (4) proximity to a freeway, major arterial or goods movement corridor; (5) lack of shelters, benches or pedestrian lighting at public transit stops, employment centers, schools, medical facilities, grocery stores, and other community services; (6) risk of physical or economic displacement; and (7) health and air pollution impacts of the transportation system. Requires congestion management agencies (CMAs) and regional transportation planning agencies (RTPAs) to report to Caltrans information regarding the transportation project and program benefits provided to disadvantaged community residents. Upon appropriation by the Legislature, requires Caltrans to provide financial support to low-income residents of disadvantaged communities for all of the following purposes: (1) to assist those residents in engaging in the development of the guidelines for the allocation of RTIP funds; (2) to provide those residents with planning support and other technical assistance in identifying their priorities for local projects and programs that meet their needs by reducing their disadvantage with respect to transportation; and (3) to provide those residents with support in developing and implementing a participatory budget process.	As Introduced	Assembly Transportation Committee	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
ACA 4 (Aguiar-Curry) Local Government Financing: Voter Approval	Calls for placing before the voters an amendment to the California Constitution to allow a city or county to incur indebtedness in the form of general obligation bonds, if approved by its electorate by a 55 percent majority, to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing, or the acquisition or lease of real property for those purposes. 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 the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing, or the acquisition or lease of real property for those purposes. Allows a local government to impose, extend or increase a special tax, if approved by its electorate by a 55 percent majority, to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing, or the acquisition or lease of real property for those purposes. Defines “public infrastructure” to include projects that provide any of the following: (1) water or protect water quality; (2) sanitary sewer; (3) treatment of wastewater or reduction of pollution from stormwater runoff; (4) protection of property from the impacts of sea level rise; (5) parks; (6) open space and recreation facilities; (7) improvements to public transit, and streets/highways; (8) flood control; (9) broadband expansion in underserved areas; or (10) local hospital construction.	As Introduced	Assembly Local Government Committee	
ACA 5 (Frazier) Motor Vehicle Fees and Taxes: Restrictions on Expenditures	Calls for placing before the voters an amendment to the California Constitution to exempt appropriations of revenues from the Road Maintenance and Rehabilitation Account that is proposed to be created pursuant to SB 1 (Beall) from counting toward the state appropriation limit (Gann Limit). Requires all revenues derived from the state sales tax on diesel fuel to be deposited into the Public Transportation Account (PTA) and used exclusively for mass transportation purposes. Prohibits the Legislature from taking any action that would temporarily or permanently divert or appropriate these PTA revenues for non-mass transportation purposes; or that would delay, defer, suspend, or otherwise interrupt the quarterly deposit of these revenues into the PTA. Requires the revenues derived from the new transportation improvement fee that would be imposed by SB 1 to be used solely for transportation purposes. Prohibits transportation improvement fee revenues from being used to pay the principal or interest on state transportation general obligation bonds that were authorized by the voters prior to November 8, 2016. Prohibits the use of these revenues to pay the principal or interest on any state transportation general obligation bond acts approved by the voters after November 8, 2016, unless the bond act expressly authorizes that use. Prohibits the Legislature from borrowing or using transportation improvement fee revenues for purposes other than those authorized in SB 1.	4/4/17	Passed by the Legislature. To be placed on the June 2018 ballot	
ACA 9 (Obernalte) Budget Trailer Bills	Calls for placing before the voters an amendment to the California Constitution to require the annual Budget Act to be passed by the Legislature and enacted as a statute by midnight of June 15 of each year. Requires bills that provide for appropriations relating to, or that are necessary to implement, the Budget Act to be passed by the Legislature and enacted as statutes by midnight on June 30 of each year. If the Budget Act or a budget trailer bill is not enacted by the applicable deadline, prohibits the Budget Act or trailer bill from taking effect with a majority vote, thereby requiring it to be passed by a two-thirds vote of the Legislature. If the Budget Act is not enacted by the applicable deadline, prohibits an appropriation for the salary and benefits of members of the Legislature and the Governor from midnight on June 15 until the Budget Act is enacted.	As Introduced	Assembly Desk	

State Assembly Bills	Subject	Last Amended	Status	VTA Position
ACR 101 (Fong) Budget Procedures	Requires a hearing on an issue by a budget subcommittee to be published in the Daily File at least four days prior to the hearing. If a bill is set for a hearing by a budget subcommittee, requires the agenda for that hearing to include an attachment that sets forth the full text of the bill in order for the public to have time to review the proposed language. Specifies that the Legislature shall only hear or act upon a bill providing for appropriations related to the Budget Act if that bill has been in print for 72 hours, and makes a substantive change in or addition to existing law.	As Introduced	Assembly Desk	

State Senate Bills

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 1 (Beall) Transportation Funding	Creates the Road Maintenance and Rehabilitation Account to be funded from the following sources: (1) an increase in the gasoline excise tax of 12 cents per gallon, which would be indexed to inflation every year; (2) 50 percent of the revenues derived from an increase in the diesel excise tax of 20 cents per gallon, which would be indexed to inflation annually; (3) a portion of the revenues derived from a new transportation improvement fee that would be assessed per year based on a vehicle's market value and indexed to inflation on an annual basis; and (4) a registration surcharge of \$100 per year imposed on zero-emission vehicles model year 2020 or later starting with the second year of ownership, which would be indexed to inflation every year. Distributes the revenues deposited into the Road Maintenance and Rehabilitation Account in the following manner: (1) \$200 million per year would be allocated to local jurisdictions that have sought and gained voter approval of a local transportation special tax, or that have imposed uniform developer or other fees solely for transportation improvements; (2) \$100 million per year would be distributed to the Active Transportation Program; (3) \$400 million per year would be allocated to Caltrans for maintenance and rehabilitation of bridges and culverts on the state highway system; (4) \$25 million per year would be distributed to support Freeway Service Patrols throughout the state; (5) for FY 2018 through FY 2022, \$5 million per year would be allocated to the California Workforce Development Board to assist local agencies in implementing policies to promote pre-apprenticeship training programs; (6) \$25 million per year would be allocated to Caltrans for local and regional planning grants; (7) \$5 million and \$2 million per year would be distributed to the University of California and the California State University systems, respectively, to conduct transportation research, as well as to fund transportation-related workforce education, training and development activities; (8) 50 percent of the amount remaining would be allocated to Caltrans for maintenance of the state highway system, and for projects programmed in the State Highway Operation and Protection Program (SHOPP); and (9) 50 percent of the amount remaining would be provided to cities and counties for their local roadway systems. Provides new funding for public transit through the following sources: (1) an increase in the diesel sales tax by a rate of 3.5 percent for the State Transit Assistance Program (STA); (2) an increase in the diesel sales tax by a rate of 0.5 percent for commuter and intercity rail; and (3) \$350 million per year (adjusted annually for inflation) from the revenues generated by the new transportation improvement fee to be split 70 percent to the Transit and Intercity Rail Capital Program (\$245 million), and 30 percent to STA (\$105 million) for public transit state-of-good-repair capital expenditures. Allocates half of the revenues derived from the 20-cent increase in the diesel excise tax to a new Trade Corridor Enhancement Fund for corridor-based freight projects nominated by local agencies and the state. Creates a new competitive Solutions for Congested Corridors Program to fund projects related to implementing a balanced set of transportation, environmental and community access improvements along highly congested travel corridors pursuant to a corridor plan. Provides \$250 million per year from the revenues derived from the new transportation improvement fee for this program.	4/3/17	Signed into Law: Chapter #5	Support

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 2 (Atkins) Building Homes and Jobs Act	<p>Enacts the Building Homes and Jobs Act. Beginning January 1, 2018, imposes a fee of \$75 to be paid at the time of recording of every real estate instrument, paper or notice required or permitted by law to be recorded per each single transaction per single parcel of real property. Specifies that this fee shall not exceed \$225. Prohibits the fee from being imposed on any real estate instrument, paper or notice recorded in connection with a transfer of real property that is a residential dwelling to an owner-occupier. Deposits the revenues derived from the fee in the Building Homes and Jobs Trust Fund for expenditure by the Department of Housing & Community Development. Requires the money in the Trust fund to be appropriated through the annual Budget Act. Upon appropriation by the Legislature, requires 20 percent of the revenues in the trust fund to be expended for affordable owner-occupied workforce housing, and 10 percent to address affordable homeownership and rental housing opportunities for agricultural workers and their families. Requires the remainder of the money in the trust fund to be expended for the following purposes: (1) the development, acquisition, rehabilitation, and preservation of rental housing that is affordable to extremely low-income, very low-income, low-income, and moderate-income households; (2) affordable rental and ownership housing that meets the needs of a growing workforce up to 120 percent of area median income; (3) matching portions of funds placed into local or regional housing trust funds; (4) matching portions of funds available through the Low and Moderate Income Housing Asset Fund; (5) capitalized reserves for services connected to the creation of new permanent supportive housing, including developments funded through the Veterans Housing and Homelessness Prevention Bond Act of 2014; (6) emergency shelters, transitional housing and rapid rehousing; (7) accessibility modifications; (8) efforts to acquire and rehabilitate foreclosed or vacant homes; (9) homeownership opportunities, including downpayment assistance; (10) grants to local and regional agencies to assist in the development and updating of planning documents and zoning ordinances in order to accelerate housing production; (11) fiscal incentives as matching funds to local agencies that approve new housing for extremely low-income, very low-income, low-income, and moderate-income households; and (12) the cost of periodic audits. At the time of the Department of Finance's adjustments to the proposed FY 2019 budget, requires the Department of Housing & Community Development to submit to the Legislature an initial Building Homes and Jobs Investment Strategy. Beginning with FY 2024, and every five years thereafter, requires the department to update this investment strategy and submit it to the Legislature concurrent with the release of the Governor's proposed budget. Requires the investment strategy to do all of the following: (1) identify the statewide needs, goals, objectives, and outcomes for housing for a five-year period; (2) provide for a geographically balanced distribution of funds, including a 50 percent direct allocation to local governments; (3) emphasize investments that serve households that are at or below 60 percent of area median income; (4) encourage economic development and job creation by helping to meet the housing needs of a growing workforce up to 120 percent of area median income; (5) identify opportunities for coordination among state departments and agencies; (6) incentivize the use and coordination of non-traditional funding sources; and (7) incentivize innovative approaches that produce cost savings to local and state services by reducing the instability of housing for frequent, high-cost users of hospitals, jails, detoxification facilities, psychiatric hospitals, and emergency shelters. Requires expenditure requests in the Governor's proposed budget to be consistent with the Building Housing and Jobs Investment Strategy.</p>	5/26/17	Senate Floor	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 3 (Beall) Affordable Housing Bond Act of 2018	Calls for submitting the Affordable Housing Bond Act of 2018 to the voters at the November 6, 2018, statewide general election, which authorizes the issuance of \$3 billion in general obligation bonds to fund various programs related to housing. If approved by the voters, requires the proceeds from the issuance of the bonds to be allocated in the following manner: (1) \$1.5 billion to construct, rehabilitate and preserve permanent and transitional rental housing for persons with incomes of up to 60 percent of the area median income; (2) \$200 million to provide assistance to cities, counties, public transit agencies, and developers for the purpose of developing or facilitating higher density uses within close proximity to transit stations that will increase public transit ridership; (3) \$300 million for infill incentive grants to assist in constructing and rehabilitating infrastructure that supports high-density affordable and mixed-income housing in locations designated as infill; (4) \$100 million for grants to qualifying cities and counties to be used for downpayment assistance to qualifying first-time homebuyers, or low-income and moderate-income buyers purchasing newly constructed homes in a Building Equity and Growth in Neighborhoods (BEGIN) project; (5) \$300 million for grants or loans for local public entities, non-profit corporations, limited liability companies, and limited partnerships for constructing or rehabilitating housing for agricultural employees and their families, or for acquiring manufactured housing as part of a program to address and remedy the impacts of current and potential displacement of farmworker families from existing labor camps, mobilehome parks or other housing; (6) \$300 million for competitive grants or loans to local housing trust funds that develop, own, lend, or invest in affordable housing to assist in creating pilot programs to demonstrate innovative, cost-saving approaches to building or preserving affordable housing; and (7) \$300 million for the CalHome Program to provide direct, forgivable loans to assist development projects involving multiple homeownership units.	7/3/17	Assembly Rules Committee	
SB 20 (Hill) Buses: Seatbelts	Requires a passenger in a bus equipped with seatbelts to be properly restrained by a belt, except in the case where the passenger is out of his or her seat to use an onboard bathroom. Specifies that a violation of this seatbelt requirement is an infraction punishable by a fine of not more than \$20 for the first offense, and a fine of not more than \$50 for each subsequent offense. Requires a motor carrier operating a bus equipped with seatbelts to maintain the belts in good working order for the use of passengers of the vehicle. Requires a motor carrier operating a bus equipped with seatbelts to do one of the following: (1) require the bus driver, before departure, to inform passengers of the requirement to wear the belt under California law and that not wearing the belt is punishable by a fine; or (2) post signs or placards informing passengers of the requirement. Specifies that the aforementioned provisions of the bill do not apply to school buses. If a bus is equipped with a driver seatbelt, prohibits the driver from operating the bus unless he or she is properly restrained by the belt. Specifies that a violation of this requirement is an infraction punishable by a fine of not more than \$20 for the first offense, and a fine of not more than \$50 for each subsequent offense. Requires the motor carrier operating a bus with a driver seatbelt to maintain the belt in good working order for the use of the driver. Requires a charter bus company to ensure that a driver of a vehicle designed to carry 39 or more passengers does both of the following: (1) instructs or plays a video for all passenger regarding the safety equipment and emergency exists on the vehicle prior to the beginning of any trip; and (2) provides each passenger with written or video instructions that include, at a minimum, a demonstration of the location and operation of all exits, the requirement to wear a seatbelt, if available, and that not wearing the belt is punishable by a fine.	6/28/17	Assembly Appropriations Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 21 (Hill) Surveillance Technologies	<p>By July 1, 2018, requires a law enforcement agency that uses or accesses information from surveillance technologies to submit to its governing body for adoption a Surveillance Use Policy to ensure that the collection, use, maintenance, sharing, and dissemination of information or data is consistent with respect for individuals' privacy and civil liberties. If a Surveillance Use Policy is not adopted by resolution or ordinance by its governing body, requires the law enforcement agency to cease using the surveillance technologies within 30 days and until the time that a policy is adopted. Requires the policy to include, in separate sections specific to each unique type of surveillance technology, a description of each surveillance technology used or relied upon for information by the law enforcement agency. Requires each section covering a separate technology to include, at a minimum, all of the following: (1) authorized purposes for using the surveillance technology; (2) types of data that can be and is collected by the surveillance technology; (3) a description of the job title or other designation of employees and independent contractors who are authorized to use the surveillance technology or to access the data collected; (4) the title of the official custodian or owner of the surveillance technology; (5) a description of how the surveillance technology will be monitored to ensure the security of the information and compliance with any applicable privacy laws; (6) the length of time information collected by the surveillance technology will be retained, and a process to determine if and when to destroy the retained information; (7) purposes of, processes for and restrictions on the sale, sharing or transfer of information to other persons; (8) how collected information can be accessed by members of the public, including criminal defendants; (9) a process to maintain a record of access of the surveillance technology or information collected by the technology; and (10) the existence of a memorandum of understanding or other agreement with another local agency or party for the shared use of the surveillance technology, or the sharing of the information collected through its use. After July 1, 2018, specifies that if a law enforcement agency intends to acquire a new type of surveillance technology after the adoption of the Surveillance Use Policy, requires the agency to submit an amendment to the policy to include the technology as a new section of the policy to its governing body for approval. Provides that if a law enforcement agency is not in possession of surveillance technologies on or before July 1, 2018, and intends to acquire such technologies after that date, requires the agency to submit a Surveillance Use Policy to its governing board for consideration. At a time interval agreed to by the law enforcement agency and its governing body, but not less often than every two years, requires the law enforcement agency that uses surveillance technologies and has an approved Surveillance Use Policy to submit to its governing body a written Surveillance Technology Use Report. Requires the report to include, at a minimum, all of the following: (1) the total costs for each surveillance technology, including personnel costs; (2) a description of how many times each type of technology was used in the preceding year, and how many times it helped apprehend suspects or close a criminal case; (3) a description of the type of data collected by each surveillance technology, including whether each technology captured images, sound or other data; (4) the number of times and the purposes surveillance technology was borrowed from or lent to another agency, including technologies used under exigent circumstances; (5) the number and classification of the agency employees trained and authorized to use each type of surveillance technology, along with a description of the training provided and how often it was provided; and (6) disclosure of whether any surveillance technology was used in a manner out of compliance with the agency's Surveillance Use Policy; whether data collected through the use of the technology was inappropriately disclosed, released or in any other way revealed for a non-approved reason; and the steps the agency took to correct the error.</p>	7/13/17	Assembly Appropriations Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 32 (Moorlach) Public Employees' Pension Reform	<p>Creates the Citizens' Pension Oversight Committee to serve in an advisory role to the Teachers' Retirement Board and the Board of Administration of the California Public Employees' Retirement System (CalPERS). Requires the oversight committee to annually review the actual pension costs and obligations of CalPERS and the State Teachers' Retirement System (STRS), and to report them to the public. Prohibits a public retirement board from deeming incentive pay, educational pay, premium pay, special assignment pay, or holiday pay to be pensionable compensation. Requires the Board of Administration of CalPERS to reduce the unfunded liability of CalPERS to the 1980 level to be achieved by 2030, with the goal of fully funding the system. In any year in which the unfunded actuarial liability of CalPERS is greater than zero, requires the Board of Administration to increase the employer contribution rate otherwise provided by law for the state, contracting agencies and school employers by 10 percent. By January 1, 2019, requires the Board of Administration of CalPERS to develop and submit to the Legislature for approval a hybrid retirement plan consisting of the following: (1) a defined benefit component that utilizes low-risk investments; and (2) a defined contribution component under which an employee's contributions will be matched by employer contributions up to a certain percent. Requires a member who is first employed by the state, a contracting agency or a school employer, and becomes a member of CalPERS on or after the approval of the hybrid plan by the Legislature to participate in the hybrid plan. For an individual who becomes a member of any public retirement system for the first time on or after January 1, 2018, and who was not a member of any other public retirement system prior to that date, requires the final compensation used to determine the member's retirement benefits to be the highest annual pensionable compensation earned by the member during a period of at least 60 consecutive months, or at least five consecutive school years if applicable. Prohibits a public retirement system from making a cost-of-living adjustment to any retirement benefit to, or on behalf of, a person retired under the system, or to any survivor or beneficiary of a member or person retired under the system for any year, beginning on or after January 1, 2018, in which CalPERS or STRS is not fully funded.</p>	3/2/17	Senate Public Employment & Retirement Committee	
SB 49 (de Leon) California Environmental, Public Health and Workers Defense Act of 2017	<p>Prohibits a state or local agency from amending or revising its rules and regulations to be less stringent than the baseline federal standards for the following federal laws: (1) Clean Air Act; (2) Endangered Species Act of 1973; (3) Safe Drinking Water Act; (4) Water Pollution Control Act; and (5) any other federal law relating to environmental protection, natural resources or public health. Defines "baseline federal standards" to mean the authorizations, policies, objectives, rules, requirements, and standards contained in the aforementioned federal laws, or regulations implementing those laws in existence as of January 1, 2016, or January 1, 2017, whichever is more stringent. Prohibits a state agency from amending or revising its rules and regulations in a manner that is less stringent in its protection of workers' rights or worker safety than standards in existence as of January 1, 2016, established pursuant to the following federal laws: (1) Fair Labor Standards Act; (2) Occupational Safety and Health Act; (3) Coal Mine Safety and Health Act; and (4) any other federal statutes relating to worker rights and protections. Expressly authorizes a person to petition a court for a writ of mandate to: (1) compel a state or local agency to perform an act required by this bill; or (2) review an action of a state or local agency for compliance with this bill.</p>	5/26/17	Assembly Judiciary Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 50 (B. Allen) Federal Public Lands: Conveyances	Establishes a state policy to discourage conveyances that transfer the ownership of federal public lands in California from the federal government to another entity. Specifies that such conveyances are void unless the State Lands Commission was provided with the right of first refusal to the conveyance, or the right to arrange for the transfer of the federal public lands to another entity. Authorizes the commission to seek declaratory and injunctive relief from a court of competent jurisdiction to contest conveyances made to any entity unless the requirements of this bill are met. Requires the commission to issue a certificate affirming compliance with this bill, if the commission was provided with the right of first refusal or the right to arrange for the transfer of the federal public lands to another entity. Prohibits a person from knowingly filing or recording a deed, instrument or other document related to a conveyance of federal public lands unless it is accompanied by a certificate of compliance issued by the commission. Requires the commission to waive its right of first refusal or the right to arrange for the transfer of the federal public lands to another entity, and to issue a certificate of compliance for a conveyance that is deemed by the commission to be routine. Requires the commission, the Wildlife Conservation Board and the Department of Fish & Wildlife to enter into a memorandum of understanding that establishes a state policy that all three agencies would undertake all feasible efforts to protect against any future unauthorized conveyances of federal public lands. Authorizes the commission to establish, through regulations or another appropriate method, a process for engaging with federal land managers and potential purchasers of federal public lands early in the conveyance process. Requires the commission to waive its right of first refusal or the right to arrange for the transfer of the federal public lands to another entity, and to issue a certificate of compliance for any of the following: (1) the conveyance of federal public lands pursuant to a conservation plan; (2) the renewal of a lease in existence as of January 1, 2017; or (3) the conveyance of federal public lands to a federally recognized Native American tribe, or lands taken into or out of trust for a Native American tribe or individual Native American.	7/12/17	Assembly Appropriations Committee	
SB 51 (Jackson) Professional Licenses: Environmental Sciences and Climate Change	Prohibits professional licensing entities within state government, other than the State Bar of California, from taking disciplinary action, including suspension, or loss of credential, registration or other professional privilege, against a public employee based upon actions taken by that person to: (1) report improper federal governmental action; or (2) disclose the results of or information about scientific or technical research to the public by means that include publishing the information in a scientific or public forum, or sharing it with the media. Requires the California Environmental Protection Agency (CalEPA) to ensure that all scientific information and other data otherwise in the public domain is protected against censorship or destruction by the federal government.	7/12/17	Assembly Appropriations Committee	
SB 80 (Wieckowski) CEQA: Notices	Requires the lead agency for a project to post notices related to compliance with the California Environmental Quality Act (CEQA) on its Internet Web site. Requires the lead agency to offer to provide such notices by email to any person requesting them. Requires a county clerk to post notices regarding an environmental impact report or a negative declaration on the county's Internet Web site. If the lead agency determines that a project falls within a class of projects that is not subject to CEQA pursuant to guidelines developed by the Office of Planning & Research (OPR), and the agency approves or determines to carry out the project, requires the agency to file a notice of determination with the county clerk of each county in which the project will be located.	6/21/17	Assembly Appropriations Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 100 (de Leon) California Renewables Portfolio Standards Program	Recasts the goals of the California Renewables Portfolio Standards Program to achieve a target of generating 50 percent of electricity sold at retail in the state from eligible renewable energy resources by December 31, 2026, 60 percent from eligible renewable energy resources by December 31, 2030, and 100 percent from zero-carbon resources by December 31, 2045. Requires retail sellers and local publicly owned electric utilities to procure a minimum quantity of electricity products from eligible renewable energy resources, so that the total kilowatt hours of those products sold to their retail end-use customers achieve 45 percent of retail sales by December 31, 2023, 50 percent by December 31, 2026, and 60 percent by December 31, 2030. Provides that it is the policy of the state that eligible renewable energy resources and zero-carbon electric generating facilities supply all electricity procured to serve California end-use customers no later than December 31, 2045. Requires the California Public Utilities Commission (CPUC) and the California Air Resources Board (CARB) to incorporate this policy into all relevant planning and programs.	6/26/17	Assembly Natural Resources Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 103 (Budget & Fiscal Review Committee) Advance Mitigation and Trade Corridors	<p>Creates the Advance Mitigation Account in the State Transportation Fund as a revolving fund. Continuously appropriates the money in the account for the purposes of the Advance Mitigation Program established by SB 1 (Beall), and states that the program is intended to be self-sustaining. Requires expenditures from the account to be reimbursed from project funding available at the time a planned transportation project is constructed. Further states that the 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). Requires the funds in the Advance Mitigation Account to be used only to do the following: (1) purchase credits from mitigation banks, conservation banks or in-lieu fee programs approved by one or more regulatory agencies; (2) pay mitigation fees or other costs associated with coverage for Caltrans projects or other transportation agency projects under a natural community conservation plan or habitat conservation plan; (3) prepare regional conservation assessments and regional conservation investment strategies; or (4) implement advance mitigation by Caltrans in accordance with a programmatic mitigation plan. Provides that mitigation credits or values generated or obtained with funds from the Advance Mitigation Account may be used only for transportation improvements in the State Transportation Improvement Program (STIP), or the State Highway Operation and Protection Program (SHOPPP). Requires Caltrans, prior to making any expenditure from the Advance Mitigation Account, to determine that the proposed expenditure is likely to accelerate the delivery of specific projects. Deletes references to the Trade Corridors Improvement Fund (TCIF) in current state law, and revises and recasts the requirements currently applicable to that fund and makes them applicable to the Trade Corridor Enhancement Account created by SB 1. Requires federal formula funds apportioned to California from the National Highway Freight Program established by the Fixing America's Surface Transportation (FAST) Act to be deposited into the Trade Corridor Enhancement Account. Requires the California Transportation Commission (CTC) to allocate the money in the Trade Corridor Enhancement Account for trade infrastructure improvements as follows: (1) 60 percent of the funds shall be available for projects nominated by regional transportation agencies and other public agencies, in consultation with Caltrans; and (2) 40 percent of the funds shall be available for projects nominated by Caltrans, in consultation with regional transportation agencies. In adopting a program of projects for the Trade Corridor Enhancement Account, requires the CTC to: (1) evaluate the total potential economic and non-economic benefits of the program of projects to California's economy, environment and public health; and (2) prioritize projects jointly nominated and funded by the state and local agencies. Requires the CTC to adopt guidelines for the Trade Corridor Enhancement Account, including a transparent process for evaluating projects and allocating the money in the account in a manner, that: (1) addresses the state's most urgent needs; (2) balances the demands of various land ports of entry, seaports and airports; (3) places an emphasis on projects that improve trade corridor mobility and safety, while reducing emissions of diesel particulates, greenhouse gases and other pollutants, and reducing other negative community impacts, particularly in disadvantaged communities; (4) makes a significant contribution to the state's economy; (5) recognizes the key role of the state in project identification; (6) supports integrating statewide goods movement priorities in a corridor approach; and (7) includes disadvantaged communities measures. Expresses the intent of the Legislature that the CTC adopt an initial program of projects as soon as practicable, and no later than May 17, 2018.</p>	6/23/17	Governor's Office	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 132 (Budget Committee) 2016 Budget Act	Amends the 2016 Budget Act to include the following appropriations: (1) \$100 million from the State Highway Account for the University of California, Merced Campus Parkway Project; (2) \$400 million from the Transit and Intercity Rail Capital Program for an extension of the Altamont Commuter Express (ACE) service to the city of Merced; (3) \$427.2 million from the State Highway Account for the Riverside County Transportation Efficiency Corridor Project; and (4) \$50 million from the Trade Corridor Enhancement Account for a new Zero/Near-Zero Emission Warehouse Program to be administered by the California Air Resources Board (CARB).	4/6/17	Signed into Law: Chapter #7	
SB 137 (B. Allen) Transit Districts: Ordinances	Requires a transit district to publish an ordinance on its Internet Web site within 15 days after the ordinance's passage, and in a manner that is accessible and easily navigable.	4/27/17	Assembly Appropriations Committee	
SB 145 (Hill) Autonomous Vehicles	Deletes provisions in current law requiring the Department of Motor Vehicles to notify the Legislature of the receipt of an application from a manufacturer seeking approval to operate an autonomous vehicle on public roads.	As Introduced	Assembly Appropriations Committee	
SB 150 (B. Allen) Regional Transportation Plans: Sustainable Communities Strategy	By September 1, 2018, and every four years thereafter, requires the California Air Resources Board (CARB) to prepare and submit to the Legislature a report that assesses the progress made by each metropolitan planning organization (MPO) in meeting its regional greenhouse gas emissions reduction targets set by CARB. Requires the report to include: (1) changes to greenhouse gas emissions in each region and data-supported metrics for the strategies utilized to meet the targets; and (2) a discussion of best practices and the challenges faced by MPOs in meeting the targets.	7/12/17	Assembly Appropriations Committee	
SB 158 (Monning) Commercial Driver's Licenses: Training for Entry-Level Drivers	By June 5, 2020, requires the Department of Motor Vehicles (DMV) to adopt regulations related to training for entry-level drivers of commercial motor vehicles. Requires the course of instruction for such drivers to include the following: (1) for an applicant for a Class A commercial driver's license, a minimum of 30 hours of behind-the-wheel training, at least 10 hours of which must be on an off-highway facility and 10 hours of which must be on a public road; and (2) for an applicant for a Class B commercial driver's license, a minimum of 15 hours behind-the-wheel training, at least 7 hours of which must be on a public road.	7/3/17	Assembly Transportation Committee	
SB 181 (Berryhill) State Agency Regulations	Requires a state agency proposing to adopt a new regulation to identify two existing regulations that it previously adopted that would be repealed upon the adoption of the new regulation. Provides that the adoption of the proposed new regulation shall be contingent upon the repeal of the two existing regulations that have been identified by the state agency.	4/5/17	Senate Governmental Organization Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 185 (Hertzberg) Vehicle Code Violations: Indigent Defendants	In any case involving an infraction under the Vehicle Code filed with the court, requires the court to determine whether the defendant is indigent for purposes of establishing the amount of any associated fine, fee, assessment, or other financial penalties that the person can afford to pay. If a defendant is determined to be indigent, requires the court to reduce the base fine, penalty assessments, any state or local fees, and any civil assessments by 80 percent on all charges pending against the defendant. Requires the court to provide alternatives to immediate payment of a sentence for a Vehicle Code infraction, including a payment plan option. Requires the court to determine the amount that a defendant can afford to pay per month by using a payment calculator developed by the Judicial Council. For persons not found to be indigent, requires that the monthly payment not exceed 5 percent of the defendant's family monthly income, excluding deductions for essential living expenses. For defendants found to be indigent, requires the monthly payments to be \$0 until the person's financial circumstances change, and requires the remaining amount owed to be discharged after 48 months in the interest of justice.	5/26/17	Assembly Appropriations Committee	
SB 224 (Jackson) CEQA: Baseline Physical Conditions	At the time of the next review of the guidelines prepared and developed to implement the California Environmental Quality Act (CEQA), requires the Office of Planning & Research to prepare, develop and transmit to the Natural Resources Agency recommended proposed changes or amendments to determine the baseline physical conditions by which a lead agency determines whether a project has a significant effect on the environment. In developing these recommendations, requires the Office of Planning & Research to limit the consideration of modifications to the environment at the project site caused by either of the following: (1) actions undertaken without an environmental review for emergency repairs to public service facilities necessary to maintain service, or specific actions necessary to prevent or mitigate an emergency; or (2) actions that are unpermitted or illegal at the time the action was undertaken.	4/5/17	Senate Appropriations Committee	
SB 251 (Cannella) Merced County: Autonomous Vehicles Pilot Project	Authorizes the County of Merced to conduct a pilot project for the testing of autonomous vehicles that do not have a driver seated in the driver's seat, and that are not equipped with a steering wheel, a brake pedal or an accelerator, provided that the testing is conducted only at the Castle Commerce Center, inclusive of public roads within the center. Prior to the start of testing of any autonomous vehicles pursuant to this bill, requires Merced County, or a private entity, or a combination of the two to do both of the following: (1) obtain an instrument of insurance, surety bond or proof of self-insurance in an amount of \$5 million; and (2) submit a detailed description of the testing program to the Department of Motor Vehicles (DMV). Requires the operator of the autonomous vehicle technology being tested to disclose to an individual participating in the pilot project what personal information, if any, concerning the individual will be collected by the autonomous vehicle. For the testing of autonomous vehicles within the Castle Commerce Center, allows the DMV to require data collection for evaluating the safety of the vehicles. Specifies that the bill does not limit the authority of the DMV to promulgate regulations governing the testing and operation of autonomous vehicles on public roads, with or without the presence of a driver inside the vehicle. Specifies that the provisions of the bill shall remain in effect only until 180 days after the operative date of any regulations promulgated by the DMV that allow for the testing of autonomous vehicles without a driver in the vehicle. Requires any testing of autonomous vehicles conducted by Merced County to conform to those regulations.	As Introduced	Senate Transportation & Housing Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 263 (Leyva) Regional Climate Assistance Centers	Requires the Strategic Growth Council to establish no less than 10 regional climate assistance centers, as follows: (1) one center in Northern California by January 1, 2020; (2) one center in Southern California by January 1, 2020; (3) one center in the San Joaquin Valley by January 1, 2020; and (4) the remaining centers to be equitably distributed across urban and rural areas of the state by January 1, 2023. Requires the Strategic Growth Council to develop a policy for siting the centers. Requires the regional centers to do all of the following: (1) provide technical assistance to target user groups in applying for money for programs funded with cap-and-trade auction proceeds from the Greenhouse Gas Reduction Fund, the Active Transportation Program, and programs under the California Farmland Conservancy Program Act; (2) provide technical assistance and training to target user groups in project management and implementation for the projects funded under the aforementioned programs; and (3) seek scientific and technical support from federal, state and local sources of expertise in accomplishing the goals of the center, as needed. In addition, requires the centers to work with local organizations to formulate policy and programming that accomplish any of the following: (1) increase community, public and private partnerships and engagement in addressing climate change; (2) increase equitable investment in disadvantaged communities; (3) maximize the co-benefits of climate-related projects; (4) expand workforce development training; and (5) identify strategies that prevent the displacement of persons and families of low or moderate income. Requires the Strategic Growth Council to do all of the following: (1) conduct outreach and provide direct technical assistance to the regional centers and the public in order to identify relevant state funding programs, develop eligible activities and prepare grant applications; (2) promote the effective alignment and streamlining of state climate investment programs for low-income customers and disadvantaged communities; (3) identify potential matching funds from federal, state and local agencies; and (4) award competitive grants to eligible entities through an application process to staff the regional centers. Requires an eligible entity to staff a regional center to be a multi-stakeholder collaborative of community-based organizations, labor groups, local agencies, small businesses, and other stakeholders, as appropriate. Requires an eligible entity to include, at a minimum, a combination of four or more of the following: (1) a community-based organization; (2) a non-profit organization; (3) a faith-based organization; (4) a coalition of non-profit organizations; (5) a community development finance institution; (6) a community development corporation; (7) a small business; (8) a local agency; or (9) a local, statewide or national technical assistance provider.	5/3/17	Senate Appropriations Committee	
SB 264 (Nguyen) I-405 Corridor Express Lanes	Requires net excess toll revenues from the I-405 Corridor express lanes between State Route 73 and I-605 in Orange County to be allocated as follows: (1) 20 percent to the Orange County Transportation Authority (OCTA); (2) 70 percent equally distributed to cities along the project corridor; and (3) 10 percent equally distributed to cities that are not along the project corridor. Requires these revenues to be expended only to enhance traffic flow, reduce traffic congestion and mitigate road wear to streets within three miles of the I-405 Corridor. Provides that eligible expenditures are limited to capital improvements, operational improvements and maintenance to on-ramps, off-ramps, connector roads, bridges, or other structures that are related to the tolled or non-tolled facilities within three miles of the I-405 Corridor.	4/4/17	Senate Transportation & Housing Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 285 (Atkins) Public Employers: Union Organizing	Prohibits a public employer from deterring or discouraging employees from becoming or remaining members of an employee organization. Grants the Public Employment Relations Board jurisdiction over violations of this prohibition.	3/14/17	Assembly Appropriations Committee	
SB 337 (Bates) Repatriation Infrastructure Fund	Requires the Department of Finance, in consultation with the Franchise Tax Board, to estimate, on an annual basis, the amount of revenues to be received from state taxes in the next fiscal year as a consequence of the enactment of a federal corporate repatriation statute under which the foreign earnings of U.S.-based corporations that are currently invested abroad are moved to the United States. After reservation of the appropriate amounts required for K-14 education pursuant to Proposition 98 and for the Budget Stabilization Account, specifies that the remaining repatriation revenues are to be transferred to a newly created Repatriation Infrastructure Fund. Requires the revenues in this fund to be continuously appropriated to the California Transportation Commission (CTC) and allocated as follows: (1) 65 percent for trade corridor projects; (2) 30 percent to cities and counties for local streets/roads; and (3) 5 percent to the Public Transportation Account (PTA). Specifies that the provisions of the bill would become inoperative on July 1, 2025.	As Introduced	Senate Governance & Finance Committee	
SB 406 (Leyva) Blood Transport Vehicles	Allows a blood transport vehicle to use a high-occupancy vehicle (HOV) lane without the required number of occupants, if the vehicle is clearly and identifiably marked on all sides. Defines a “blood transport vehicle” to mean a vehicle operated by the American Red Cross or a blood bank that is transporting blood between collection points and hospitals or storage centers. Specifies that the provisions of the bill would only apply if Caltrans determines that its application would not subject the state to a reduction in the amount of federal aid for highways.	5/26/17	Assembly Floor	
SB 414 (Vidak) High-Speed Rail: Bond Funding	Specifies that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21 st Century (Proposition 1A), except as specifically provided with respect to an existing appropriation for early improvement projects related to the Phase I blended system. Upon appropriation by the Legislature, requires the unspent proceeds received from outstanding bonds issued and sold for high-speed rail purposes prior to the effective date of the provisions of this bill to be redirected to retiring the debt incurred from the issuance and sale of those outstanding bonds. Allows the remaining unissued bonds, as of the effective date of the provisions of this bill, that were authorized for high-speed rail purposes to be issued and sold. Upon appropriation by the Legislature, requires the net proceeds from the sale of these remaining unissued bonds to be made available as follows: (1) 50 percent to the California Transportation Commission (CTC) for allocation to repair and new construction projects on state highways and freeways; and (2) 50 percent to the Controller’s Office for apportionment to cities and counties for transportation projects or other infrastructure improvements. Makes no changes to the authorization under Proposition 1A for the issuance of \$950 million in bonds for rail purposes other than high-speed rail. Specifies that the provisions of the bill would become effective only upon approval by the voters at the June 5, 2018, statewide primary election.	As Introduced	Senate Transportation & Housing Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 415 (Vidak) High-Speed Rail: Real Property	For real property acquired by the state on or after January 1, 2018, for high-speed rail purposes, requires the California High-Speed Rail Authority to make a good faith effort to sell or exchange such property within three years from the date of acquisition if the authority has not begun construction on the property within that period of time. For real property acquired by the state before January 1, 2018, for high-speed rail purposes, requires the California High-Speed Rail Authority to make a good faith effort to sell or exchange such property by January 1, 2021, if the authority has not begun construction on the property by then. If the California High-Speed Rail Authority leased, prior to January 1, 2018, real property acquired by the state for high-speed rail purposes, requires the authority to make a good faith effort to sell or exchange such property within three years from the date of the expiration of the lease, if the authority has not begun construction on the property within that period of time.	As Introduced	Senate Transportation & Housing Committee	
SB 422 (Wilk) Public-Private Partnerships	Re-enacts and makes permanent the statutory authority for Caltrans and regional transportation agencies, including the Santa Clara Valley Transportation Authority (VTA), to utilize public-private partnerships for transportation infrastructure projects.	3/20/17	Senate Transportation & Housing Committee	Support
SB 450 (Hertzberg) Public Notice of Bond Issuances	Prior to authorizing a bond issuance with a term greater than 13 months, requires the governing body of a public entity to obtain and disclose all of the following information in a meeting open to the public: (1) the true interest cost of the bonds, which means the cost of interest expressed as a yearly rate; (2) the finance charge of the bonds, which means the sum of all fees and charges paid to third parties; (3) the amount of proceeds received by the public entity for the sale of the bonds less the finance charge of the bonds, and any reserves or capitalized interest paid or funded with bond proceeds; (4) the total payment amount, which means the sum total of all payments the borrower will make to pay debt service on the bonds plus the finance charge not paid with bond proceeds. Requires this information to be obtained as follows: (1) as a good faith estimate from an underwriter, financial adviser or private lender; or (2) from a third-party borrower, if the public body issuing the bonds is a conduit financing provider. Specifies that the failure to comply with the requirements of the bill shall not affect the validity of the bonds or the authorization of the bonds by the public entity.	5/17/17	Assembly Appropriations Committee	
SB 477 (Cannella) Intercity Rail Corridors: Extensions	At any time after an interagency transfer agreement for an intercity rail corridor between Caltrans and a joint powers board has been executed, allows the agreement to be amended to extend the affected rail corridor to provide intercity rail service beyond the defined boundaries of the corridor. Requires a proposed extension to be recommended and justified in the business plan for the intercity rail corridor by the relevant joint powers board, and to be consistent with the State Rail Plan and approved by the California State Transportation Agency (CalSTA). In addition, requires the joint powers board to make a determination that the proposed extension would not jeopardize or come at the expense of other existing intercity rail services.	5/26/17	Assembly Appropriations Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 480 (Hueso) Bridge Safety	Requires Caltrans, in consultation with the California Transportation Commission (CTC), to conduct a bridge safety study and to submit a report to the Legislature, by July 1, 2018, regarding the safe operation of bridges in the state. Requires the study to focus on overall safety, including speeding, debris, guardrails, wrong-way accidents, and suicides. Requires the study to do all of the following: (1) examine the agencies or departments that exercise authority over, or are responsible for safety improvements to, bridges in California; (2) identify additional treatments and technologies with the potential to reduce the number of incidents where injury occurs on or around bridges; (3) review the methods studied or implemented by other jurisdictions to improve the safety of bridges and reduce the number of deaths on bridges in the state; and (4) give priority to treatments and technologies applied to bridges in California that provide transportation links over state and local parks, and for other bridge safety projects in the state. Requires the report submitted to the Legislature to include: (1) a plan that sets forth the treatments and technologies that Caltrans has determined will improve bridge safety; and (2) recommendations for actions and measures that are needed to prevent accidents on bridges erected or existing above historic parks.	7/3/17	Assembly Transportation Committee	
SB 496 (Cannella) Design Professionals: Indemnity	For contracts entered into on or after January 1, 2018, by a public agency for design professional services, prohibits the cost to defend against a lawsuit charged to the design professional from exceeding his or her proportionate percentage of fault. In the event that one or more defendants is unable to pay its share of defense costs due to bankruptcy or dissolution of the business, requires the design professional to meet and confer with the other parties regarding unpaid defense costs. Specifies that the provisions of the bill do not apply in either of the following situations: (1) any contract for design professional services where a project-specific general liability policy insures all project participants from general liability exposures on a primary basis and also covers all design professionals for their legal liability arising out of their professional services on a primary basis; or (2) a design professional who is a party to a written design-build joint venture agreement. Exempts state agencies from the provisions of the bill.	4/5/17	Signed into Law: Chapter #8	
SB 498 (Skinner) Zero-Emission Vehicles	Requires the California Air Resources Board (CARB) to review all of its programs affecting the adoption of light-duty and medium-duty zero-emission vehicles in California. By July 1, 2019, requires CARB to report to the Legislature with policy recommendations for increasing the use of such vehicles for vehicle fleet use and on a general-use basis in the state.	7/6/17	Assembly Appropriations Committee	
SB 594 (Beall) Caltrans: Contracts	Requires Caltrans, to the extent permitted under federal and state law, to establish and meet all of the following goals: (1) to achieve at least an aggregate 25-percent participation rate by small businesses and disadvantaged business enterprises in federally funded projects; (2) to achieve at least an aggregate 30-percent participation rate by small businesses and disadvantaged business enterprises in state-funded projects; and (3) to achieve at least a 15-percent participation rate by disabled veteran business enterprises in state-funded projects.	4/5/17	Senate Transportation & Housing Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 595 (Beall) Regional Measure 3	If approved by a simple majority vote, allows the Bay Area Toll Authority (BATA) to increase the base toll rate, beginning January 1, 2019, in an amount not to exceed \$3 for vehicles crossing the seven state-owned toll bridges in the region to fund unspecified projects and programs to be known collectively as the Regional Measure 3 expenditure plan. Allows BATA to phase in the toll increase over a period of time and to adjust the increase for inflation based on the California Consumer Price index after it has been phased in completely. Requires the City/County of San Francisco and the eight other Bay Area counties to place the proposed toll increase, the amount of which would be determined by BATA, on the November 6, 2018, general election ballot. Requires the ballot pamphlet for the election to include a summary of the Regional Measure 3 expenditure plan regarding the eligible projects and programs to be funded with the revenues derived from the toll increase. Requires BATA to reimburse each county participating in the election for the incremental cost of submitting the measure to its voters. Requires these costs to be reimbursed from revenues derived from the toll increase if the measure is approved by the voters, or from any bridge toll revenues administered by BATA if the measure is not approved. If the toll increase is not approved by the voters, allows BATA to resubmit the measure to the voters at a subsequent general election. If the toll increase is approved by the voters, requires BATA to fund the projects and programs included in the Regional Measure 3 expenditure plan by bonding or through transfers to the Metropolitan Transportation Commission (MTC). Requires no more than an unspecified percentage of revenues generated by the toll increase to be made available annually to provide operating assistance for public transit service. Requires public transit agencies to meet performance measures established by MTC as a condition of receiving Regional Measure 3 funds for operating assistance. If the toll increase is approved by the voters, requires BATA to do both of the following: (1) establish an independent oversight committee comprised of two representatives from each of the counties within MTC's jurisdiction to ensure that the toll revenues are being expended consistent with the Regional Measure 3 expenditure plan; and (2) prepare an annual report to the Legislature on the status of the projects and programs funded pursuant to the Regional Measure 3 expenditure plan. Declares the intent of the Legislature to authorize or create a transportation inspector general to conduct audits and investigations of activities involving Regional Measure 3 toll revenues, if the voters approve the measure. Prohibits BATA from changing toll rates, except as specifically authorized by the Legislature or as needed to meet bond obligations.	7/3/17	Assembly Appropriations Committee	
SB 603 (Glazer) BART: Work Stoppages	Prohibits the Bay Area Rapid Transit District (BART) from entering into an agreement that would limit its ability to prepare for, or operate during, a work stoppage.	As Introduced	Senate Public Employment & Retirement Committee	
SB 604 (Glazer) BART: Prohibition of Strikes by Employees	Prohibits the employees of the Bay Area Rapid Transit District (BART) from engaging in a strike or work stoppage if the BART Board of Directors maintains all provisions of an expired contract, including compensation and benefit provisions, and an employee or union has agreed to a provision prohibiting strikes in the expired or previous written labor contract. Provides that an employee whom BART finds willfully engaged in a strike or work stoppage in violation of the provisions of this bill is subject to dismissal if that finding is sustained upon conclusion of the appropriate proceedings necessary for the imposition of a disciplinary action on the employee.	As Introduced	Senate Public Employment & Retirement Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 614 (Hertzberg) Fare Evasion and Passenger Misconduct Violations: Administrative Fines	For those public transit agencies that adopt and enforce an ordinance to impose administrative penalties for fare evasion and certain passenger misconduct violations, requires the revenues from the administrative fines to be deposited with the transit agency that issued the citation, rather than in the general fund of the county in which the citation is administered. Limits the amount of the administrative fines to a maximum of \$125 for the first and second violation, and to a maximum of \$200 for the third and any subsequent violation. Requires the public transit agency to permit the performance of community service in lieu of payment of the administrative fine if the person is under 18 years of age or provides satisfactory evidence of an inability to pay the fine in full. Allows the public transit agency to require the performance of community service at its facilities. Requires the public transit agency to allow payment of administrative fines for fare evasion or passenger misconduct violations in installments or deferred payments if the total amount of the fines is \$200 or more, and the person provides satisfactory evidence of an inability to pay the fines in full.	5/4/17	Assembly Floor	Support
SB 640 (Hertzberg) Retail Sales Tax on Services	States that the intent of the bill is to make the following three broad changes to California's tax code: (1) provide tax relief to middle- and low-income Californians, while simplifying the personal income tax, maintaining progressivity and mitigating the reliance on top income earners; (2) broaden the tax base by imposing a modest sales tax on services; and (3) enhance the state's business climate, and incentivize entrepreneurship and business creation by lowering the corporate income tax on small businesses, exempting very small business from the sales tax on services, and significantly reducing the minimum franchise tax. Creates the Retail Sales Tax on Services Fund in the State Treasury. States that the intent is to appropriate money in the fund to: (1) provide tax relief to middle- and low-income Californians to offset the effect of the sales tax on services; (2) assist in securing greater stability for California's infrastructure, workforce, and health care and education systems, including higher education; and (3) enhance California's business climate, and incentivize and protect small businesses.	As Introduced	Senate Governance & Finance Committee	
SB 680 (Wieckowski) BART: Transit-Oriented Development	Allows the Bay Area Rapid Transit District (BART) to acquire property for transit-oriented joint development that is located within a half mile of a transit facility, rather than within a quarter mile, as is the case under current law.	As Introduced	Governor's Office	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 760 (Wiener) Active Transportation and Complete Streets	Establishes a Division of Active Transportation within Caltrans to be responsible for: (1) developing projects and programs that increase bicycle and pedestrian safety and trips statewide; and (2) reviewing all state highway capital improvement projects for inclusion of bicycle and pedestrian facilities, where feasible. Requires the California State Transportation Agency to assign an undersecretary to give attention to active transportation matters to guide progress toward meeting Caltrans' active transportation goals and objectives. Requires the California Transportation Commission (CTC) to give high priority to increasing safety for bicyclists and pedestrians, and implementing bicycle and pedestrian facilities. By January 1, 2018, requires Caltrans to update its Highway Design Manual to incorporate the complete streets design concept. Requires the Assets Management Plan currently prepared by Caltrans to prescribe a process for community input and complete streets implementation to prioritize safety and accessibility for bicyclists, pedestrians and public transit users on all State Highway Operation and Protection Program (SHOPP) projects, where applicable. In connection with the Assets Management Plan, requires the CTC to adopt performance measures that include: (1) conditions of bicycle and pedestrian facilities; (2) accessibility and safety for bicyclists, pedestrians and public transit users; and (3) vehicle miles traveled on the state highway system. Adds capital improvements related to accessibility for bicyclists, pedestrians and public transit users of state highways and bridges to the list of projects that are eligible for SHOPP funding. Requires Caltrans to specify the cost of bicycle and pedestrian facilities for each project programmed in the SHOPP. When undertaking any capital improvement project on a state highway or a local street crossing a state highway that is funded through the SHOPP, requires Caltrans, by January 1, 2020, to include new bicycle and pedestrian facilities or improvements to existing facilities as part of the project, consistent with specified requirements. Requires Caltrans to establish a project development team for each SHOPP project, which shall include representatives from the local transportation agency, the local bicycle and pedestrian advisory committee, community-based organizations, residents of low-income disadvantaged communities, and other local stakeholders impacted by the project. Requires the project development team to provide input to Caltrans on identifying bicycle and pedestrian facility and public transit access needs related to the project. Requires Caltrans to use 3 percent of SHOPP funds from the Road Maintenance and Rehabilitation Account, if that account is created through legislation, for bicycle and pedestrian facilities. Makes accessibility improvements for all users of the transportation system that improve the efficiency of moving people within existing roadways, reduce vehicle miles traveled and promote public health the highest priority for State Highway Account funding. Requires safety improvements funded from the State Highway Account to prioritize reducing fatalities and severe injuries for vulnerable road users, and prohibits these projects from increasing vehicle miles traveled.	As Introduced	Senate Transportation & Housing Committee	
SB 768 (B. Allen) Public-Private Partnerships	Re-enacts and makes permanent the statutory authority for Caltrans and regional transportation agencies, as defined, to utilize public-private partnerships for transportation infrastructure projects.	3/27/17	Senate Appropriations Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 775 (Wieckowski) Climate Change: Market-Based Compliance Mechanism	<p>Requires the California Air Resources Board (CARB) to adopt a regulation establishing a market-based program of greenhouse gas emissions limits for covered entities that would be applicable on and after January 1, 2021. Specifies that the regulation shall do all of the following: (1) set annual aggregate limits for greenhouse gas emissions from covered entities; (2) require CARB, beginning January 1, 2021, to conduct quarterly allowance auctions that are open to participation from covered entities, importers or sellers of covered imported products, and any other participants who register with CARB for the purpose of participating in the auctions; (3) offer at each auction a number of allowances equal to the auction's quarterly share of the annual aggregate emissions limit; (4) require a covered entity to submit allowances equal to at least 90 percent of its annual carbon dioxide equivalent emissions annually, with the option to submit additional allowances without penalty to account for the remainder of its annual emissions, if any, in the subsequent year; (5) require that all allowances be offered for sale at auctions and not allocated to covered entities either for free or for consignment sale; (6) require CARB to set an initial minimum reserve price of \$20 per emissions allowance, to be increased each quarter by \$1.25 plus any increase in the Consumer Price Index; (7) require CARB to set an initial auction offer price of \$30 per allowance, to be increased each quarter by \$2.50 plus any increase in the Consumer Price Index; (8) require allowances to be valid for compliance purposes only in the calendar year in which they are introduced into circulation by CARB; and (9) prohibit carbon offset credits from being used to meet a covered entity's compliance obligation. Establishes the California Climate Infrastructure Fund, the California Climate Dividend Fund, and the California Climate and Clean Energy Research Fund. Requires all revenues collected through the auctions to be distributed as follows: (1) an unspecified amount deposited into the California Climate and Clean Energy Research Fund; (2) an unspecified amount deposited into the California Climate Dividend Fund; and (3) all remaining revenues deposited into the California Climate Infrastructure Fund. Requires the Franchise Tax Board to develop and implement a program to deliver quarterly per capita dividends to all California residents for the purpose of mitigating the costs of transitioning to a low-carbon economy using the auction proceeds deposited into the California Climate Dividend Fund. Establishes the Economic Competitive Assurance Program to be administered by CARB to: (1) ensure that importers selling, supplying or offering for sale greenhouse gas emission intensive products in California have economically fair and competitive conditions; and (2) maintain economic parity between producers subject to the market-based program of emissions limits and those selling like goods in California that are not subject to the program.</p>	5/1/17	Senate Environmental Quality Committee	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SB 797 (Hill) Caltrain Sales Tax	Authorizes the Peninsula Corridor Joint Powers Board (JPB), by resolution approved by a two-thirds majority of the board, to submit to the voters of San Francisco, San Mateo and Santa Clara Counties a regional measure proposing a retail transactions and use tax at a rate not to exceed 1/8 percent for funding operating and capital expenditures related to the Caltrain Commuter Rail Service. Provides that the measure shall be submitted to the voters only upon: (1) the approval of the boards of supervisors of San Francisco, San Mateo and Santa Clara Counties, consistent with each county's applicable procedures; and (2) the approval of the governing boards, by a simple majority vote, of the San Francisco County Transportation Authority, the San Mateo County Transit District (SamTrans) and the Santa Clara Valley Transportation Authority (VTA). Requires the ballot measure to be approved by a two-thirds majority of all those voting on it. Exempts this transactions and use tax from the 2 percent cap in current law relating to the total amount of such taxes that could be imposed in a particular county.	6/28/17	Assembly Floor	
SB 802 (Skinner) Emerging Vehicle Technology	By April 1, 2018, directs the Office of Planning & Research to convene an Emerging Vehicle Advisory Study Group to review and advise the Legislature on policies pertaining to new types of motor vehicles operating in California, including autonomous and shared-use vehicles. By April 1, 2019, requires the study group to offer recommendations to the Legislature regarding policies and incentives to maximize the social benefits, minimize the social costs, and encourage the electrification and hybridization of new types of motor vehicles in the state.	7/3/17	Assembly Appropriations Committee	
SCA 2 (Newman) Motor Vehicle Fees and Taxes: Restrictions on Expenditures	Calls for placing before the voters an amendment to the California Constitution to exempt appropriations of revenues from the Road Maintenance and Rehabilitation Account that is proposed to be created pursuant to SB 1 (Beall) from counting toward the state appropriation limit (Gann Limit). Requires all revenues derived from the state sales tax on diesel fuel to be deposited into the Public Transportation Account (PTA) and used exclusively for mass transportation purposes. Prohibits the Legislature from taking any action that would temporarily or permanently divert or appropriate these PTA revenues for non-mass transportation purposes; or that would delay, defer, suspend, or otherwise interrupt the quarterly deposit of these revenues into the PTA. Requires the revenues derived from the new transportation improvement fee that would be imposed by SB 1 to be used solely for transportation purposes. Prohibits transportation improvement fee revenues from being used to pay the principal or interest on state transportation general obligation bonds that were authorized by the voters prior to November 8, 2016. Prohibits the use of these revenues to pay the principal or interest on any state transportation general obligation bond acts approved by the voters after November 8, 2016, unless the bond act expressly authorizes that use. Prohibits the Legislature from borrowing or using transportation improvement fee revenues for purposes other than those authorized in SB 1.	3/30/17	Senate Floor	

State Senate Bills	Subject	Last Amended	Status	VTA Position
SCA 6 (Wiener) Local Transportation Special Taxes	Calls for placing before the voters an amendment to the California Constitution to allow a local government to impose, extend or increase a special tax in order to provide funding for transportation purposes, if approved by a 55 percent majority vote. Specifies that a tax is deemed to provide funding for transportation purposes if 100 percent of the net revenues from the tax, after collection and administrative expenses, is dedicated to transportation programs and projects. Allows the ordinance proposing the tax to provide for the issuance of bonds payable from the revenues derived from the tax. Specifies that the ordinance must include an expenditure plan specifying the transportation programs or projects to be funded by the tax revenues, as well as a requirement for an annual independent audit to ensure that the tax revenues are being expended only for authorized purposes. Specifies that this constitutional amendment would take effect on the date of the election at which it is approved by the voters.	5/1/17	Senate Appropriations Committee	Support
SCA 10 (Moorlach) Public Employee Retirement Benefits	Calls for placing before the voters an amendment to the California Constitution to prohibit a government employer from providing its employees any retirement benefit increase until that increase is approved by a two-thirds vote of the electorate within the employer's jurisdiction and that vote is certified. Defines "retirement benefit" to mean any post-employment benefit, including a benefit provided through a defined benefit pension plan, defined contribution plan, retiree health care plan, or any form of deferred compensation offered by a government employer. Defines "benefit increase" to mean any change that increases the value of an employee's retirement benefit, including increasing a benefit formula or the rate of cost-of-living adjustments, expanding the categories of pay included in pension calculations, reducing a vesting period, lowering the eligible retirement age, or otherwise providing a new economic advantage for the employee.	As Introduced	Senate Public Employment & Retirement Committee	



Date: July 14, 2017
 Current Meeting: August 3, 2017
 Board Meeting: August 3, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Interim Director - Engr & Transp Program Del, Dennis Ratcliffe

SUBJECT: VTA's BART Extension Station Names

Policy-Related Action: No

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Approve "Berryessa/North San José" as the official name of VTA's BART station in the City of San José, and "Milpitas" as the official name for the Milpitas BART station in the City of Milpitas.

BACKGROUND:

At its June 27, 2017 meeting, the San José City Council approved a formal request by Mayor Sam Liccardo and Councilmember Lan Diep for VTA to name VTA's BART station in north San Jose "Berryessa/North San José." The City Council considered the following factors supporting the request:

BART station names are limited to a few words. Without a doubt, "San Jose" should be two of those words. Including the city's name in the station's name will be an excellent branding opportunity for the City and will alert riders - commuters and tourists alike - that they have arrived in the Capital of the Silicon Valley.

- Further, "North" helps build the brand of North San Jose as an employment destination and lays the foundation for future growth.
- The addition of "Berryessa" is appropriate to help orient local riders who already know they are in San José. Additionally, the BART station will be situated at the *Berryessa Transit Center*, with signs from the freeway directing travelers there to take BART. Having a synergy between the Berryessa/North San José Station and Berryessa Transit Center at which it's located makes sense.

BART has adopted station naming guidelines indicating that BART Station names should significantly contribute to the transit user's understanding of the station's location; assist passengers in using the BART system; allow quick recognition and retention by transit patrons; fit within acceptable signage, operational, and mapping parameters; and reference an area whose name has a historical basis and geographical significance. VTA and BART staff concur that the proposed name Berryessa/North San José complies with BART station naming guidelines.

DISCUSSION:

Adopting the recommended names will enable VTA and BART to consistently use the official names in its signage, maps, annunciations, and other passenger service information. The VTA transit centers located at VTA's Berryessa/North San José and Milpitas BART stations will continue to be identified as the "Berryessa Transit Center," and the "Milpitas Transit Center."

For the Berryessa/North San José station, signage and other typed presentations of the name should always include the acute accent diacritical mark "é" whenever the name is presented in mixed case text, but not when presented as all uppercase letters. Thus, the correct presentations are:

Berryessa/North San José

or

BERRYESSA/NORTH SAN JOSE

For the Milpitas station name, there are no special characters required.

Signage for VTA's Berryessa Extension has been previously approved and is mostly completed. However, the number of signs that will be changed as a result of approving this recommendation will largely be limited to station signage, and is therefore relatively small. Costs for making this change will not change the project budget.

Following approval of this recommendation BART staff will present the VTA approved names to the BART Board of Directors.

ALTERNATIVES:

The VTA Board may decline to approve the recommended action and VTA's BART station at Berryessa in the City of San Jose will be designated "Berryessa, and its station in Milpitas will be designated "Milpitas" as currently planned unless the names are subsequently changed.

FISCAL IMPACT:

There is no Fiscal Impact as a result of this action.

Prepared by: Dennis O. Ratcliffe, Interim Director
Memo No. 6165



Date: July 21, 2017
 Current Meeting: August 3, 2017
 Board Meeting: August 3, 2017

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
 Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Director of Government & Public Relations, Jim Lawson

SUBJECT: SB 797 Support Position

Policy-Related Action: Yes

Government Code Section 84308 Applies: No

ACTION ITEM

RECOMMENDATION:

Adopt a support position for SB 797 (Hill) which authorizes the Peninsula Corridor Joint Powers Board (Caltrain) to place on the ballot a regional measure enacting a sales and use tax (not to exceed 0.125%) in the City and County of San Francisco and the Counties of San Mateo and Santa Clara. The net revenues to be used by Caltrain for operating and capital purposes. This regional measure requires a 2/3 voter approval.

BACKGROUND:

Passenger rail service has been provided between San José and San Francisco since the 1860's. The current form of ownership and governance for this service began when the Peninsula Corridor Joint Powers Board (JPB) was formed in 1987. A partnership between the Santa Clara Valley Transportation Authority (VTA), the San Mateo County Transit District (SamTrans) and the City and County of San Francisco (CCSF), the JPB assumed ownership and operating responsibilities for Caltrain effective July 1, 1992.

Since that time, Caltrain has relied on farebox revenue, various grants and contributions from the three funding partners to support its operations and annual capital program. The partner shares are fixed by formula. At various times over the past several years one or the other of the partners, who fund this through their local transit operations, experienced financial challenges and been unable to provide the level of funding Caltrain staff requested. A regional ballot measure levying a .125 cent sales and use tax in the three counties would relieve the three transit operators currently providing this funding and create a larger and more secure funding source for Caltrain.

With an annual operating budget of \$150 million and a capital budget of \$65 million the majority share of Caltrain's operating budget is derived from farebox returns, parking and rentals. The combined partner share of the operating budget is 14%. The combined partner share of the annual capital budget is 23%. VTA's contribution is \$9 million for the operating budget and \$5 million for the capital budget. The amount of funding from each of the three funding partners toward Caltrain's operating subsidy is dictated by a formula based on the AM peak ridership by county. Over the years the partner contributions have fluctuated from a peak of \$39 million with the current partner share at \$20.5 million.

Since FY 2001, the size of VTA's operating subsidy has varied from a high of \$15.9 million in FY 2009 to a low of \$7.3 million in FY 2014. Over the past 18 years, VTA's contributions toward operations averaged \$12.37 million. For FY 2018, VTA is contributing \$9 million towards Caltrain's operating subsidy.

The capital budget is funded by equal contributions toward annual system-wide capital improvements and is negotiated by the three funding partners on an annual basis. This year, each is contributing \$5 million toward system-wide capital improvements. Local improvements are funded by the county in which the work will be completed.

In addition to these annual operating and capital subsidies, partners have also made contributions to major capital improvements that are beyond the scope of the annual capital program. The largest of these is the Peninsula Corridor Electrification Program (PCEP), which will convert the existing diesel-based train service to a modern electric rail system that will provide more riders with faster and more frequent service. Through the 2012 *Nine Party Memorandum of Understanding* (MOU) and the 2016 *Seven Party Regional Funding Supplement* which govern the implementation of this project, VTA has contributed \$107 million to the PCEP over the years. VTA also joined the other two counties and the Metropolitan Transportation Commission in January 2017 in committing a combined \$200 million in additional contingency funding if all other project contingencies were exhausted.

DISCUSSION:

While the partners' contributions to the Caltrain budget are 14% of the total, this contribution is vital to the provision of the service level on the system. Decreases in one partner's contribution are matched by the formula allocation to avoid having one partner assume a disproportionate share of the regional obligation. Securing a dedicated, predictable and permanent source of funding to replace the partner contributions is a long sought goal of Caltrain and its funding partners.

In May, 2017, the Silicon Valley Leadership Group completed their annual "Silicon Valley Poll" which gauges public support for a permanent funding source for Caltrain. This year's polling results suggest there is support among the three counties in excess of the required 2/3 majority necessary to levy this tax. On June 21, 2017, Senator Jerry Hill (D-San Mateo), amended SB 797 to authorize the Caltrain Board to place a 1/8 cent sales tax measure before the voters in the Counties of Santa Clara and San Mateo and the City and County of San Francisco to support Caltrain capital and operating expenses. This dedicated sales tax would introduce greater

financial stability for Caltrain and is projected to generate approximately \$100 million a year. This is far more than the Caltrain currently receives in partner contributions and would eliminate the need for annual financial contributions from partner agencies to subsidize operational costs and provide capital improvements. Each of the partners would be able to redirect any funds to their own transit operations.

SB 797 would authorize the Caltrain Board, by a resolution approved by two-thirds of the Board, to levy this sales tax at any time in the future, subject to approval by two-thirds of all voters across the three counties. The bill requires majorities of the Boards of Directors of each transit operator in these counties and the approval by the Boards of Supervisors of each county. State law limits, at two percent, the amount of combined local option sales taxes that cities and counties can levy within their jurisdictions. This bill authorizes the three counties to exceed this limit.

ALTERNATIVES:

The Board of Directors could decide to adopt a position of opposition to SB 797 or take no position.

FISCAL IMPACT:

There is no fiscal impact in supporting this recommendation.

Prepared by: Aaron Quigley
Memo No. 6166

July 2017 Public Safety Data

Enforcement – Sheriff Transit Patrol

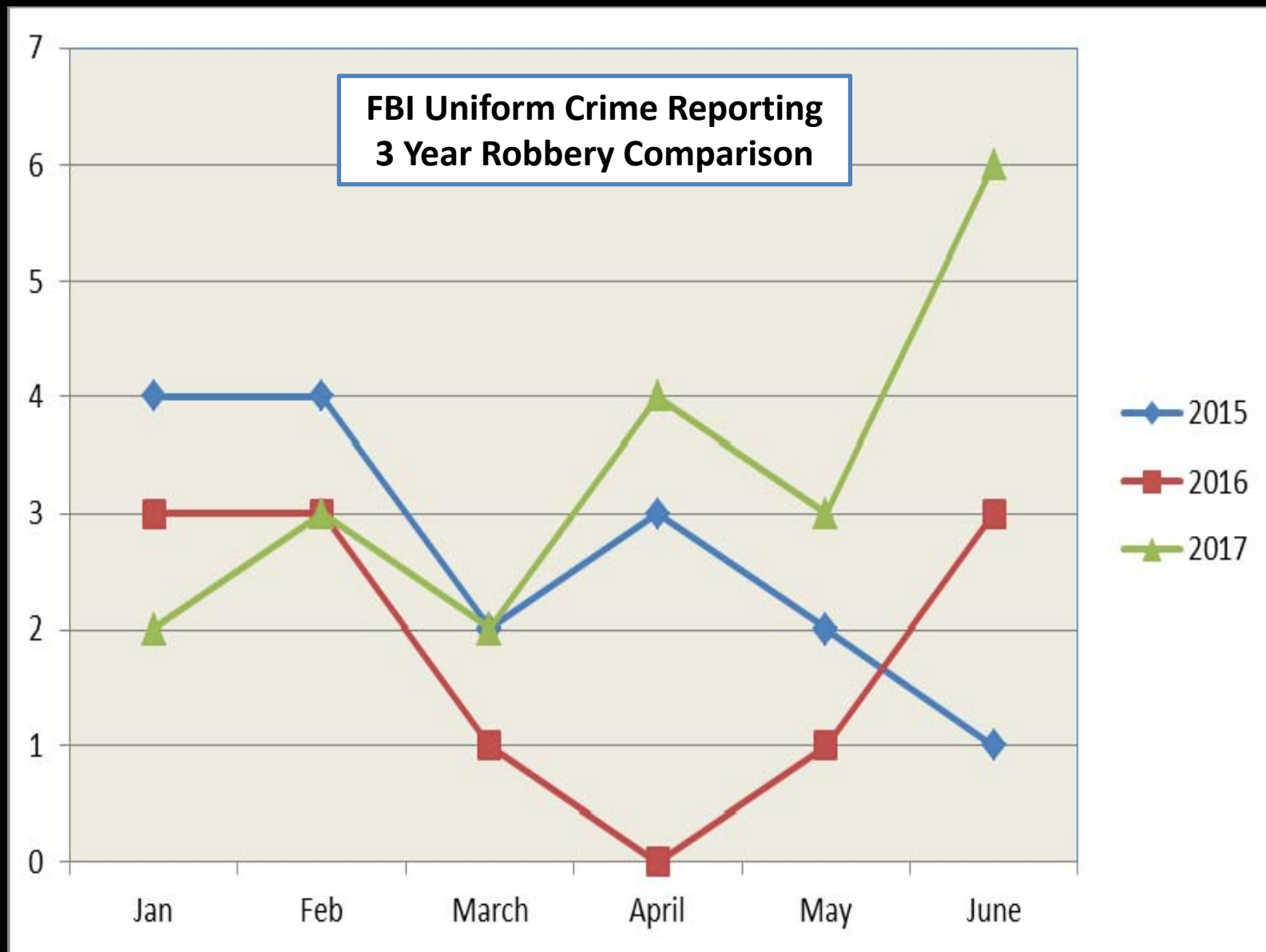
	June 2017	July 2017	Year-to-Date
Events			
Total Incident Reports	136	133	809
Misdemeanors	60	56	329
Felonies	38	45	237
Other	38	32	268
Serious/Violent Offenses	14	19	85
Mental Health Commitments	15	6	62
Alcohol/Drug-Related	43	29	232
Arrests	127	89	639
Misdemeanor Cite and Release	20	34	160
Light Rail Cases	59	37	294

VTA Fare Inspectors

	June 2017	July 2017
Total Passengers Checked	40,194	31,038
Total Citations	100	115



Solutions that move you

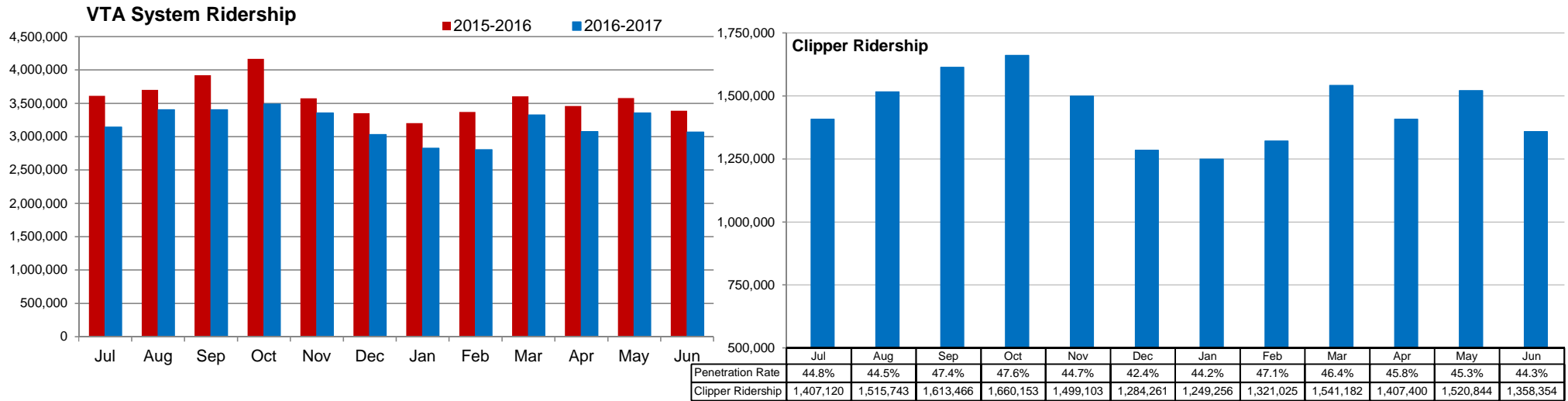




Valley Transportation Authority
Ridership and Fare Revenue Performance - June 2017

8.1

Ridership		Monthly				Year-to-Date (calendar)				Prior month	
		June 2017	June-2016	Difference	Percent Change	Current (Jan' 17-Jun' 17)	Prior (Jan' 16-Jun' 16)	Difference	Percent Change	May-2017	Percent Change
	Bus	2,329,688	2,485,378	-155,690	-6.3%	14,130,765	15,485,284	-1,354,519	-8.7%	2,578,018	-9.6%
	Light Rail	736,736	902,436	-165,700	-18.4%	4,315,918	5,110,771	-794,853	-15.6%	776,024	-5.1%
	System	3,066,424	3,387,814	-321,390	-9.5%	18,446,683	20,596,055	-2,149,372	-10.4%	3,354,042	-8.6%



Revenue		Monthly				Year-to-Date (calendar)				Prior month	
		June 2017	June-2016	Difference	Percent Change	Current (Jan' 17-Jun' 17)	Prior (Jan' 16-Jun' 16)	Difference	Percent Change	May-2017	Percent Change
	Fare Revenue	\$2,784,853	\$3,154,213	-\$369,360	-11.7%	\$16,292,346	\$18,435,185	-\$2,142,839	-11.6%	\$2,932,672	-5.0%
	Avg. Fare per Boarding	\$0.91	\$0.93	-\$0.02	-2.5%	\$0.88	\$0.90	-\$0.01	-1.3%	\$0.87	3.9%

Valley Transportation Authority
Key Performance Indicators (KPI) - June 2017

		Monthly				Year-to-Date (calendar)				
		June 2017	Jun-2016	Difference	Percent Change	Current (Jan' 17-Jun' 17)	Prior (Jan' 16-Jun' 16)	Difference	Percent Change	2016 Goal
Key Performance Indicators	<i>% of Scheduled Service Operated</i>									
	Bus	99.61%	99.33%	0.28%	0.3%	99.62%	99.59%	0.03%	0.0%	>= 99.50%
	Light Rail	99.90%	99.99%	-0.09%	-0.1%	99.96%	99.97%	-0.01%	0.0%	>= 99.90%
	<i>Service Recovery</i>									
	Bus	47 mins	59 mins	-12 mins	-20.3%	53 mins	56 mins	-3 mins	-5.4%	<= 50 mins
	Light Rail	21 mins	21 mins	0 mins	0.0%	20 mins	20 mins	0 mins	0.0%	<= 29 mins
	<i>Miles Between Mechanical Failure</i>									
	Bus	10,823	8,987	1,836	20.4%	10,593	10,137	456	4.5%	>= 8,000
	Light Rail	13,094	63,606	-50,512	-79.4%	24,774	23,374	1,400	6.0%	>= 25,000
	<i>Chargeable Accidents per 100k miles</i>									
	Bus	1.11	0.83	0.28	34.5%	0.92	0.72	0.20	27.8%	<= 1.00
	Light Rail	0.00	0.00	0.00	n/a	0.00	0.18	-0.18	-100.0%	<= 0.05
	<i>On-time performance</i>									
	Bus	87.26%	86.51%	0.75%	0.9%	87.05%	87.25%	-0.20%	-0.2%	>= 92.5%
	Light Rail	83.54%	81.83%	1.71%	2.1%	83.38%	81.02%	2.36%	2.9%	>= 95.0%
	<i>Absenteeism</i>									
	Transportation	10.5%	8.8%	1.7%	19.3%	9.1%	7.8%	1.3%	16.7%	<= 10.0%
	Maintenance	6.7%	5.8%	0.9%	15.5%	6.2%	5.5%	0.7%	12.7%	<= 8.0%

SVRT Program Update

Board of Directors Meeting

August 3, 2017



Berryessa Extension Activities

- Currently, the Berryessa Extension Project is 97.1% complete with no changes in unallocated contingency of \$150 million.
- Goal of achieving passenger service by the baseline schedule of June 28, 2018.
- Staff will continue to provide updates to the Board regarding completion of key milestones leading to passenger service, including BART testing and training, Conversion of BART's Warm Springs Station to a pass-through station, and project train control testing.



Berryessa Extension Cost Summary

SVBX Project Element (FTA Standard Cost Category)	FTA Estimate	Cost Forecast	Incurred to Date*	Incurred this Period*
SVBX – New Starts				
10 Guideway and Track Elements	416.1	333.4	326.6	0.0
20 Stations, Stops, Terminals & Intermodal	250.3	237.5	211.5	2.4
30 Support Facilities: Yards, Shops, Admin. Buildings	46.5	45.6	21.4	1.0
40 Sitework and Special Conditions	220.1	266.9	208.8	3.1
50 Systems	260.7	284.4	197.4	1.8
60 ROW, Land, and Existing Improvements	261.0	169.1	160.9	0.4
70 Vehicles	174.3	114.7	16.2	0.0
80 Professional Services	548.3	605.1	506.7	6.2
Sub-Total	\$2,177.3	\$2,056.7	\$1,649.5	\$14.9
90 Unallocated Contingency	40.2	150.0	-	-
100 Finance Charges	112.5	123.3	93.2	4.9
FTA New Starts Total	\$2,330.0	\$2,330.0	1,742.6	\$19.8
999 Concurrent Non-project Activities	91.3	91.3	73.6	3.4
SVBX Project Total	\$2,421.3	\$2,421.3	\$1,816.2	\$23.2

\$Millions – Year of Expenditure

* Through June 30, 2017



Solutions that move you

Berryessa Extension Progress



Milpitas Station's exterior art glass installation.



Berryessa Extension Progress



Bike Storage Room at Berryessa Station.



BART Police facility at Berryessa Station.



Solutions that move you

Phase II Extension Activities

Decision Making Activities to Determine Tunneling Methodology

- Single-bore Tunneling Feasibility Study (2015) - Confirmed feasibility of tunneling alternative and related station construction approach.
- Single-bore Tunnel Technical Studies (2016) - Developed conceptual design of tunnel and station configurations, ventilation, and emergency egress.
- Tour of Barcelona's technologically advanced Line 9 system (July 2017) – Representatives from VTA, BART and City of San Jose.
- Independent Comparative Analysis of Tunneling Alternatives (2017) - Evaluating risk impacts to project cost, schedule and performance. Interviews and workshops with staff and management from BART, VTA and City of San Jose; CPUC, police and fire, tunnel design teams, industry experts, and peer agencies.
- Upcoming Board of Directors workshops and meetings.



Phase II Extension Activities

August 25th Board of Directors Workshop

- Overview of Project and environmental process
- Overview of tunneling methodologies
- Overview of required design activities for New Starts Engineering
- Preview of September Board Workshop

September 22nd Board of Directors Workshop

- Comparative Analysis Results
- Recommended Project description for final environmental document
 - Options and criteria used for evaluation
 - Review of staff recommendations

October 5th Board of Directors Meeting

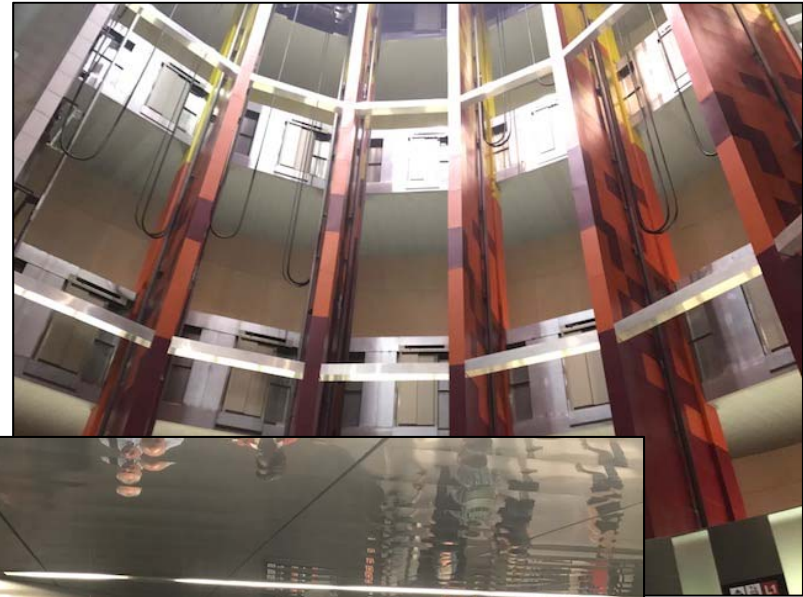
- Review of recommended project description and options for final environmental document
- Board decision on project description and options

Staff is targeting the end of the year for certification of the Final EIR and approval of the project.



Barcelona Metro Line 9 Tour

Station high-speed elevator bank.



Station platform within the tunnel.



Delegation touring a station.



End





Governance and Audit Committee

Thursday, June 1, 2017

MINUTES

CALL TO ORDER

The Regular Meeting of the Governance and Audit Committee (“Committee”) was called to order at 4:05 p.m. by Chairperson Bruins in Conference Room 157, County Government Center, 70 West Hedding, San José, California.

1. ROLL CALL

Attendee Name	Title	Status
Jeannie Bruins	Chairperson	Present
Cindy Chavez	Member	Present
Glenn Hendricks	Member	Present
Sam Liccardo	Vice Chairperson	Absent
Teresa O’Neill	Member	Present

A quorum was present.

2. PUBLIC PRESENTATIONS

There were no Public Presentations.

3. ORDERS OF THE DAY

There were no Orders of the Day.

CONSENT AGENDA

4. Regular Meeting Minutes of May 4, 2017

M/S/C (Chavez/Hendricks) to approve the Regular Meeting Minutes of May 4, 2017.

5. Follow-Up on the Trapeze OPS Pre-Implementation Review

M/S/C (Chavez/Hendricks) to review and receive the Auditor General’s follow-up report on the implementation status of management’s action plans contained in the Trapeze OPS Pre-Implementation Review performed during Fiscal Year 2014.

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

6. Follow-Up on the Public Safety Process Assessment

M/S/C (Chavez/Hendricks) to review and receive the Auditor General's follow-up report on the implementation status of management's action plans contained in the Public Safety Process Assessment performed during Fiscal Year 2014.

RESULT:	APPROVED – Consent Agenda Items #4 - #6
MOVER:	Cindy Chavez, Member
SECONDER:	Glenn Hendricks, Member
AYES:	Bruins, Chavez, Hendricks, O'Neill
NOES:	None
ABSENT:	Liccardo

REGULAR AGENDA

7. Inventory and Assets Held at Outreach

Pat Hagan, Auditor General's Office, provided an overview, highlighting areas of concern and Auditor General's recommendations for consideration.

Members of the Committee expressed concern about the security of data stored on computers which have been stored in an offsite storage facility by Outreach & Escort, Inc. (Outreach).

M/S/C (Chavez/Hendricks) to review and receive the Auditor General's report on the Inventory and Assets held at Outreach.

RESULT:	APPROVED – Agenda Item #7
MOVER:	Cindy Chavez, Member
SECONDER:	Glenn Hendricks, Member
AYES:	Bruins, Chavez, Hendricks, O'Neill
NOES:	None
ABSENT:	Liccardo

8. Interagency Agreements Risk Assessment

Mr. Hagan provided an overview of VTA's interagency agreements and Auditor General's recommendations.

Public Comment

Roland Lebrun, Interested Citizen, commented on the risks of these contracts to VTA.

Members of the Committee requested the following: 1) interagency agreements be made searchable; 2) future agreements have an executive summary; 3) the policy framework be brought to the Board; and 4) compile data on contract trends.

M/S/C (Chavez/Hendricks) to review and receive the Auditor General's report on the Interagency Agreements Risk Assessment. Further, the Committee requested that a policy framework and searchable interagency agreements be included in the action plan.

RESULT:	APPROVED – Agenda Items #8
MOVER:	Cindy Chavez, Member
SECONDER:	Glenn Hendricks, Member
AYES:	Bruins, Chavez, Hendricks, O'Neill
NOES:	None
ABSENT:	Liccardo

Agenda Items #9 and #10 were heard together.

9. Follow-Up on the Sheriff's Office Contract Compliance Internal Audit

10. Follow-Up on the Operator Scheduling Assessment

Bill Eggert, Auditor General, provided an overview of the Sheriff's Office Contract Compliance Internal Audit and the Operator Scheduling Assessment.

M/S/C (Chavez/Hendricks) to review and receive the Auditor General's follow-up report on the implementation status of management's action plans contained in the Sheriff's Office Contract Compliance Internal Audit performed during Fiscal Year 2013.

RESULT:	APPROVED – Agenda Item #9
MOVER:	Cindy Chavez, Member
SECONDER:	Glenn Hendricks, Member
AYES:	Bruins, Chavez, Hendricks, O'Neill
NOES:	None
ABSENT:	Liccardo

M/S/C (Chavez/Hendricks) to review and receive the Auditor General's follow-up report on the implementation status of management's action plans contained in the Operator Scheduling Assessment performed during Fiscal Year 2015.

RESULT:	APPROVED – Agenda Item #10
MOVER:	Cindy Chavez, Member
SECONDER:	Glenn Hendricks, Member
AYES:	Bruins, Chavez, Hendricks, O'Neill
NOES:	None
ABSENT:	Liccardo

11. Review Status of Internal Audit Work Plan

Mr. Eggert provided an overview, noting that some projects are in progress and an update will be provided at the September meeting.

On order of Chairperson Bruins and there being no objection, the Committee received an update from Auditor General Office staff on the status of projects contained in the current Internal Audit Work Plan.

12. Applications to Serve on the 2016 Measure B Citizens' Oversight Committee

Jim Lawson, Government Affairs Director & Executive Policy Advisor, provided an overview, highlighting the following: 1) 21 out of the 46 applications received to serve on the 2016 Measure B Citizens' Oversight Committee were complete, noting no applications were received in the legal category; 2) members of the Evaluation Subcommittee are submitting their nominees for each position; and 3) it is anticipated that the Evaluation Subcommittee will provide a report at the Board meeting.

On order of Chairperson Bruins and there being no objection, the Committee reviewed and received the applications from individuals seeking to serve on the 2016 Measure B Citizens' Oversight Committee evaluated by the Board subcommittee.

OTHER ITEMS

13. Items of Concern and Referral to Administration

There were no Items of Concern and Referral to Administration.

14. Review Committee Work Plan

Nuria I. Fernandez, General Manager and CEO, provided a brief overview of the work plan and noted the next Committee meeting is scheduled for September 7, 2017, highlighting key items scheduled for the meeting.

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

15. Committee Staff Report

There was no Committee Staff Report.

16. Chairperson's Report

There was no Chairperson's Report.

17. Determine Items for the Consent Agenda for future VTA Board of Directors' Meetings

CONSENT:

Agenda Item #5., Review and receive the Auditor General's follow-up report on the implementation status of management's action plans contained in the Trapeze OPS Pre-Implementation Review performed during Fiscal Year 2014.

Agenda Item #6., Review and receive the Auditor General's follow-up report on the implementation status of management's action plans contained in the Public Safety Process Assessment performed during Fiscal Year 2014.

Agenda Item #7., Review and receive the Auditor General's report on the Inventory and Assets Held at Outreach.

Agenda Item #8., Review and receive the Auditor General's report on the Interagency Agreement Risk Assessment.

Agenda Item #9., Review and receive the Auditor General's follow-up report on the implementation status of management's action plans contained in the Sheriff's Office Contract Compliance Internal Audit performed during Fiscal Year 2013.

Agenda Item #10., Review and receive the Auditor General's follow-up report on the implementation status of management's action plans contained in the Operator Scheduling Assessment performed during Fiscal Year 2015.

REGULAR:

None

18. ANNOUNCEMENTS

Ms. Fernandez announced VTA will hold a Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) lunchtime event on June 22, 2017, at VTA's headquarters.

19. ADJOURNMENT

On order of Chairperson Bruins and there being no objection, the Committee was adjourned at 5:00 p.m.

Respectfully submitted,

Thalia Young, Board Assistant
VTA Office of the Board Secretary



TECHNICAL ADVISORY COMMITTEE

Wednesday, June 7, 2017

NOTICE OF CANCELLATION

NOTICE IS HEREBY GIVEN that the Santa Clara Valley Transportation Authority Technical Advisory Committee Meeting scheduled for Wednesday, June 7, 2017, at 1:30 p.m. has been cancelled.

The next meeting of the Santa Clara Valley Transportation Authority Technical Advisory Committee Meeting is scheduled for July 12, 2017, at 1:30 p.m. in Conference Room B-106, Building B, 3331 North First Street, San Jose, California.

Menominee McCarter, Board Assistant
VTA Office of the Board Secretary



**CITIZENS ADVISORY COMMITTEE
and
2000 MEASURE A CITIZENS WATCHDOG COMMITTEE**

Wednesday, June 7, 2017

NOTICE OF CANCELLATION

NOTICE IS HEREBY GIVEN that the Santa Clara Valley Transportation Authority Citizens Advisory Committee and 2000 Measure A Citizens Watchdog Committee Meeting scheduled for Wednesday, June 7, 2017, at 4:00 p.m. has been cancelled.

The next meeting of the Santa Clara Valley Transportation Authority Citizens Advisory Committee and 2000 Measure A Citizens Watchdog Committee is scheduled for Wednesday, July 12, 2017, at 4:00 p.m. in Conference Room B-106, Building B, 3331 North First Street, San Jose, California.

Anita McGraw, Board Assistant
VTA Office of the Board Secretary



BICYCLE & PEDESTRIAN ADVISORY COMMITTEE

Wednesday, June 7, 2017

NOTICE OF CANCELLATION

NOTICE IS HEREBY GIVEN that the Santa Clara Valley Transportation Authority Bicycle & Pedestrian Advisory Committee meeting scheduled for Wednesday, June 7, 2017, at 6:30 p.m. has been cancelled.

The next regular meeting of the Santa Clara Valley Transportation Authority Bicycle & Pedestrian Advisory Committee is scheduled for Wednesday, July 12, 2017, at 6:30 p.m. held at VTA River Oaks Campus, Conference Room B-106, 3331 North First Street, San José, California.

Thalia Young, Board Assistant
VTA Office of the Board Secretary



POLICY ADVISORY COMMITTEE

Thursday, June 8, 2017

NOTICE OF CANCELLATION

NOTICE IS HEREBY GIVEN that the Santa Clara Valley Transportation Authority Policy Advisory Committee meeting scheduled for Thursday, June 8, 2017, at 4:00 p.m. has been cancelled.

Thalia Young, Board Assistant
VTA Office of the Board Secretary



TECHNICAL ADVISORY COMMITTEE

Wednesday, July 12, 2017

NOTICE OF CANCELLATION

NOTICE IS HEREBY GIVEN that the Santa Clara Valley Transportation Authority Technical Advisory Committee Meeting scheduled for Wednesday, July 12, 2017, at 1:30 p.m. has been **cancelled**.

The next meeting of the Santa Clara Valley Transportation Authority Technical Advisory Committee Meeting is scheduled for August 9, 2017, at 1:30 p.m. in Conference Room B-106, Building B, 3331 North First Street, San Jose, California.

Michelle Oblena, Board Assistant
VTA Office of the Board Secretary



**CITIZENS ADVISORY COMMITTEE
and
2000 MEASURE A CITIZENS WATCHDOG COMMITTEE**

Wednesday, July 12, 2017

NOTICE OF CANCELLATION

NOTICE IS HEREBY GIVEN that the Santa Clara Valley Transportation Authority Citizens Advisory Committee and 2000 Measure A Citizens Watchdog Committee Meeting scheduled for Wednesday, July 12, 2017, at 4:00 p.m. has been cancelled.

The next meeting of the Santa Clara Valley Transportation Authority Citizens Advisory Committee and 2000 Measure A Citizens Watchdog Committee is scheduled for Wednesday, August 9, 2017, at 4:00 p.m. in Conference Room B-106, Building B, 3331 North First Street, San Jose, California.

Anita McGraw, Board Assistant
VTA Office of the Board Secretary



Bicycle & Pedestrian Advisory Committee

Wednesday, July 12, 2017

SUMMARY MINUTES

CALL TO ORDER

The Workshop Meeting of the Bicycle and Pedestrian Advisory Committee (BPAC) was called to order at 6:35 p.m. by Vice Chairperson Peters in Conference Room B-106, Santa Clara Valley Transportation Authority (VTA), 3331 North First Street, San José, California.

1. ROLL CALL

Attendee Name	Title	Representing	Status
Wes Brinsfield	Member	City of Los Altos	Absent
Kristal Caidoy	Member	City of Milpitas	Absent
Barry Chaffin	Member	City of Monte Sereno	Present
Susan Cretekos	Member	Town of Los Altos Hills	Present
Jaime Fearer	Member	City of San José	Present
Paul Goldstein	Member	City of Palo Alto	Present
Bill Haskell	Member	City of Morgan Hill	Present
Peter Hertan	Chairperson	Town of Los Gatos	Present
Erik Lindskog	Member	City of Cupertino	Absent
Sarah Peters	Vice Chairperson	City of Santa Clara	Present
Carolyn Schimandle	Member	City of Gilroy	Present
David Simons	Member	City of Sunnyvale	Present
Jim Stallman	Member	City of Saratoga	Present
Paul Tuttle	Member	City of Campbell	Present
Greg Unangst	Member	City of Mountain View	Present
Herman Wadler	Member	County of Santa Clara	Present
Colin Heyne	Ex-Officio Member	SV Bicycle Coalition	Present
Shiloh Ballard	Alt. Ex-Officio Member	SV Bicycle Coalition	Absent

A quorum was present.

Staff requested the following:

- Hear **Agenda Item #6:** Foothill Expressway Auxiliary Lane between El Monte and San Antonio after **Agenda Item #3:** VTA's Transit Operator Safety Training; and
- Adjourn the workshop at 8:00 p.m. to allow time to review maps related to the Countywide Bicycle Plan Update.

2. PUBLIC PRESENTATIONS:

There were no Public Presentations.

The Agenda was taken out of order.

7. ANNOUNCEMENTS

Lauren Ledbetter, Senior Transportation Planner and BPAC Staff Liaison, announced Vice Chairperson Peters will be leaving the area and expressed gratitude for her service on the Committee and as Vice Chairperson for 2017. Vice Chairperson Peters added that her replacement representing the City of Santa Clara has been identified and expressed her gratitude to the Committee for allowing her to be Vice Chairperson for the year.

Dawn Cameron, Deputy Director, Santa Clara County Roads and Airports, announced she will be leaving the County of Santa Clara for a job at the City of Mountain View. Ms. Cameron introduced a County Transportation Planner, Ellen Talbo, who will share the County Liaison duties with Aruna Bodunna, Transportation Planner.

Member Schimandle took her seat at 6:38 p.m.

Chairperson Hertan took his seat at 6:40 p.m. and
chaired the remainder of the meeting.

3. VTA's Transit Operator Safety Training

Maurice Beard, Technical Training Supervisor, provided a presentation titled "Bicycle & Pedestrian Accident Prevention".

The Committee provided input and comments on the following: 1) replacing the term accident with crash; 2) Express bus speed on city streets; 3) bus driver communication regarding bicycle exit either in front or rear of the bus; and 4) praise for the courteous drivers.

Chairperson Hertan requested formation of a subcommittee to research best practices for coach operator training for bicycle and pedestrian interactions.

Public Comment

Robert Neff, Interested Citizen, inquired about what bus operators would like from bicyclists.

On order of Chairperson Hertan, the Committee received an overview of VTA's Bus Operator Safety Training, specifically in regards to bicyclists and pedestrians.

6. Foothill Expressway Auxiliary Lane between El Monte and San Antonio

Ms. Cameron and Khoa Vo, County Principal Civil Engineer, provided a presentation titled "Foothill Expressway Improvements Between El Monte and San Antonio".

On order of Chairperson Hertan, the Committee received a report on the Foothill Expressway Auxiliary Lane between El Monte Avenue and San Antonio Road.

4. **CCBC and ABC Prioritization Results for Countywide Bicycle Plan Update**

Ms. Ledbetter provided a presentation titled “Prioritization Results for Countywide Bicycle Plan Update.

Public Comment

Martin Delson, Interested Citizen, requested bicycle corridors be labeled with signage indicating which route to take to get to places of interest as is done in other Bay Area counties.

On order of Chairperson Hertan, the Committee discussed the prioritization results for the proposed 2017 Cross County Bicycle Corridors.

5. **2016 Measure B Complete Streets Reporting Requirements: Local Streets and Roads Self-Declaration Form**

Adam Paranian, Transportation Planner, provided an overview of the document

The Committee suggested cities should add links on the self-declaration form.

On order of Chairperson Hertan, the Committee reviewed the Pavement program Self-Declaration Form for the Local Streets and Roads Program Area of 2016 Measure B.

7. **ANNOUNCEMENTS, continued**

Ex-Officio Member Heyne reminded the Committee of the Silicon Valley Bike Summit on August 8, 2017 at the Microsoft Campus.

Member Fearer announced a walking public art tour of downtown San José on July 18, 2017 at 6:00 p.m. hosted by California Walks.

Member Schimandle announced that Gilroy is looking into limited green bike lanes.

Member Chaffin noted that the Monte Sereno City Council adopted Los Gatos’ bicycle plan and a resolution to adopt complete streets in anticipation of 2016 Measure B funding.

Member Wadler announced the Bike Academy is starting again.

Member Stallman noted that the Cross County Bicycle Corridor trail segment in Saratoga has been designated as a historic trail by the City Council.

Member Unangst announced that the Stevens Creek trail detour is complete and will be in place for a couple years.

Member Cretokos mentioned that the Town of Los Altos Hills has maps of the bike trails in the town.

Stephen Flynn, Advisory Committee Coordinator, provided a brief update on the status of the draft bicycle travel reimbursement plan.

Ms. Ledbetter recently provided a list of high priority projects to the Caltrans District 4 Bicycle Committee for funding consideration.

8. ADJOURNMENT

On order of Chairperson Hertan and there being no objection, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Thalia Young, Board Assistant
VTA Office of the Board Secretary

COMMITTEE FOR TRANSPORTATION MOBILITY AND ACCESSIBILITY

Thursday, July 13, 2017

NOTICE OF CANCELLATION

NOTICE IS HEREBY GIVEN that the Santa Clara Valley Transportation Authority Committee for Transportation Mobility and Accessibility Meeting scheduled for Thursday, July 13, 2017, at 10:00 a.m. has been **cancelled.**

The next meeting of the Committee for Transportation Mobility and Accessibility is scheduled for September 14, 2017, at 10:00 a.m. in Room B-106, VTA River Oaks Campus, Building B, 3331 North First Street, San Jose, California.

Michelle Oblena, Board Assistant
VTA Office of the Board Secretary



POLICY ADVISORY COMMITTEE

Thursday, July 13, 2017

NOTICE OF CANCELLATION

NOTICE IS HEREBY GIVEN that the Santa Clara Valley Transportation Authority Policy Advisory Committee meeting scheduled for Thursday, July 13, 2017, at 4:00 p.m. has been cancelled.

The next meeting of the Santa Clara Valley Transportation Authority Policy Advisory Committee is scheduled for August 10, 2017, at 4:00 p.m. in Conference Room B-106, Building B, 3331 North First Street, San Jose, California.

Theadora Abraham, Board Assistant
VTA Office of the Board Secretary



DIRIDON STATION JOINT POLICY ADVISORY BOARD

Friday, June 16, 2017

RESCHEDULE MEETING **NOTICE**

NOTICE IS HEREBY GIVEN that the Santa Clara Valley Transportation Authority Diridon Station Joint Policy Advisory Board meeting scheduled to be held on Friday, June 16, 2017, at 3:00 p.m. has been rescheduled to Thursday, August 3, 2017, at 4:00 p.m., in Conference Room 157, County Government Center, 70 West Hedding, San Jose, California.

Anita McGraw, Board Assistant
VTA Office of the Board Secretary



**Eastridge to BART Regional Connector
Policy Advisory Board**

Thursday, June 29, 2017

NOTICE OF CANCELLATION

NOTICE IS HEREBY GIVEN that the Eastridge to BART Regional Connector Policy Advisory Board meeting scheduled for 10:00 a.m. on Thursday, June 29, 2017, has been cancelled.

Tracene Y. Crenshaw, Assistant Board Secretary
VTA Office of the Board Secretary