

## BOARD OF DIRECTORS MEETING

Thursday, January 10, 2019

5:30 PM

VTA Auditorium

3331 North First Street

San Jose, CA 95134

### PLEASE NOTE MEETING LOCATION

#### **\*REVISED AGENDA\***

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

- Persons wishing to address the Santa Clara Valley Transportation Authority (VTA) Board of Directors (Board) 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.

*\*Changes from the previous version (shown in blue font):*

*Added the following to Closed Session Item #9.1.D:*

*VTA Designated Representatives: Sylvester Fadal, Deputy Director of Business Services*

*Employee Organizations: American Federation of State, County, and Municipal Employees Local 101 (AFSCME) and Transportation Authority Engineers & Architects Association Local 21 (TAEA)*


01/07/19 4:15 p.m.

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](http://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](mailto:board.secretary@vta.org) or (408) 321-2330 (TTY only). VTA's home page is on the web at: [www.vta.org](http://www.vta.org) or visit us on  Facebook at: [www.facebook.com/scvta](http://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.**

3331 N First St., San Jose, California is served by bus lines \*58 and Light Rail.

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](http://www.vta.org).

## **1. CALL TO ORDER AND ROLL CALL**

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- 1.1. ADMINISTER OATHS OF OFFICE to newly appointed Board Members.
- 1.2. ROLL CALL
- 1.3. Pledge of Allegiance
- 1.4. Orders of the Day

## **2. AWARDS AND COMMENDATION**

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- 2.1. INFORMATION ITEM - Recognize Luke Travers, Senior Business Systems Analyst, Technology Department; Doug Keegan, Coach Operator, North Yard Operations; Robin Jackson, Bus Stop Maintenance Worker, Passenger Facilities Maintenance; as Employees of the First (1<sup>st</sup>) Quarter of 2019; and Jon Maier, Management Analyst, Technology Department, as Supervisor of the First (1<sup>st</sup>) Quarter of 2019.
- 2.2. ACTION ITEM - Adopt the Resolution of Appreciation for 2018 VTA Board Chairperson Sam Liccardo.
- 2.3. ACTION ITEM - Adopt Resolution of Appreciation for outgoing VTA Board Member Savita Vaidhyathan.

## **3. PUBLIC COMMENT**

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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**

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*There are no public hearings.*

## **5. COMMITTEE REPORTS**

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

## **6. CONSENT AGENDA**

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- 6.1.** ACTION ITEM - Approve the Board of Directors Regular Meeting Minutes of December 6, 2018.
- 6.2.** ACTION ITEM - Ratify appointments to the VTA Policy Advisory Boards.
- 6.3.** ACTION ITEM - Ratify appointment to the Bicycle & Pedestrian Advisory Committee for the two-year term ending June 30, 2020.
- 6.4.** ACTION ITEM - Approve the 2019 Legislative Program.
- 6.5.** ACTION ITEM - Authorize the General Manager to execute an amendment to the contract with Outfront Media Group, LLC, to amend the scope of services to include the Berryessa/North San Jose Intermodal Transit Center and the Milpitas Intermodal Transit Center, and to increase the Minimum Annual Guarantee to reflect the additional advertising assets.
- 6.6.** ACTION ITEM - Authorize the General Manager to negotiate and execute a contract with Ray Morgan Company (RMC) for Multifunction Device (print, copy, scan) services. The initial term of the contract will be five years with an option to extend the contract on an annual basis for two additional years. The cost of the initial five-year term is \$1,800,000, plus \$300,000 per year for two optional one-year periods, for a total of \$2,400,000.
- 6.7.** ACTION ITEM - Authorize the General Manager to: (1) execute a contract amendment with Allied Telesis for additional warranty, support and software customization services in support of the Closed Circuit Television (CCTV) system on Light Rail in an amount not to exceed \$1,525,647; (2) extend the contract term through six (6) years of Extended Warranty; and (3) increase the total contract value to an amount not to exceed \$9,163,044.
- 6.8.** ACTION ITEM - Authorize the General Manager to enter into a Second Amended and Restated Joint Powers Agreement with Alameda County Transportation Commission in connection with the operations of the I-680 Express Lane.
- 6.9.** ACTION ITEM - Program \$150,000 of Local Program Reserve (LPR) funds to provide the local share of the development of a Vehicle Miles Traveled (VMT) Estimation Tool, to be repaid with a one-time surcharge on Congestion Management Program (CMP) Member Agency fees in Fiscal Year 2020. Also, allocate \$12,684.19 of LPR funds to close out the SR152/SR156 Interchange project.



- 6.10.** ACTION ITEM - Authorize the General Manager to execute Cooperative Agreements with:
1. California Department of Transportation (Caltrans);
  2. Cities and Towns of Santa Clara County and the County of Santa Clara; and
  3. State and regional agencies such as the California Highway Patrol (CHP) and Metropolitan Transportation Commission (MTC) for planning, environmental, design, right of way, and construction phases of roadway projects.
- 6.11.** ACTION ITEM - Approve the VTA Land Use and Development Review Policy. *(Deferred from the December 6, 2018 VTA Board of Directors meeting.)*
- 6.12.** INFORMATION ITEM - Review the status of ongoing Santa Clara County Vehicle Registration Fee (VRF) activity.
- 6.13.** INFORMATION ITEM - Review the status of ongoing Santa Clara County Transportation Fund for Clean Air (TFCA) projects.
- 6.14.** INFORMATION ITEM - Receive report on VTA's Transit Sustainability Project progress.
- 6.15.** INFORMATION ITEM - Receive a report on the January 14, 2019 service changes.

## **7. REGULAR AGENDA**

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### ***Administration and Finance Committee***

- 7.1.** ACTION ITEM - Authorize the General Manager to execute a contract with Mott MacDonald/PGH Wong Engineering Joint Venture (MMW) in an amount up to \$125,000,000 to provide General Engineering services for the preliminary engineering phase of VTA's BART Silicon Valley Phase II Extension.

### ***Board of Directors***

- 7.2.** ACTION ITEM - Direct staff to conduct outreach on the proposed 2019 New Transit Service Plan, presented per the Board's direction to develop and implement a New Transit Service Plan.
- 7.3.** ACTION ITEM - Approve appointments to Board Standing Committees, Joint Powers Boards, Policy Advisory Boards, and Ad Hoc Committees for 2019.

## **8. OTHER ITEMS**

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### **8.1. General Manager Report. (Verbal Report)**

**8.1.A. INFORMATION ITEM - Receive Government Affairs Update.**

**8.1.B. INFORMATION ITEM - Receive a presentation from Tony Tavares, Caltrans District 4 Director. (Verbal Report)**

**8.1.C. INFORMATION ITEM - Receive Silicon Valley Rapid Transit (SVRT) Program Update.**

### **8.2. Chairperson's Report. (Verbal Report)**

**8.2.A. Receive remarks from 2019 Chairperson Teresa O'Neill. (Verbal Report)**

### **8.3. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION**

### **8.4. INFORMATION ITEM - 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**

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### **9.1. Recess to Closed Session**

#### **A. Conference with Legal Counsel - Existing Litigation**

[Government Code Section 54956.9(d)(1)] (*Deferred from the December 6, 2018 Board Meeting*)

Name of Case: Santa Clara Valley Transportation Authority v. Montague Parkway Associates, LP (Santa Clara County Superior Court Case No.: 112CV220334)

**B. Conference with Real Property Negotiators**  
[Government Code Section 54956.8] *(Deferred from the December 6, 2018 Board Meeting)*

Property: 2510 Alum Rock Avenue, San Jose, CA 95116  
(APN:484-42-011)

Agency Negotiator: Evelyn Tran, General Counsel

Negotiating Parties: Michael Whitton from Troutman Sanders, counsel for Nakash Enterprises, LLC

Under Negotiation: Price and terms of purchase and sale

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

Name of Case: Victor Munoz vs. Santa Clara Valley Transportation Authority

Case# Workers Compensation Appeals Board ADJ 10515147

**D. Conference with Labor Negotiators**  
[Government Code Section 54957.6]

VTa Designated Representatives  
Alberto Lara, Director of Business Services  
Bob Escobar, Negotiator  
Raj Srinath, Chief Financial Officer  
Inez Evans, Chief Operating Officer  
[Sylvester Fadal, Deputy Director of Business Services](#)

Employee Organizations  
Amalgamated Transit Union, Local 265  
Service Employees International Union, Local 521  
[American Federation of State, County, and Municipal Employees Local 101 \(AFSCME\)](#)  
[Transportation Authority Engineers & Architects Association Local 21 \(TAEA\)](#)

**9.2. Reconvene to Open Session**

**9.3. Closed Session Report**

**10. ADJOURN**

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Date: December 20, 2018  
 Current Meeting: January 10, 2019  
 Board Meeting: January 10, 2019

## 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 Qtr for the 1st Qtr of 2019

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### FOR INFORMATION ONLY

#### **BACKGROUND:**

##### **Employees and Supervisor of the Fourth (1st) Quarter:**

Luke Travers, Senior Business Systems Analyst in the Technology Department, is the Administration Award Winner for the 1<sup>st</sup> Quarter. Mr. Travers has worked for VTA for over 20 years now. In that time, he has proven himself to be a great resource for the various departments in which he has worked. He seems to have an answer for almost every question, and when he does not, he figures it out and responds to you quickly. The staff in Technology appreciate the positive attitude he maintains at work and his efforts to learn new processes. Many of his colleagues consider VTA lucky to have such a smart and friendly person in its ranks. Congratulations to Luke Travers, Administration Employee of the 1<sup>st</sup> Quarter.

Doug Keegan, Coach Operator at North Yard Operations, is the Operations Award Winner for the 1<sup>st</sup> Quarter. Mr. Keegan has been an Operator at VTA for over 16 years. Throughout his tenure with the organization, he has consistently provided great customer service to both our passengers and fellow employees. Mr. Keegan provides assistance to other operators if they are involved in an accident, and he volunteers to work with other departments to help test tools and products that his coworkers use. Everyone on the team at North Yard believes that he makes VTA a better place to work and is grateful for all he does. Congratulations to Doug Keegan, Operations Employee of the 1<sup>st</sup> Quarter.

Robin Jackson, Bus Stop Maintenance Worker for Passenger Facilities Maintenance, is the Maintenance Award Winner for the 1<sup>st</sup> Quarter. For over 20 years, Mr. Jackson has served VTA as a diligent and hardworking employee. Not only does he help his coworkers in his department efficiently and effectively, but he goes above and beyond by calling in on his days off to ensure

people receive the help they need. In addition to serving as an excellent role model and performing stellar work, Mr. Jackson goes out of his way to confirm that issues are reported and resolved promptly. The staff at Cerone is happy to see him receive this well-deserved recognition. Congratulations to Robin Jackson, Maintenance Employee of the 1<sup>st</sup> Quarter.

Jon Maier, Management Analyst in the Technology Department, is the Supervisory Award Winner for the 1<sup>st</sup> Quarter. This past October, Mr. Maier celebrated his five year work anniversary as a VTA employee. In each role he has held with the organization, he has always held himself to high performance standards. Having only had minor exposure to technology prior to his current role, Mr. Maier quickly acclimated to his job duties and provided strong leadership to his staff and colleagues. He has led his team in implementing numerous solutions that have enhanced service for customers he has agency-wide, all of whom hold him in the highest regard. Congratulations to Jon Maier, Supervisor of the 1<sup>st</sup> Quarter.

Prepared By: Office of Diversity and Inclusion  
Memo No. 6729



Date: December 11, 2018  
 Current Meeting: January 10, 2019  
 Board Meeting: January 10, 2019

## **BOARD MEMORANDUM**

**TO:** Santa Clara Valley Transportation Authority  
 Board of Directors

**THROUGH:** General Manager, Nuria I. Fernandez

**FROM:** Board Secretary, Elaine Baltao

**SUBJECT:** Board Resolution of Appreciation

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**Policy-Related Action:** No

**Government Code Section 84308 Applies:** No

## **ACTION ITEM**

### **RECOMMENDATION:**

Adopt the Resolution of Appreciation for 2018 VTA Board Chairperson Sam Liccardo.

### **BACKGROUND:**

VTA benefits from local elected officials willing to serve on the VTA Board of Directors. Serving as Board Chairperson requires leadership, dedication, time and energy beyond their regular duties.

### **DISCUSSION:**

The attached resolution expresses VTA's appreciation for the diligent service of 2018 Board Chairperson Sam Liccardo. His leadership enabled VTA to provide transportation services, programs and projects to the residents of Santa Clara County.

### **FISCAL IMPACT:**

There is no fiscal impact.

Prepared by: Board Office  
 Memo No. 6827

### **ATTACHMENTS:**

- 2019-0104 Sam Liccardo Chair Resolution of Commendation final draft (PDF)

## Resolution

By the Board of Directors of the Santa Clara Valley Transportation Authority (VTA) a  
Special District of the State of California relative to commending the

Honorable Sam Liccardo

Whereas, Sam Liccardo is completing his term as the 2018 chairperson of the VTA Board of Directors; and

Whereas, Sam Liccardo championed Regional Measure 3, and was instrumental in securing \$375 million for the BART Extension to Silicon Valley (Phase II); \$130 million for the Eastridge to BART Regional Connector; \$100 million for the expansion of the Diridon Station complex as well as potential funding for the Silicon Valley Express Lanes Network; and

Whereas Sam Liccardo worked tirelessly to promote the benefits of Senate Bill 1, the “Road Repair and Accountability Act of 2017”, which provides funding for the construction of the US 101 Express Lanes Project (Phase 3); interchange improvements at US 101 and SR 237; the design of future improvements at US 101 and SR 25; funding to help complete the State of California’s investment in the BART extension; and significant new investment in transit operations and maintenance and local streets and roads repairs throughout the county; and

Whereas, his efforts helped to defeat Proposition 6, which would have eliminated all new revenues generated by Senate Bill 1 and left billions of dollars in transportation maintenance and expansion projects unfinished; and

Whereas, Sam Liccardo convened VTA’s Ad Hoc Financial Stability Committee which developed recommendations to chart a path toward financial sustainability for VTA; and

Whereas, under Sam Liccardo’s leadership, VTA undertook the transition to more environmentally-friendly vehicles ahead of future state mandates, putting our first zero emission buses into revenue service and began the development of integration software to manage a growing fleet of electric vehicles; and

Whereas Sam Liccardo advocated for innovation and new approaches to the integration of transportation and land use planning, resulting in the adoption of new automated driving systems, station access, and transit-oriented development parking policies.

Now therefore be it resolved, that the VTA Board of Directors hereby expresses its sincerest appreciation to Sam Liccardo for his exemplary public service as chairperson of the VTA Board of Directors for 2018; and

Be it further resolved, that this resolution is presented with the thanks and good wishes of VTA.

Adopted by the VTA Board of Directors this tenth day of January 2019.

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Teresa O'Neill, Chairperson  
Board of Directors  
Santa Clara Valley Transportation Authority





Date: December 14, 2018  
Current Meeting: January 10, 2019  
Board Meeting: January 10, 2019

## **BOARD MEMORANDUM**

**TO:** Santa Clara Valley Transportation Authority  
Board of Directors

**THROUGH:** General Manager, Nuria I. Fernandez

**FROM:** Board Secretary, Elaine Baltao

**SUBJECT:** 2018 Outgoing Board Member Resolution

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**Policy-Related Action:** No

**Government Code Section 84308 Applies:** No

### **Resolution**

#### **ACTION ITEM**

#### **RECOMMENDATION:**

Adopt Resolution of Appreciation for outgoing VTA Board Member Savita Vaidhyanathan.

#### **BACKGROUND:**

VTA benefits from local elected officials willing to serve on the VTA Board of Directors. Serving on the Board requires dedication, time and energy beyond their regular duties as council members.

#### **DISCUSSION:**

The attached resolution expresses VTA's appreciation for the diligent service of outgoing Board Member Savita Vaidhyanathan. Her leadership has enabled VTA to provide transportation services, programs and projects to the residents of Santa Clara County.

#### **FISCAL IMPACT:**

There is no financial impact.

Prepared by: Board Office  
Memo No. 6826

## Resolution

By the Board of Directors of the Santa Clara Valley Transportation Authority (VTA) a  
Special District of the State of California relative to commending the

Honorable Savita Vaidhyanathan

Whereas, Savita Vaidhyanathan has served on Cupertino City Council since 2014 and as Mayor  
in 2017; and

Whereas, Savita Vaidhyanathan is retiring from the VTA Board of Directors, where she served  
as a representative of the West Valley since December of 2016; and

Whereas, Savita Vaidhyanathan has long supported transportation improvements and transit  
service enhancements in Santa Clara County, and she was a member of the Policy Advisory  
Committee in 2015 and 2016 before she joined the Board of Directors; and

Whereas, Savita Vaidhyanathan demonstrated a strong commitment to the development of major  
transportation capital projects as a member of the Capital Projects Oversight Committee in 2017  
and encouraged the enhanced approach for Board engagement in the implementation of these  
projects as reflected in the new Capital Program Committee established in 2018; and

Whereas, Savita Vaidhyanathan, during her tenure as a member of the Congestion Management  
Program and Planning Committee, dedicated herself to ensuring that VTA provided excellent,  
financially-sustainable transportation services to the residents of Silicon Valley; and

Whereas, Savita Vaidhyanathan was a tireless advocate for transit services for seniors, especially  
in the West Valley.

Now therefore be it resolved, that the VTA Board of Directors hereby commends and expresses  
its sincerest appreciation to Savita Vaidhyanathan for her exemplary public service; and

Be it further resolved, that this resolution is presented with the thanks and good wishes of VTA.

Adopted by the VTA Board of Directors this tenth day of January 2019.

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Teresa O'Neill, Chairperson  
Board of Directors  
Santa Clara Valley Transportation Authority

## BOARD OF DIRECTORS MEETING

Thursday, December 6, 2018

### MINUTES

#### 1. CALL TO ORDER AND ROLL CALL

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The Regular Meeting of the Santa Clara Valley Transportation Authority's (VTA) Board of Directors (Board) was called to order by Chairperson Liccardo at 5:34 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	Ex-Officio Member	Present
Larry Carr	Board Member	Present
Cindy Chavez	Board Member	Present
David Cortese	Alternate Board Member	Absent
Dev Davis	Alternate Board Member	Present
Lan Diep	Board Member	Absent
Daniel Harney	Alternate Board Member	Absent
Glenn Hendricks	Alternate Board Member	Present
Chappie Jones	Board Member	Present
Johnny Khamis	Board Member	Present
Sam Liccardo	Chairperson	Present
John McAlister	Board Member	Present
Howard Miller	Alternate Board Member	Present
Bob Nuñez	Board Member	Present
Teresa O'Neill	Vice Chairperson	Present
Raul Peralez	Board Member	Present
Rob Rennie	Board Member	Present
Ken Yeager	Board Member	Present

\* Alternates do not serve unless participating as a Member.

**A quorum was present.**

##### 1.2. Pledge of Allegiance

The Pledge of Allegiance commenced.

**1.3. Elect Board Chairperson and Vice Chairperson for 2019**

Chairperson Liccardo indicated a letter of interest was received from Vice Chairperson Teresa O'Neill to serve as Chairperson for 2019.

**M/S (Chavez/Peralez)** to nominate Teresa O'Neill to serve as Chairperson for 2019.

**M/S/C (Chavez/McAlister)** to close nominations for Chairperson for 2019.

**M/S/C (Chavez/Peralez)** to elect Teresa O'Neill as Chairperson for 2019.

<b>RESULT:</b>	<b>ELECTED 2019 CHAIRPERSON [UNANIMOUS] – Agenda Item #1.3</b>
<b>MOVER:</b>	Cindy Chavez, Board Member
<b>SECONDER:</b>	Raul Peralez, Board Member
<b>AYES:</b>	Carr, Chavez, Khamis, Liccardo, McAlister, Nunez, O'Neill, Peralez, Rennie, Yeager
<b>NOES:</b>	None
<b>ABSENT:</b>	Diep, Jones

Board Member Jones and Alternate Board Member Davis  
arrived at the meeting and took their seats at 5:38 p.m.

Chairperson Liccardo indicated a letter of interest was received from Board Member Cindy Chavez to serve as Vice Chairperson for 2019.

**M/S (O'Neill/Peralez)** to nominate Cindy Chavez to serve as Vice Chairperson for 2019.

**M/S/C (McAlister/Carr)** to close nominations and elect Cindy Chavez as Vice Chairperson for 2019.

<b>RESULT:</b>	<b>ELECTED 2019 VICE CHAIRPERSON [UNANIMOUS] – Agenda Item #1.3</b>
<b>MOVER:</b>	John McAlister, Board Member
<b>SECONDER:</b>	Larry Carr, Board Member
<b>AYES:</b>	Carr, Chavez, Davis, Jones, Khamis, Liccardo, McAlister, Nunez, O'Neill, Peralez, Rennie, Yeager
<b>NOES:</b>	None
<b>ABSENT:</b>	None

**NOTE:** M/S/ MEANS MOTION SECONDED

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

#### **1.4. Orders of the Day**

Chairperson Liccardo noted the Addendum to the Agenda, **Item #5.5.X.**, Ad Hoc Financial Stability Committee Recommendations.

Chairperson Liccardo noted Staff's request to: 1) Hear the Policy-related items together, **Items #7.1** through **#7.3.**; and 2) Defer Closed Session Agenda Items **#9.1.B.**, Conference with Legal Counsel – Existing Litigation; and **#9.1.C.**, Conference with Real Property Negotiators.

Chairperson Liccardo requested deferring **Agenda Item #7.2.**, VTA Land Use and Development Review Policy, to the January 10, 2019, Board meeting.

**M/S/C (Perez/Davis)** to accept the Orders of the Day.

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS] – Agenda Item #1.4</b>
<b>MOVER:</b>	Raul Perez, Board Member
<b>SECONDER:</b>	Dev Davis, Alternate Board Member
<b>AYES:</b>	Carr, Chavez, Davis, Jones, Khamis, Liccardo, McAlister, Nunez, O'Neill, Perez, Rennie, Yeager
<b>NOES:</b>	None
<b>ABSENT:</b>	None

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## **2. AWARDS AND COMMENDATION**

### **2.1. Retiree's Recognition December 2018**

The Board recognized the following retirees for their distinguished public service with VTA: Russell Anderson, Supervising Maintenance Instructor; and Carmelo Gallo, Coach Operator.

The following retirees were unable to attend, but were acknowledged for their distinguished service: Pamela Pope, Bus Dispatcher; and Mansoorali Hudda, Deputy Director of Accounting.

### **2.2. Above and Beyond Award**

The Board recognized the Customer Service Department and Cerone Bus Yard for their exceptional generosity in collecting donations for the Holiday Food Drive. Jennifer Stanislaus, Transportation Superintendent, and Mimi Nguyen, Office & Timekeeping Tech, received the commendation on behalf of the Cerone Bus Yard. Lucas Perez, Customer Service Supervisor received the award on behalf of the Customer Service Department.

**2.3.    2018 Outgoing Board Member Resolution**

The Board recognized outgoing Board Member Ken Yeager for his leadership and outstanding service to VTA.

**M/S/C (Carr/Nunez)** to adopt **Resolution No. 2018.12.26** of Appreciation for outgoing VTA Board Member Ken Yeager.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS] – Agenda Item #2.3</b>
<b>MOVER:</b>	Larry Carr, Board Member
<b>SECONDER:</b>	Bob Nunez, Board Member
<b>AYES:</b>	Carr, Chavez, Davis, Jones, Khamis, Liccardo, McAlister, Nunez, O'Neill, Peralez, Rennie, Yeager
<b>NOES:</b>	None
<b>ABSENT:</b>	None

**3.    PUBLIC COMMENT**

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Adina Levin, Friends of Caltrain, expressed appreciation for the outstanding work Board Member Yeager accomplished as a Caltrain Board Member.

Roland Lebrun, Interested Citizen, noted safety issues on light rail platforms. He also suggested discontinuing service for Bus Line 180, and transfer its resources to improve service of Line 181.

John Courtney, Amalgamated Transit Union (ATU) Local 265, expressed concern about the slow rate of the ongoing union negotiations and demanded fair wage for VTA employees.

Terry Russell, ATU Local 265, enumerated the great work done by ATU Local 265 members, and demanded to get properly compensated.

Haniet Bourshrockn, Service Employees International Union (SEIU) Local 521, expressed concern about the slow pace of the negotiations.

Tammy Dhanota, SEIU Local 521, expressed concern about the unequal treatment of employees regarding compensation and demanded fair wage for VTA employees.

Blair Beekman, Interested Citizen, commented that the City of Los Angeles is receiving a lot of transit funding.

**4.    PUBLIC HEARINGS**

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There were no Public Hearings.

## **5. COMMITTEE REPORTS**

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

Chairperson Liccardo noted the CAC Chairperson's Report was included in the Board Members' reading folders and placed on the public table.

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

Howard Miller, PAC Chairperson, provided a report on the items discussed at the November 8, 2018, PAC meeting.,

### **5.3. Standing Committee Chairpersons' Report**

Congestion Management Program and Planning (CMPP) Committee Chairperson Khamis provided a report on the items discussed at the November 15, 2018, CMPP Committee meeting.

Safety, Security, and Transit Planning & Operations (SSTPO) Committee Chairperson Chavez provided a report on the items discussed at the November 16, 2018, SSTPO Committee meeting.

Capital Program Committee (CPC) Committee Chairperson Carr provided a report on the items discussed at the November 30, 2018, CPC meeting.

### **5.4. Policy Advisory Board (PAB) Chairpersons' Report**

Chairperson Liccardo noted the Eastridge to Bay Area Rapid Transit (BART) Regional Connector PAB Chairperson's Report was included in the Board Members' reading folders and placed on the public table.

### **5.5. Ad Hoc Financial Stability Committee Chairperson's Report**

Ad Hoc Financial Stability Committee Chairperson Bruins provided a report on the items discussed at the November 16, 2018, Ad Hoc Financial Stability (AHFS) Committee meeting.

### **5.5.X Ad Hoc Financial Stability Committee Recommendations**

AHFS Chair and Ex-Officio Board Member Bruins provided a presentation entitled "Ad Hoc Financial Stability Committee Recommendations," highlighting the following: 1) VTA's structural deficit; 2) Ad Hoc Financial Stability Committee process; 3) Committee recommendations; and 4) Deficit reduction measures.

### **Public Comments**

Eugene Bradley, Silicon Valley Transit Users, expressed concern about the AHFS Committee recommendation, noting that the plan will eliminate a lot of bus service. He also suggested adding lanes along Lawrence Expressway.

Asn Ndiaye, Working Partnerships USA, suggested ways to generate additional funding for VTA.

Ms. Levin suggested resolving the structural issues, and revisit capital projects to improve transit service.

Mr. Beekman expressed concern about the disruption in transportation.

Mr. Lebrun expressed support for the recommendations of the AHFS Committee. He provided suggestions to address station parking issues, increase in ridership and joint development opportunities.

Members of the Board provided the following suggestions: 1) to come back to the Board with a work plan and a process to address funding issues; 2) create partnerships with private companies; 3) explore capital funds to improve transit service; and 4) look at the transportation needs of the public.

**M/S/C (Khamis/Chavez)** to a) approve the proposed mitigation measures; b) initiate various policy discussions to address VTA's structural deficit and promote long-term financial stability; and c) direct staff to further examine opportunities to increase or diversify VTA's funding base, reduce costs, and improve operating efficiencies. Further, directed staff to come back to the Board with a work plan and a process, and to dissolve the AHFS Committee.

<b>RESULT:</b>	<b>APPROVED – Agenda Item #5.5.X</b>
<b>MOVER:</b>	Cindy Chavez, Board Member
<b>SECONDER:</b>	Johnny Khamis, Board Member
<b>AYES:</b>	Carr, Chavez, Davis, Jones, Khamis, Liccardo, McAlister, Nunez, O'Neill, Peralez, Rennie, Yeager
<b>NOES:</b>	None
<b>ABSENT:</b>	None

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## **6. CONSENT AGENDA**

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Chairperson Liccardo requested removing the following agenda items from consent and place on the regular agenda:

- **Agenda Item #6.9.,** Bay Area Rapid Transit (BART) Silicon Valley Phase II Final Relocation Plan;
- **Agenda Item #6.10.,** State Route (SR) 87 Technology Corridor Study Report;
- **Agenda Item #6.11.,** North San Jose Deficiency Plan Update, be removed from the Consent Agenda and placed on the Regular Agenda for discussion.

Chairperson Liccardo noted his recusal on **Agenda Item #6.4.,** Amendment of Existing Contract for Economic Analysis and Planning Services with BAE Urban Economics.



Board Member McAlister requested removing the following agenda items from consent and place on the regular agenda:

- **Agenda Item #6.5.,** Construction of the Overhead Catenary System (OCS) Rehabilitation Phase 2 Contract (C18148F);
- **Agenda Item #6.6.,** Mathilda Avenue Improvements at SR 237 and US 101 – Construction Contract Award; and
- **Agenda Item #6.7.,** Silicon Valley Express Lanes Phase 3 – Construction Contract Award (C18081), be removed from the Consent Agenda and placed on the Regular Agenda for discussion.

**6.1. Board of Directors Regular Meeting Minutes of November 1, 2018**

M/S/C (Chavez/Khamis) to approve the Board of Directors Regular Meeting Minutes of November 1, 2018.

**6.2. Comprehensive Annual Financial Report (CAFR) for Santa Clara Valley Transportation Authority (VTA), and the Financial Reports for Amalgamated Transit Union (ATU) Pension Plan and Retirees' Other Post Employee Benefits (OPEB) Trust (both referred to as Trusts) for Fiscal Year 2018**

M/S/C (Chavez/Khamis) to review and receive the audited Comprehensive Annual Financial Report (CAFR) for Santa Clara Valley Transportation Authority (VTA), and the Financial Reports for Amalgamated Transit Union (ATU) Pension Plan and Retirees' Other Post Employee Benefits (OPEB) Trust (both referred to as Trusts) for Fiscal Year 2018.

**6.3. U.S Bank Contract for Purchase Card Services Program**

M/S/C (Chavez/Khamis) to authorize the General Manager to extend the term of the existing Contract No. VTA14-070-P03 with U.S Bank for Purchase Card Services Program an additional two years.

**6.4. Amendment to Existing Contract for Economic Analysis and Planning Services with BAE Urban Economics**

M/S/C (Chavez/Khamis) on a vote of 11 ayes to 0 noes to 1 refusal to authorize the General Manager to execute a contract amendment with BAE Urban Economics, Inc. ("BAE") in an amount up to \$400,000 for a total contract amount of up to \$830,000 for economic and development advisory services related to the Joint Development program. Chairperson Luccardo refused.

<b>RESULT:</b>	<b>APPROVED – Consent Agenda Item #6.4</b>
<b>MOVER:</b>	Cindy Chavez, Board Member
<b>SECONDER:</b>	Johnny Khamis, Board Member
<b>AYES:</b>	Carr, Chavez, Davis, Jones, Khamis, McAlister, Nunez, O'Neill, Peralez, Rennie, Yeager
<b>NOES:</b>	None
<b>ABSENT:</b>	None
<b>RECUSED:</b>	Liccardo

**6.5. (Removed from the Consent Agenda and placed on the Regular Agenda.)**

Authorize the General Manager to execute a contract with Balfour Beatty Infrastructure, Inc., the only responsive and responsible bidder, in the amount of \$4,539,883 for the construction of the Overhead Catenary System (OCS) Rehabilitation Phase 2 Contract (C18148F); and increase the available contract change authority to 25% or \$1,134,971 over the contract amount for a total contract not to exceed \$5,674,854.

**6.6. (Removed from the Consent Agenda and placed on the Regular Agenda.)**

Authorize the General Manager to execute a contract with Ghilotti Construction Company, Inc., the lowest responsive and responsible bidder, in an amount of \$26,625,815.50 for the construction of the Mathilda Avenue Improvements at US 101 and SR 237 Project (Project).

**6.7. (Removed from the Consent Agenda and placed on the Regular Agenda.)**

Authorize the General Manager to execute a contract with FBD Vanguard Construction, Inc., the lowest responsive and responsible bidder, in an amount of \$23,472,991.30 for the construction of the Silicon Valley Express Lanes Phase 3 Project (Phase 3 Project).

**6.8. Vehicle Emissions Reductions Based at Schools (VERBS) Cycle 3-Supplement Program of Projects**

**M/S/C (Chavez/Khamis)** to 1) Approve a program of projects for the Vehicle Emissions Reductions Based at Schools (VERBS) Cycle 3 Program; and 2) Reprogram \$1,000,000 from the City of Los Altos *Miramonte Avenue Bicycle and Pedestrian Access Improvements* project if, by January 31, 2019, the City of Los Altos is unable to proceed with the Miramonte Avenue original project scope approved by the VTA Board of Directors.

**6.9. (Removed from the Consent Agenda and placed on the Regular Agenda.)**

Adopt a Resolution approving and adopting the Final Relocation Plan for the BART Silicon Valley Phase II Extension Project.

**6.10. (Removed from the Consent Agenda and placed on the Regular Agenda.)**

Receive State Route 87 Technology Corridor Study Report.

**6.11. (Removed from the Consent Agenda and placed on the Regular Agenda.)**

Receive North San Jose Deficiency Plan Update.

<b>RESULT:</b>	<b>APPROVED – Consent Agenda Items #6.1-6.3, and 6.8</b>
<b>MOVER:</b>	Cindy Chavez, Board Member
<b>SECONDER:</b>	Johnny Khamis, Board Member
<b>AYES:</b>	Carr, Chavez, Davis, Jones, Khamis, Liccardo, McAlister, Nunez, O'Neill, Peralez, Rennie, Yeager
<b>NOES:</b>	None
<b>ABSENT:</b>	None

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## **7. REGULAR AGENDA**

### *Administration and Finance Committee*

**Agenda Items #7.1 and 7.3 were heard together.**

**7.1. Station Access Policy for VTA**

**7.3. VTA Transit-Oriented Development (TOD) Parking Policy**

Chris Augenstein, Director of Planning and Programming, provided a presentation entitled “VTA Station Access, Land Use & Development Review, and Transit-Oriented Development (TOD) Parking Policy,” highlighting the following: 1) Policy consistency; 2) Station access policy; 3) Land use and development review policy; 4) TOD parking policy; and 5) Staff recommendations.

Members of the Board provided the following comments: 1) application of the policy on rural areas; 2) customize each station depending on the need of its location; and 3) work with staff to improve mobility.

**Public Comment**

Mr. Lebrun noted that the Cottle station light rail parking is always full, but is not being utilized for transit. He suggested entering into an agreement with Kaiser Permanente in that area.

**7.1. M/S/C (Khamis/Nunez) to adopt a Station Access Policy for VTA.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS] – Agenda Item #7.1</b>
<b>MOVER:</b>	Johnny Khamis, Board Member
<b>SECONDER:</b>	Bob Nunez, Board Member
<b>AYES:</b>	Carr, Chavez, Davis, Jones, Khamis, Liccardo, McAlister, Nunez, O’Neill, Peralez, Rennie, Yeager
<b>NOES:</b>	None
<b>ABSENT:</b>	None

**7.3. M/S/C (Khamis/Nunez) to approve the addition of a new section to the Santa Clara Valley Transportation Authority (VTA) Joint Development (JD) Policy Guidance Documents, for a Transit-Oriented Development (TOD) Parking Policy as described in Attachment A, that sets forth guiding principles and implementation strategies for how VTA should address parking for TOD projects at VTA transit stations and facilities, as well as privately developed TOD on adjacent sites.**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS] – Agenda Item #7.3</b>
<b>MOVER:</b>	Johnny Khamis, Board Member
<b>SECONDER:</b>	Bob Nunez, Board Member
<b>AYES:</b>	Carr, Chavez, Davis, Jones, Khamis, Liccardo, McAlister, Nunez, O’Neill, Peralez, Rennie, Yeager
<b>NOES:</b>	None
<b>ABSENT:</b>	None

**7.2. (Deferred to the January 10, 2019 Board Meeting.)**

Approve the VTA Land Use and Development Review Policy.

**7.4. Silicon Valley Express Lanes Program Toll Ordinance – Adoption**

A Member of the Board expressed concern about the use of collected revenue, noting that it should be made flexible for other expenditures.

**M/S/C (Khamis/Nunez)** on a vote of 11 ayes to 1 no to consider and adopt Ordinance No. 2018.01, “Ordinance for Administration of Tolls and Enforcement of Toll Violations for Silicon Valley Express Lanes.”

<b>RESULT:</b>	<b>ADOPTED – Agenda Item #7.4</b>
<b>MOVER:</b>	Johnny Khamis, Board Member
<b>SECONDER:</b>	Bob Nunez, Board Member
<b>AYES:</b>	Carr, Chavez, Davis, Jones, Khamis, Liccardo, Nunez, O’Neill, Peralez, Rennie, Yeager
<b>NOES:</b>	McAlister
<b>ABSENT:</b>	None

**7.5. Fiscal Year 2019 Statement of Revenues and Expenses for the Period Ending September 30, 2018**

Carol Lawson, Fiscal Resources Manager, provided an overview of the staff report.

**M/S/C (Khamis/Nunez)** to review and accept the Fiscal Year 2019 Statement of Revenues and Expenses for the period ending September 30, 2018.

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS] – Agenda Item #7.5</b>
<b>MOVER:</b>	Johnny Khamis, Board Member
<b>SECONDER:</b>	Bob Nunez, Board Member
<b>AYES:</b>	Carr, Chavez, Davis, Jones, Khamis, Liccardo, McAlister, Nunez, O'Neill, Peralez, Rennie, Yeager
<b>NOES:</b>	None
<b>ABSENT:</b>	None

**7.6. VTA's Funding Sources and Reserves**

Ms. Lawson provided a presentation entitled "Funding Sources and Reserves," highlighting the following: 1) VTA budgeted funds; 2) VTA transit fund; 3) VTA transit operating revenues – FY19 budget (\$467M); 4) 2000 Measure A transit improvement program fund; 5) BART operating sales tax program fund; 6) 2016 Measure B program fund; 7) Congestion Management Program fund; 8) VTP Highway Improvement Program fund; 9) Joint Development Program fund; 10) Silicon Valley Express Lanes Program fund; 11) Terminology – Finance 101; 12) Net position chart; 13) Reserves; 14) Operating reserves; 15) Sales tax stabilization fund; 16) Debt reduction fund; and 17) Historical reserve balances.

**On Order of Chairperson Liccardo** and there being no objection, the Board of Directors received a presentation on VTA's Funding Sources and Reserves.

**6.5. Construction of the OCS Rehabilitation Phase 2 Contract (C18148F)**

A Member of the Board and staff briefly discussed cost management and system improvements.

Board Member Khamis left his seat at 8:31 p.m.

**M/S/C (McAlister/Davis)** on a vote of 10 ayes to 0 noes to 1 recusal to authorize the General Manager to execute a contract with Balfour Beatty Infrastructure, Inc., the only responsive and responsible bidder, in the amount of \$4,539,883 for the construction of the Overhead Catenary System (OCS) Rehabilitation Phase 2 Contract (C18148F); and increase the available contract change authority to 25% or \$1,134,971 over the contract amount for a total contract not to exceed \$5,674,854. Chairperson Liccardo recused.

<b>RESULT:</b>	<b>APPROVED – Agenda Item #6.5</b>
<b>MOVER:</b>	McAlister, Board Member
<b>SECONDER:</b>	Dev Davis, Alternate Board Member
<b>AYES:</b>	Carr, Chavez, Davis, Jones, McAlister, Nunez, O’Neill, Peralez, Rennie, Yeager
<b>NOES:</b>	None
<b>ABSENT:</b>	Khamis
<b>RECUSED:</b>	Liccardo

**6.6. Mathilda Avenue Improvements at SR 237 and US 101 – Construction Contract Award**

Vice Chairperson O’Neill left her seat at 8:35 p.m.

A Member of the Board and staff briefly discussed improvements on Exit 3A, off of California State Route (SR) 237 to Highway 101, heading north. Staff noted that they will look at mobility regarding Exit 3A and would reach out to Caltrans.

**M/S/C (McAlister/Davis)** on a vote of 9 ayes to 0 noes to 1 refusal to authorize the General Manager to execute a contract with Ghilotti Construction Company, Inc., the lowest responsive and responsible bidder, in an amount of \$26,625,815.50 for the construction of the Mathilda Avenue Improvements at US 101 and SR 237 Project (Project). Chairperson Liccardo refused.

<b>RESULT:</b>	<b>APPROVED – Agenda Item #6.6</b>
<b>MOVER:</b>	McAlister, Board Member
<b>SECONDER:</b>	Dev Davis, Alternate Board Member
<b>AYES:</b>	Carr, Chavez, Davis, Jones, McAlister, Nunez, Peralez, Rennie, Yeager
<b>NOES:</b>	None
<b>ABSENT:</b>	Khamis, O’Neill
<b>RECUSED:</b>	Liccardo

**6.7. Silicon Valley Express Lanes Phase 3 – Construction Contract Award (C18081)**

**M/S/C (McAlister/Davis)** on a vote of 9 ayes to 0 noes to 1 refusal to authorize the General Manager to execute a contract with FBD Vanguard Construction, Inc., the lowest responsive and responsible bidder, in an amount of \$23,472,991.30 for the construction of the Silicon Valley Express Lanes Phase 3 Project (Phase 3 Project). Chairperson Liccardo refused.

<b>RESULT:</b>	<b>APPROVED – Agenda Item #6.7</b>
<b>MOVER:</b>	McAlister, Board Member
<b>SECONDER:</b>	Dev Davis, Alternate Board Member
<b>AYES:</b>	Carr, Chavez, Davis, Jones, McAlister, Nunez, Peralez, Rennie, Yeager
<b>NOES:</b>	None
<b>ABSENT:</b>	Khamis, O’Neill
<b>RECUSED:</b>	Liccardo

**6.9. BART Silicon Valley Phase II Final Relocation Plan**

Board Member Khamis and Vice Chairperson O’Neill  
returned to their seats at 8:38 p.m.

Members of the Board provided the following recommendations: 1) inform affected businesses early in the process; 2) staff to be creative in providing options for small businesses; and 3) use lessons learned from the Bus Rapid Transit project.

**Public Comment**

Mr. Lebrun provided suggestions for the BART Silicon Valley and light rail along Fourth Street in downtown San Jose.

**M/S/C (Khamis/Peralez)** to adopt **Resolution No. 2018.12.27** approving and adopting the Final Relocation Plan for the BART Silicon Valley Phase II Extension Project.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS] – Agenda Item #6.9</b>
<b>MOVER:</b>	Johnny Khamis, Board Member
<b>SECONDER:</b>	Raul Peralez, Board Member
<b>AYES:</b>	Carr, Chavez, Davis, Jones, Khamis, Liccardo, McAlister, Nunez, O’Neill, Peralez, Rennie, Yeager
<b>NOES:</b>	None
<b>ABSENT:</b>	None

**6.10. SR 87 Technology Corridor Study Report**

**On Order of Chairperson Liccardo** and there being no objection, the Board of Directors received State Route 87 Technology Corridor Study Report.

**6.11. North San Jose Deficiency Plan Update**

**Public Comment**

Mr. Lebrun suggested including Google property in the study which is located on the other side of SR 237.

Mr. Beekman expressed concern about the traffic congestion in North San Jose.

Robin Roemer, Interested Citizen, expressed concern about the plan and suggested developing a plan that focuses on moving people and not cars.

**On Order of Chairperson Liccardo** and there being no objection, the Board of Directors received the North San Jose Deficiency Plan Update.

## **8. OTHER ITEMS**

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### **8.1. General Manager Report**

Nuria I. Fernandez, General Manager/CEO, provided a 2018 year-in-review, highlighting the following: 1) Stabilizing our financial condition; 2) Defeat of Proposition 6; 3) Safety and security; 4) Ridership moving in a positive direction; 5) Transitioning to electric buses; 6) Highway improvements; 7) BART to Silicon Valley; 8) Congestion management; 9) Lessons learned; and 10) Plans for the future.

A Member of the Board requested information about Eco Pass/SmartPass, and a list of employers who are utilizing the program.

### **Public Comments**

Mr. Beekman expressed the importance of having a balance between private and public transportation.

### **8.1.A. Government Affairs Update**

Steve Palmer, Van Scoyoc Associates, provided a presentation entitled “Federal Update,” that highlighted mid-term election summary and outlook for 2019.

Ms. Fernandez noted the Government Affairs Report was included in the Board Members’ reading folders and placed on the public table.

**On Order of Chairperson Liccardo** and there being no objection, the Board of Directors received a report from Van Scoyoc Associates and the Government Affairs Update.

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

Dennis Ratcliffe, Deputy Director, SVRT/BART Capital Program, provided a presentation entitled “BART Silicon Valley Program Update,” highlighting: 1) Berryessa project update; 2) Berryessa extension project schedule; 3) VTA/BART Operations and Maintenance (O&M) Agreement status; and 4) Federal Transit Administration (FTA) new starts funding.



**Public Comment**

Sean Mulligan, Interested Citizen, expressed appreciation for resurrecting the VTA/BART Joint meeting in 2019.

Mr. Lebrun suggested partnering with Google.

**On order of Chairperson Liccardo** and there being no objection, the Board of Directors received the SVRT Program Update.

**8.2. Chairperson's Report**

Chairperson Liccardo announced that VTA will offer free transit service during the last evening of 2018.

**8.2.A. VTA Board of Directors Meeting Schedule for Calendar Year 2019**

**M/S/C (Chavez/O'Neill)** to approve the VTA Board of Directors Meeting Schedule for calendar year 2019.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS] – Agenda Item #8.2.A</b>
<b>MOVER:</b>	Cindy Chavez, Board Member
<b>SECONDER:</b>	Teresa O'Neill, Vice Chairperson
<b>AYES:</b>	Carr, Chavez, Davis, Jones, Khamis, Liccardo, McAlister, Nunez, O'Neill, Peralez, Rennie, Yeager
<b>NOES:</b>	None
<b>ABSENT:</b>	None

**8.3. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION**

Board Member Khamis referenced memorandum entitled “Referral to Administration – Pertaining to Agenda Item #6.10 – SR 87 Technology Corridor Study,” requesting staff to: 1) Research funding options for implementation of part-time lanes along State Route 87 and for key interchanges of State Route 87, where feasible, which are found on the high priority list presented in the State Route 87 Corridor Study; and 2) Return to the full Board of Directors with a report on funding sources identified and for guidance and actions related to implementation.

Board Member McAlister requested staff to look at improvements for SR 85.

**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 (G&A) Committee - The November 1, 2018, Minutes were accepted as contained in the Agenda Packet.

- Congestion Management Program & Planning (CMPP) Committee - The November 15, 2018, Minutes were accepted as contained in the Agenda Packet.
- Administration & Finance (A&F) Committee – The November 15, 2018, Cancellation Notice was accepted as contained in the Agenda Packet.
- Safety, Security, and Transit Planning & Operations (SSTP&O) Committee – The November 16, 2018, Minutes were accepted as contained in the Agenda Packet.
- Governance and Audit (G&A) Committee - The November 29, 2018, Reschedule Meeting Notice was accepted as contained in the Agenda Packet.

**8.4.B. VTA Advisory Committees**

- Technical Advisory Committee (TAC) – The November 7, 2018, Minutes were accepted as contained in the Agenda Packet.
- Citizens Advisory Committee (CAC) and 2000 Measure A Citizens Watchdog Committee (CWC) – The November 7, 2018, Minutes were accepted as contained in the Agenda Packet.
- Bicycle and Pedestrian Advisory Committee (BPAC) - The November 7, 2018, Minutes were accepted as contained in the Agenda Packet.
- Committee for Transportation Mobility and Accessibility (CTMA) – The November 8, 2018, Minutes were accepted as contained in the Agenda Packet.
- Policy Advisory Committee (PAC) – The November 8, 2018, 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 November 8, 2018, Minutes were accepted as contained in the Agenda Packet.
- State Route 85 Corridor PAB - There was no report.
- Diridon Station Joint Policy Advisory Board - There was no report.
- El Camino Real Rapid Transit PAB - There was no report.

- Ad Hoc Financial Stability PAB - The December 7, 2018, Cancellation Notice was accepted as contained in the Agenda Packet.

**8.4.D. Joint Powers Boards and Regional Commissions**

- Caltrain Peninsula Corridor Joint Powers Board – The December 6, 2018, Summary Notes were accepted as contained on the dais.
- 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.

**Public Comment**

Omar Chatty, Interested Citizen, expressed concern about Caltrain fatalities, noting he supports having BART service go around the Bay Area, and advocated for High Speed Rail.

Mr. Lebrun expressed concern about the selling of right-of-way, train capacity, and agreement with Caltrain.

Mr. Beekman expressed concern about the traffic congestion in San Jose and promotes use of other modes of transportation.

**8.5. Announcements**

Board Member McAlister shared his experience attending the American Public Transportation Association (APTA) Conference for Transit Board Members.

**9. CLOSED SESSION**

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Board Member Yeager left the meeting at 10:00 p.m.

**9.1. Recessed to Closed Session at 10:00 p.m.**

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

Name of Case: Michael Chavez v. Santa Clara Valley Transportation Authority (Santa Clara County Superior Court Case No.: 16CV299915)

**B. (Deferred to the January 10, 2019 Board Meeting.)**

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

Name of Case: Santa Clara Valley Transportation Authority v. Montague Parkway Associates, LP (Santa Clara County Superior Court Case No.: 112CV220334)

**C. (Deferred to the January 10, 2019 Board Meeting.)**

Conference with Real Property Negotiators  
[Government Code Section 54956.8]

Property: 2510 Alum Rock Avenue, San Jose, CA 95116  
(APN:484-42-011)

Agency Negotiator: Evelyn Tran, General Counsel

Negotiating Parties: Michael Whitton from Troutman Sanders, counsel for Nakash Enterprises, LLC

Under Negotiation: Price and terms of purchase and sale

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

Property: Former Union Pacific Railroad Right of Way between Whitton Avenue and East William Street, San Jose, California, also referred to as Assessor Parcel Number 467-35-108, 467-35-109, 467-36-094, 467-36-095, and 472-05-069.

Agency Negotiator: Ron Golem, Deputy Director, Real Estate & Joint Development

Negotiating Parties: Terry Medina for City of San Jose, on behalf of a consortium of the City of San Jose, County of Santa Clara, and Santa Clara Open Space Authority

Under Negotiation: Price and terms of sale of property

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

Property: VTA Block Downtown parking lot, San Jose, California, located on a portion of the block bounded by W. Santa Clara St., N. Market St., W. St. John St., and N. 1<sup>st</sup> St., also referred to as Assessor Parcel Numbers 259-34-007, -008, -009, -011, -012, -013, -014, -017, -020, -021, -022, -023, -024, -025, -026, -027, -030, and -031.

Agency Negotiator: Ron Golem, Deputy Director, Real Estate & Joint Development

Negotiating Parties: Ryan Dresibach, Director of Operations, Northern California, LAZ Parking CA, LLC

Under Negotiation: Terms and conditions of lease extension

**F. Conference with Labor Negotiators**  
[Government Code Section 54957.6]

VTA Designated Representatives

Alberto Lara, Director of Business Services  
Bob Escobar, Negotiator  
Raj Srinath, Chief Financial Officer  
Inez Evans, Chief Operating Officer

Employee Organizations

Amalgamated Transit Union, Local 265  
Service Employees International Union, Local 521

**G. Public Employee Performance Evaluation**  
[Government Code Section 54957]

Title: General Manager

Board Member Perez left the meeting at 10:56 p.m.

**9.2. Reconvened to Open Session at 12:00 a.m.**

**9.3. Closed Session Report**

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

Name of Case: Michael Chavez v. Santa Clara Valley Transportation Authority (Santa Clara County Superior Court Case No.: 16CV299915)

Evelynn Tran, General Counsel, noted no reportable action was taken during closed session.

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

Property: Former Union Pacific Railroad Right of Way between Whitton Avenue and East William Street, San Jose, California, also referred to as Assessor Parcel Number 467-35-108, 467-35-109, 467-36-094, 467-36-095, and 472-05-069.

Agency Negotiator: Ron Golem, Deputy Director, Real Estate & Joint Development

Negotiating Parties: Terry Medina for City of San Jose, on behalf of a consortium of the City of San Jose, County of Santa Clara, and Santa Clara Open Space Authority

Under Negotiation: Price and terms of sale of property

Ms. Tran noted no reportable action was taken during closed session.

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

Property: VTA Block Downtown parking lot, San Jose, California, located on a portion of the block bounded by W. Santa Clara St., N. Market St., W. St. John St., and N. 1<sup>st</sup> St., also referred to as Assessor Parcel Numbers 259-34-007, -008, -009, -011, -012, -013, -014, -017, -020, -021, -022, -023, -024, -025, -026, -027, -030, and -031.

Agency Negotiator: Ron Golem, Deputy Director, Real Estate & Joint Development

Negotiating Parties: Ryan Dresibach, Director of Operations, Northern California, LAZ Parking CA, LLC

Under Negotiation: Terms and conditions of lease extension

Ms. Tran noted no reportable action was taken during closed session.

**F. Conference with Labor Negotiators**  
[Government Code Section 54957.6]

VTA Designated Representatives

Alberto Lara, Director of Business Services

Bob Escobar, Negotiator

Raj Srinath, Chief Financial Officer

Inez Evans, Chief Operating Officer

Employee Organizations

Amalgamated Transit Union, Local 265

Service Employees International Union, Local 521

Ms. Tran noted no reportable action was taken during closed session.

**G. Public Employee Performance Evaluation**  
[Government Code Section 54957]

Title: General Manager

Ms. Tran noted no reportable action was taken during closed session.

**9.4. Seventh Amendment to Employment Contract for General Manager – Nuria I. Fernandez**

**M/S/C (Khamis/O'Neill)** to adopt the Seventh Amendment to the employment contract between Santa Clara Valley Transportation Authority (VTA) and General Manager/CEO Nuria I. Fernandez. The amendment increases Ms. Fernandez's base salary by 3% effective January 1, 2019.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS] – Agenda Item #9.4</b>
<b>MOVER:</b>	Johnny Khamis, Board Member
<b>SECONDER:</b>	Teresa O'Neill, Vice Chairperson
<b>AYES:</b>	Carr, Chavez, Davis, Jones, Khamis, Liccardo, McAlister, Nunez, O'Neill, Rennie
<b>NOES:</b>	None
<b>ABSENT:</b>	Peralez, Yeager

**10. ADJOURNMENT**

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**On order of Chairperson Liccardo** and there being no objection, the meeting was adjourned at 12:02 a.m. on Friday, December 7, 2018.

Respectfully submitted,

Michael Diaresco, Board Assistant  
VTA Office of the Board Secretary



Date: January 10, 2019  
 Current Meeting: January 10, 2019  
 Board Meeting: N/A

## BOARD MEMORANDUM

**TO:** Santa Clara Valley Transportation Authority  
 Board of Directors

**THROUGH:** General Manager, Nuria I. Fernandez

**FROM:** Board Secretary, Elaine Baltao

**SUBJECT:** Appointments to VTA Policy Advisory Boards

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**Policy-Related Action:** No

**Government Code Section 84308 Applies:** No

## ACTION ITEM

### **RECOMMENDATION:**

Ratify appointments to the VTA Policy Advisory Boards.

### **BACKGROUND:**

VTA policy advisory boards (PAB) are established by the VTA Board of Directors to ensure that the local jurisdictions most affected by major transportation capital improvement projects are involved and have a voice in guiding the planning and design of those projects. PABs provide input, perspective and recommendations to the VTA Board and administration.

The VTA Administrative Code specifies the general framework and requirements for PABs, including that voting members must be a member of the governing board (usually the city council) of the jurisdiction they represent.

The Board-approved bylaws for each PAB specifically defines the committee's purpose, duties and limitations. This includes establishing the number of voting and ex-officio members based on that PAB's unique location, factors and conditions.

All appointments by external bodies to VTA PABs require ratification by VTA's Governance & Audit Committee.



## **DISCUSSION:**

Submitted for ratification are recent appointments to VTA PABs made by member jurisdictions. All meet the requirement of being a current governing board member from the appointing jurisdiction. The specific appointments are:

### **State Route (SR) 85 Corridor PAB**

- Marcia Jensen, representing the Town of Los Gatos (Member)
- Marico Sayoc, representing the Town of Los Gatos (Alternate Member)
- Susan M. Landry, representing the City of Campbell (Member)
- Anne Bybee, representing the City of Campbell (Alternate Member)
- Mason Fong, representing the City of Sunnyvale (Alternate Member)

### **Diridon Station Joint PAB**

- Charles Stone, representing Caltrain (Member)
- Robert Raburn, representing Bay Area Rapid Transit (BART) (Member)

## **ALTERNATIVES:**

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

## **FISCAL IMPACT:**

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

## **STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Governance & Audit Committee is not scheduled to meet during the month of January 2019. Due to this, this item is being forwarded for Board consideration without Governance & Audit Committee review or recommendation.

Prepared by: Board Office  
Memo No. 6834



Date: January 3, 2019  
 Current Meeting: January 10, 2019  
 Board Meeting: January 10, 2019

## BOARD MEMORANDUM

**TO:** Santa Clara Valley Transportation Authority  
 Board of Directors

**THROUGH:** General Manager, Nuria I. Fernandez

**FROM:** Board Secretary, Elaine Baltao

**SUBJECT:** Ratification of Appointments to the Bicycle & Pedestrian Advisory Committee

Policy-Related Action: No

Government Code Section 84308 Applies: No

## ACTION ITEM

### RECOMMENDATION:

Ratify appointment to the Bicycle & Pedestrian Advisory Committee for the two-year term ending June 30, 2020.

### BACKGROUND:

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

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

The process to fill BPAC vacancies is that staff notifies the appointing authority of the vacancy or approaching term expiration and provides the current membership requirements. The appointing authority then appoints one member for the designated membership position. For

vacancies occurring mid-term, the bylaws specify that they be filled for the remainder of the term by the appointing authority. In both cases, the VTA Board must ratify the appointment.

### **DISCUSSION:**

The Silicon Valley Bicycle Coalition (SVBC) has appointed John Cordes as its new representative on the BPAC, filling the vacant position resulting from its last representative, Ben Pacho.

Mr. Cordes recently joined the SVBC team as the Santa Clara County Advocate in December 2018. He has been a bicycling supporter for a long time and was appointed to the Sunnyvale Bicycle and Pedestrian Advisory Commission in 2014. He is currently in his 2nd year as chair of that commission and has valuable experience working with city government on bicycling and pedestrian issues. He is currently on the executive committee for the local Loma Prieta Chapter of the Sierra Club and a member of Livable Sunnyvale, a Sunnyvale centered group promoting sustainability, affordable housing, and active transportation. Mr. Cordes has a master's degree in engineering management and decades of experience in the semiconductor industry that he brings to his new role. Mr. Cordes helps disadvantaged youth in San Jose experience nature by camping, bicycling or sea kayaking with the Sierra Club's Increasing Connections Outdoor organization.

Based on his qualifications, expertise and proven service to VTA and their communities, staff recommends that the Board ratify the appointment of Mr. Cordes.

### **ALTERNATIVES:**

The Board could choose to not ratify the appointment and request that the appointing authority appoint another representative.

### **FISCAL IMPACT:**

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

### **STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Governance & Audit Committee is not scheduled to meet during the month of January 2019. Due to this, this item is being forwarded for Board consideration without Governance & Audit Committee review or recommendation.

Prepared by: Thalia Young, Board Assistant  
Memo No. 6832



Date: January 2, 2019  
 Current Meeting: January 10, 2019  
 Board Meeting: January 10, 2019

## BOARD MEMORANDUM

**TO:** Santa Clara Valley Transportation Authority  
 Board of Directors

**THROUGH:** General Manager, Nuria I. Fernandez

**FROM:** Director of Gov't Affairs/Executive Policy Advisor, Jim Lawson

**SUBJECT:** Approve 2019 Legislative Program for the Santa Clara Valley Transportation Authority (VTA)

Policy-Related Action: Yes

Government Code Section 84308 Applies: No

## ACTION ITEM

### **RECOMMENDATION:**

Approve the 2019 Legislative Program.

### **BACKGROUND:**

VTA adopts a Legislative Program on an annual basis to provide direction for its policy and legislative activities for the year. The purpose of the Legislative Program is to establish financial, statutory, regulatory, and administrative policies and principles to guide VTA's advocacy efforts at the federal, state and regional levels. The program is meant to be flexible in order to give VTA the ability to pursue unanticipated legislative and administrative opportunities that may present themselves during the course of the year, and to respond in an expeditious manner to the dynamic political and policy environments in Washington, DC, Sacramento and the Bay Area.

### **DISCUSSION:**

As in past years, the recommended 2019 Legislative Program is divided into three sections: (1) Federal; (2) State; and (3) Regional. Each section consists of a summary of the key policy issues that potentially could be considered and a series of related advocacy principles.

Federal Section: With the current federal surface transportation authorization, known as the Fixing America's Surface Transportation (FAST) Act, expiring on September 30, 2020, the Federal Section begins with an overview of a potential replacement surface transportation authorization bill. On December 4, 2015, President Obama signed the FAST Act into law, which

authorizes \$305 billion over fiscal years 2016 through 2020 for highways, public transportation, safety enhancements for highways, motor vehicles, hazardous materials, rail, and research, technology, and statistics programs. Of this amount, \$2.3 billion is authorized annually for the Capital Investment Grant program, the federal program through which VTA is seeking a \$1.5 billion full funding grant agreement for the BART Extension to Silicon Valley, Phase II.

The FAST Act brought multi-year funding stability and an inflationary adjustment to then-current spending levels for federal surface transportation programs, as well as a modest amount of growth over the five-year authorization period. However, an estimated gap of roughly \$70 billion between projected Highway Trust Fund revenues and the FAST Act's authorized spending levels remained. Rather than cutting spending or raising new revenues through a gasoline excise tax increase, Congress covered this shortfall through a series of General Fund transfers and corresponding budgetary offsets to prevent the federal deficit from growing. It is now estimated that Congress will need to identify an estimated additional \$20 billion every year to keep the Highway Trust Fund and the Mass Transit Account solvent.

As Congress begins deliberations on a new transportation authorization bill to replace the FAST Act, VTA will advocate for new, ongoing revenues to ensure the solvency of the Highway Trust Fund. These new revenues should be indexed to inflation to maintain the purchasing power of the Fund over time. Furthermore, a new authorization bill should aim to provide the same long-term funding certainty and balance of Federal-aid highway, intercity rail and public transit programs, so VTA will support an authorization bill of five or more years to allow public agencies to plan and implement multi-year transportation improvement projects. The current Administration has repeatedly questioned the need for the federal investment in transit capital projects and services. VTA strongly supports the continued federal commitment to public transit and transportation. Federal transit programs funded from the Mass Transit Account should continue to receive at least 20 percent of the revenues coming from the Highway Trust Fund to maintain our nation's multimodal surface transportation system.

This description of an authorization bill is followed by the FY 2020 appropriations process. As the calendar year 2018 came to a close, the status of the FY 2019 appropriations bill was left unresolved, but VTA's advocacy principles regarding annual appropriations remain broadly consistent with past years. The appropriations process has been complicated by the Budget Control Act of 2011, which imposed caps on General Fund spending for both defense and domestic discretionary programs. These spending caps have been adjusted through subsequent budget agreements to avoid the implementation of automatic, across-the-board spending cuts through a process known as "sequestration." The current two-year budget agreement will expire in 2019, and Congress will need to agree to new spending limits to guide the annual appropriations process.

Most surface transportation programs are exempt from the spending caps and sequestration, because they fall under the Highway Trust Fund, and are not supported by the General Fund. However, certain programs, most notably the Capital Investment Grant Program (CIG), which includes New Starts, Small Starts and Core Capacity projects, do receive General Fund money and would be impacted by sequestration. Thus, the recommended 2019 Legislative Program

notes that VTA will continue to work with the American Public Transportation Association (APTA), the California Transit Association (CTA), the Capital Investment Grants Working Group and other relevant transportation stakeholders to protect General Fund surface transportation programs in congressional deliberations on future budget agreements. The continuation of the Capital Investment Grant Program is critical to VTA, as it is the main source of federal investment in the BART Extension to Silicon Valley, Phase II.

In addition, VTA will advocate for the highest possible levels of overall appropriations for highways and public transit in FY 2020, as well as for individual programs within the Highway and Transit Titles. The key federal surface transportation programs for VTA are: (a) the Urbanized Area (UZA), State of Good Repair and Bus/Bus Facilities Formula Programs; (b) the Capital Investment Grant Program; (c) the Surface Transportation Block Grant Program (STBGP); and (d) the Congestion Mitigation and Air Quality Improvement Program (CMAQ). At a minimum, these programs should receive appropriations consistent with the baseline amounts authorized in the FAST Act.

The recommended 2019 Legislative Program supports the preservation of the CIG program. Efforts will focus on persuading the Administration to continue advancing projects through the CIG process and award new multi-year Full Funding Grant Agreements (FFGAs), as well as provide funding for new projects that have not yet been awarded funding agreements. VTA will continue to cultivate political support for the second phase of the BART extension in advance of submitting, to the Federal Transit Administration, an application for a full funding grant agreement by the beginning of 2020.

The other subjects covered in the Federal Section are: (1) potential infrastructure investment initiatives; (2) clean-fuel vehicles; and (3) public employees' retirement. Some of the key advocacy principles related to these areas are as follows:

- Advocate for additional funding for the existing FTA formula programs, the Capital Investment Grant Program, STBGP, and CMAQ as part of a future authorization bill and any proposed infrastructure investment initiatives.
- Continue efforts to clarify that local taxes on aviation fuel are limited to fuel excise taxes, and do not cover state or local general sales taxes imposed on a wide variety of products and transactions within potential infrastructure initiatives or the surface transportation authorization bill.
- Support the California Transit Association's efforts to permanently reinstate the alternative-fuels excise tax credit currently available for compressed and liquefied natural gas buses, and amend it to include electricity and power infrastructure related to electric and hybrid-electric buses.
- Continue to work with the California Transit Association to clarify PEPPRA as it applies to transit employees under Section 13(c) of the Federal Transit Act and ensure that the

U.S. Department of Labor certifies federal grants submitted by California public transit agencies without additional conditions.

State Section: When the Legislature reconvenes the first year of the 2019-2020 legislative session on January 7, 2019, it will follow a two-year session that began with historic transportation funding legislation signed into law in 2017, and ended with demonstrations of popular support for infrastructure investment by the voters in 2018. The new Legislature, and Governor Newsom, will be challenged to maintain focus on delivering on the promises of these transportation funding measures and improving funding program structures, while facing environmental and housing issues that will compete for their attention. It will be incumbent upon VTA and other transportation agencies to advocate that transportation investment remains a priority in the coming years.

The Legislature made clear the state's renewed commitment to building and rehabilitating California's transportation infrastructure with a number of transportation funding bills signed into law during the last legislative session. First among them was SB 1 (Beall) the "Road Repair and Accountability Act of 2017", but the list also included SB 595 (Beall) the "Regional Measure 3" bill authorizing a Bay Area bridge toll increase, and SB 797 (Hill) which authorizes a future sales tax measure to support Caltrain operations and capital costs. ACA 5 (Frazier), placed a constitutional amendment before the voters on the June ballot. Proposition 69 received support from more than 80 percent of voters statewide, and protected all new SB 1 revenues from diversion or borrowing for non-transportation purposes. In November, voters again stated their support for addressing years of chronic underinvestment in the transportation, when they opposed Proposition 6, which would have eliminated SB 1 and would have made future transportation funding efforts more difficult to approve.

In 2019, VTA will advocate for changes to streamline and improve SB 1 and other state grant program application processes and formula program distributions to meet the needs of local transportation agencies. VTA will support efforts by the CTA to explore potential reforms to the Transportation Development Act to update performance metrics that determine distribution of these revenues and which agencies qualify for them. And finally, VTA will participate in Sales Tax Working Group convened by the Self Help Counties Coalition to research improvements to the collection and distribution of sales taxes in California, following the United States Supreme Court decision in *South Dakota v. Wayfair*.

Other policy issues addressed in the State Section of the recommended 2019 Legislative Program include: (1) climate change; (2) high-speed rail; (3) project delivery; (4) transit service delivery; (5) autonomous vehicles; and (6) congestion management. Some of the key advocacy principles related to these subjects are as follows:

- Support efforts to protect the cap-and-trade program as a source of transportation funding, seek to preserve the current continuous allocation levels to the Transit and Intercity Rail Capital and Low Carbon Transit Operations Programs and support any potential one-time appropriations to either program. Seek improvements to the Affordable Housing and Sustainable Communities Program in a way that would enable

more direct investment in transportation improvements and eliminate any barriers to greater participation in the program by transportation agencies. Support efforts that encourage transit-oriented development to further the state's climate change goals.

- Support efforts to revise the definition of disadvantaged communities as it relates to cap-and-trade funding to better align it with the region's definition of "communities of concern," and include a greater proportion of the region's low-income census tracts.
- Actively participate in the California Transit Association's efforts with CARB, the California Public Utilities Commission (CPUC) and the Legislature to ensure that any strategies contemplating greater emissions reductions from public transit or the electrification of transit operations are carried forward in a manageable, reasonable and cost-effective manner. Continue to pursue funding for the electrification of VTA's transit fleet.
- Work with the High-Speed Rail Authority, MTC, Caltrain, and other regional partners to pursue actions at the state and federal levels, as necessary, to help ensure the timely implementation of the financial strategy for the Caltrain Electrification Project.
- Support legislation to reinstate the statutory authority for Caltrans and regional transportation agencies, including VTA, to utilize public-private partnerships for state highway projects.
- Partner with the California Transit Association and transit operators across the state, to seek statutory authorization for additional public transit agencies to operate buses on the shoulders of state highways.
- Seek legislation to reform Congestion Management Program statutes to eliminate vehicular Level of Service standards as a primary measure of the impacts of proposed development projects on the transportation system and allow for the use of the Vehicle Miles Traveled metric, consistent with requirements under the California Environmental Quality Act.
- Actively participate in the CPUC-led working group focused on accessibility issues and the potential for passenger service provided to the public in California by entities using automated vehicles. The working group would work to refine a scope of accessibility issues that would then be considered by the Commission as a potential component of a larger regulatory framework for automated vehicles. VTA will continue to support regulatory and legislative efforts at all levels of government to encourage the development of connected and autonomous vehicles, with the goal of accelerating their accessibility,



mobility, safety, community, and economic benefits.

Regional Section: This section provides advocacy principles related to MTC, San Francisco Bay Area Rapid Transit (BART), the Caltrain Commuter Rail Service and the Capitol Corridor Intercity Rail Service. Some of the key advocacy principles are as follows:

- Strive to ensure that any allocation of regional discretionary funds by MTC results in Santa Clara County receiving no less than its population-based share. As the region develops the implementation plan for Regional Measure 3, VTA will work with MTC to develop an open, competitive grant application process for projects receiving a portion of the \$300 million dedicated to the Bay Area Express Lane Network.
- Retain complete autonomy for developing, constructing and operating express lanes in Santa Clara County, while working with MTC to ensure consistency for Bay Area motorists, to the extent practicable, among different express lane corridors in the region. In addition, oppose any efforts to divert any express lane revenues generated by corridors within Santa Clara County to fund corridors in other parts of the Bay Area.
- Support the establishment of communications and governance protocols that allow VTA and BART to find mutually agreeable solutions to future issues as they arise, while minimizing impacts to BART customers in Santa Clara County and throughout the BART district.
- Work to ensure that the Caltrain Electrification Project is delivered in an efficient and cost-effective manner that protects the interests of VTA and Santa Clara County. Participate in the efforts of the Caltrain JPB and funding partners, to develop the rail service's Business Plan in anticipation of electrified service, and continue to advocate for increased service to the southern portion of Santa Clara County.
- SB 797 (Hill, 2017) authorizes the Peninsula Corridor Joint Powers Board (JPB) to submit to the voters of San Francisco, San Mateo and Santa Clara Counties a ballot measure proposing a sales tax at a rate not to exceed 1/8 percent that would fund Caltrain operating and capital expenditures. In the coming year, VTA will work together with the other Caltrain funding partners on plans to place this measure before the voters in 2020.
- Work collaboratively with the Capitol Corridor Joint Powers Authority (JPA) to implement the enhancement and expansion of the Capitol Corridor service, including travel times savings improvements between Oakland and San José.
- Continue to work with the City of San José, the Caltrain JPB partners and other parties as the city moves forward with development proposals adjacent to Diridon Station, to ensure a seamlessly-functioning transit hub integrated into the surrounding community.

**ALTERNATIVES:**

It is necessary for VTA to have a Legislative Program in place to be prepared to address policy and legislative issues that may arise in Washington, DC, Sacramento and the Bay Area during the year. The Board of Directors may elect to add other elements to VTA's 2019 Legislative Program, or to modify or delete elements contained in the recommended program.

**FISCAL IMPACT:**

There is no fiscal impact associated with this recommendation.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Administration and Finance Committee reviewed this item as part of their consent agenda on December 20, 2018 and recommended VTA Board of Directors approval without comment. The Committee also recommended placing this item on the Board's consent agenda for January 10, 2019.

Prepared by: Jim Lawson  
Memo No. 6828

**ATTACHMENTS:**

- 2019 VTA Legislative Program FINAL DRAFT 1-2-19 (PDF)

**SANTA CLARA**  
**Valley Transportation Authority**

**2019 LEGISLATIVE  
PROGRAM**



**Government Affairs Office**  
3331 North First Street  
San Jose, California 95134  
Telephone: (408) 321-5556  
Fax: (408) 955-9723

## **EXECUTIVE SUMMARY**

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

The 2019 Legislative Program provides a summary of key policy issues to be considered and related principles that will guide VTA's advocacy at the federal, state and regional levels.

## **FEDERAL**

The Federal Section of VTA's 2019 Legislative Program is divided into the following policy areas:

1. Surface Transportation Authorization
2. Transportation Appropriations
3. Infrastructure Investment Initiatives
4. Clean-Fuel Vehicles
5. Public Employees' Retirement

### **SURFACE TRANSPORTATION AUTHORIZATION**

As the current federal surface transportation authorization bill, known as the Fixing America's Surface Transportation (FAST) Act, expires on September 30, 2020, VTA and public transportation agencies across the country will begin to outline a proposed new authorization to replace it. On December 4, 2015, President Obama signed the FAST Act into law, authorizing \$305 billion over fiscal years 2016 through 2020 for highways, public transportation, safety enhancements for highways, motor vehicles, hazardous materials, rail, and research, technology, and statistics programs. Of this amount, \$2.3 billion is authorized annually for the Capital Investment Grant program, the federal program through which VTA is seeking a \$1.5 billion full funding grant agreement for the BART Extension to Silicon Valley, Phase II.

The FAST Act brought multi-year funding stability and an inflationary adjustment to then-current spending levels for federal surface transportation programs, as well as a modest amount of growth over the five-year authorization period. However, an estimated gap of roughly \$70 billion between projected Highway Trust Fund revenues and the FAST Act's authorized spending levels remained. Rather than cutting spending or raising new revenues through a gasoline excise tax increase, Congress covered this shortfall through a series of General Fund transfers and corresponding budgetary offsets to prevent the federal deficit from growing. It is now estimated that Congress will need to identify an estimated additional \$20 billion every year to keep the Highway Trust Fund and the Mass Transit Account solvent.

VTA's advocacy for a future transportation authorization bill will occur in the context of a divided Congress, a growing national debt as a result of tax reforms enacted in the last legislative term and the

Administration's request for across-the-board five percent budget cuts in future spending bills. The two parties will also grapple with the potential return of earmarks, how to strike a balance between formula and competitive programs, the continuation of the New Starts program, and how to streamline and expedite federal environmental review processes. The newly bi-partisan nature of these debates will test whether Congress can develop a political consensus on the substance of major issues around the funding and delivery of transportation projects and services.

Therefore, as Congress begins deliberations on a new transportation authorization bill in 2019, VTA will advocate for new, ongoing revenues to ensure the solvency of the Highway Trust Fund. These new revenues should be indexed to inflation to maintain the purchasing power of the Fund over time. Furthermore, a new authorization bill should aim to provide the same long-term funding certainty and balance of Federal-aid highway, intercity rail and public transit programs, so VTA will support an authorization bill of five or more years to allow public agencies to plan and implement multi-year transportation improvement projects. The current Administration has repeatedly questioned the need for the federal investment in transit capital projects and services. In response, VTA will work with the American Public Transportation Association (APTA), the California Transit Association (CTA) and other key stakeholders to strongly support the continued federal commitment to public transit and transportation. Federal transit programs funded from the Mass Transit Account should continue to receive at least 20 percent of the revenues coming from the Highway Trust Fund to maintain our nation's multimodal surface transportation system.

### **TRANSPORTATION APPROPRIATIONS**

Every year, Congress considers appropriations bills for all federal agencies, departments and programs. These measures provide the legal authority for federal agencies to spend money during the upcoming fiscal year for the programs they administer. In developing these appropriations bills, Congress may allocate funding for programs within a particular policy area up to the maximum amount included in the related authorizing legislation. In the case of surface transportation, the annual appropriations process is guided by the FAST Act.

In recent years, the appropriations process has been complicated by the Budget Control Act of 2011, which imposed caps on General Fund spending for both defense and domestic discretionary programs, coupled with corresponding reductions in the federal deficit. In the case of the latter, the Budget Control Act identified an initial \$1.5 trillion in deficit reduction measures to be implemented over 10 years. In addition, the act called upon Congress to come up with another \$1.2 trillion in deficit reduction measures over 10 years by December 2011; otherwise, an equivalent amount of across-the-board cuts would automatically occur through a process known as "sequestration."

Congress was unsuccessful in reaching an agreement on the additional \$1.2 trillion in deficit reduction measures as required under the Budget Control Act. However, lawmakers have prevented sequestration from being triggered on several occasions by negotiating budget deals that temporarily raised the General Fund spending caps. The current agreement is set to expire on September 30, 2019, and set FY 2018 spending caps for defense by \$54 billion and domestic spending by \$37 billion. In FY 2019, these limits will increase by \$13 billion each.

Most surface transportation programs are exempt from the spending caps and sequestration, because they

fall under the Highway Trust Fund, and are not supported by the General Fund. However, certain programs, most notably the Capital Investment Grant Program (CIG), which includes New Starts, Small Starts and Core Capacity projects, do receive General Fund money and would be impacted by sequestration. Thus, VTA will continue to work with the American Public Transportation Association (APTA), The California Transit Association (CTA), the Capital Investment Grants Working Group and other relevant transportation stakeholders to protect General Fund surface transportation programs in congressional deliberations on future budget agreements. The continuation of the Capital Investment Grant Program is critical to VTA, as it the main source of federal investment in the BART Extension to Silicon Valley, Phase II.

As the 116<sup>th</sup> Congress convenes on January 3, the status of the FY 2019 surface transportation appropriations bill is unresolved, but VTA's advocacy principles regarding annual appropriations remain broadly consistent with past years. The recommended 2019 Legislative Program supports the preservation of the CIG program. VTA's efforts will focus on persuading the Administration to continue advancing projects through the CIG process and award new multi-year Full Funding Grant Agreements (FFGAs), as well as provide funding for new projects that have not yet been awarded funding agreements. VTA will continue to cultivate political support for the second phase of the BART extension in advance of submitting, to the Federal Transit Administration, an application for a full funding grant agreement by the beginning of 2020.

VTA's advocacy efforts with regard to the FY 2020 federal transportation appropriations process will emphasize the following:

- Advocate for the highest possible levels of overall funding for highways and public transit, as well as for individual programs within the Highway and Transit Titles. The key federal surface transportation programs for VTA are: (a) the Urbanized Area (UZA), State of Good Repair and Bus/Bus Facilities Formula Programs; (b) the Capital Investment Grant Program; (c) the Surface Transportation Block Grant Program (STBGP); and (d) the Congestion Mitigation and Air Quality Improvement Program (CMAQ). At a minimum, these programs should receive appropriations consistent with the amounts authorized in the FAST Act.
- Work with the American Public Transportation Association (APTA), the Capital Investment Grants Working Group and other relevant transportation stakeholders to minimize the impact of any budget agreement or other actions Congress may take to address federal budget deficits on those surface transportation programs that receive their money from the General Fund, particularly the Capital Investment Grant Program.
- Oppose any potential efforts to reduce funding for, eliminate, the Capital Investment Grant Program. Support the continued inclusion of statutory language in the transportation appropriations bill requiring the Administration to continue to advance projects through the CIG process, award new multi-year FFGAs, and fund new projects. Oppose efforts by the FTA to apply new criteria in the evaluation of projects in the Capital Investment Grant program pipeline. VTA will continue to provide advocacy support, as needed, to advance the second phase of VTA's BART Silicon Valley Extension Project through the New Starts process.

## **INFRASTRUCTURE INVESTMENT INITIATIVES**

In May 2017, the Trump Administration released the first of several proposals regarding a potentially significant new investment in the nation's aging infrastructure. While the Administration's infrastructure initiative has developed over time, some common themes have emerged. The Administration supports a comprehensive program which would include funding for surface transportation, airports, ports, navigable waterways, clean drinking water, waste water management, broadband, and energy. Beyond that, Administration's proposals have focused on (1) limiting federal investments to projects of regional or national significance; (2) incentivizing local communities to generate their own dedicated revenues for infrastructure; (3) streamlining the environmental review and permitting processes; and (4) leveraging private sector investment. Over time, the Administration has pulled back from supporting public-private partnerships, making new direct federal investment in transportation infrastructure all the more important.

The incoming Democratic leadership in the House of Representatives has indicated that an infrastructure initiative is one of their top legislative goals. While congressional proposals may share some common ground with the Administration's focus on expediting the capital project delivery process, Democrats are expected to push for the generation of additional federal funding as well. In that regard they may build upon a "discussion draft" released in July 2018, by retiring Republican and chair of the House Transportation and Infrastructure Committee, Bill Shuster. This proposal addressed the solvency of the Highway Trust Fund by proposing a range of new federal transportation taxes and fees. These included the elimination of reduced user fees on fuel paid by public transit buses, a new four-cent tax on diesel paid by passenger trains, and taxes on electric vehicle batteries, bicycle tires, and an increase in the federal motor fuels taxes. The discussion draft also recommended the extension of FAST Act funding programs through FY 2021.

As the 116<sup>th</sup> Congress develops new infrastructure proposals, VTA will continue to advocate on this matter according to the following principles:

- Provide supplemental funding for: (1) the existing FTA formula programs, particularly the Section 5307 UZA, Section 5337 State of Good Repair and Section 5339 Bus/Bus Facilities Programs; (2) the Capital Investment Grant Program; (3) Surface Transportation Block Grant Program (STBG); and (4) Congestion Mitigation and Air Quality Improvement Program (CMAQ). This funding should be in addition to the spending levels authorized for these programs in the FAST Act.
- Consider stable, predictable and reliable revenue solutions for transportation that would contribute to the long-term solvency of the Highway Trust Fund, as well as budgetary protections for those surface transportation programs that receive their money from the General Fund.
- Provide meaningful financial resources for large-scale highway and public transit projects that cannot be accommodated through existing federal transportation funding structures and programs.
- Oppose any efforts that seek to eliminate the transit commuter tax benefit, the Build America Bonds program, private activity bonds, or the full tax-exempt status of municipal bonds.
- Support reasonable efforts to streamline the environmental review and permitting process to

accelerate project delivery, consistent with environmental protection laws.

- As in recent years, VTA will continue to support the inclusion of language in a potential infrastructure bill or other legislative vehicle, clarifying that: (1) “local taxes on aviation fuel” are limited to aviation fuel excise taxes; and (2) it was never the intent of Congress to divert general state and local sales tax revenues to airports. This change will help preserve the trust that voters have placed in their cities, counties and transportation agencies when approving local sales tax measures. Inclusion of this language would address a rule change implemented by the Federal Aviation Administration (FAA) in 2014 would compel VTA and other transportation agencies to divert revenues from these measures to purposes not authorized by the voters. The recently enacted FAA authorization did not address the aviation fuel tax issue, but the Senate’s report accompanying the FY 2018 THUD appropriations bill included language that encouraged the Secretary to postpone the enforcement of the policy and work with local governments to develop a path forward on the use of the fuel tax revenues.

### **CLEAN-FUEL VEHICLES**

California continues to play a prominent leadership role in the United States in combatting climate change. One element of the state’s comprehensive, multi-pronged climate strategy is to encourage the conversion of public transit bus fleets to cleaner technologies.

The state’s history of promoting cleaner public transit bus fleets is rooted in the Transit Fleet Rule adopted by the California Air Resources Board (CARB) in 2000. This rule put in place stringent emissions standards for public transit bus fleets, and sought to promote clean-fuel technologies by instituting a zero-emission bus purchase requirement for public transit agencies with fleets exceeding 200 vehicles.

In 2006, the Transit Fleet Rule was amended by CARB to delay the zero-emission bus purchase requirement because of concerns about the commercial readiness of such vehicles. Instead, public transit agencies were required to implement additional zero-emission bus demonstration projects as a way to advance the development and eventual commercialization of clean-fuel technologies.

Over the next decade, it is expected that zero-emission public transit buses will remain a key element of the state’s strategy for reducing greenhouse gas emissions and other air pollutants. At the end of 2018, CARB approved a new, more aggressive zero-emission bus purchase mandate known as the Innovative Clean Transit Initiative, with the goal of having each public transit agency convert its entire fleet to zero-emission vehicles by 2040. As a result, more California public transit agencies will be seeking to incorporate battery electric or fuel-cell buses into their fleets. On December 31, 2016, federal alternative fuel and alternative fueling infrastructure excise tax credits expired.

As part of its 2019 Legislative Program, VTA will support the California Transit Association’s efforts to address the following two zero-emission bus issues at the federal level:

- The permanent reinstatement of the alternative-fuels excise tax credit currently available for compressed and liquefied natural gas buses, with an amendment to include electricity and power infrastructure related to electric and hybrid-electric buses.



- To accommodate public transit agencies that are procuring zero-emission buses, seek an adjustment to FTA's current spare ratio requirement to take into account that such agencies may have to maintain a vehicle fleet that exceeds a spare ratio of 20 percent in order to account for the range limitations of these new technologies.

### **PUBLIC EMPLOYEES' RETIREMENT**

Shortly after the enactment of California's Public Employees' Pension Reform Act (PEPRA), several unions representing public transit employees filed objections with the U.S. Department of Labor (DOL) contending that the changes to public employee retirement benefits proposed by this state legislation restricted collective bargaining rights and, therefore, violated a provision in federal law known colloquially as Section 13(c). Enacted in 1964 as part of the Urban Mass Transit Act, Section 13(c) requires DOL to certify that public transit agencies are preserving employee collective bargaining rights as a condition of receiving federal grant funding.

In response to the unions' objections, DOL began holding up grant applications submitted by California public transit agencies and urged that state legislation be enacted to exempt public transit employees from PEPRA. Gov. Jerry Brown, however, did not agree with DOL's interpretation of Section 13(c) relative to PEPRA and indicated that the issue should be litigated.

In September 2013, DOL notified the Sacramento Regional Transit District (SacRT) that it was refusing to certify one of its grants, a decision that provided an avenue for the filing of a lawsuit to resolve the disagreement between DOL and the Brown Administration in court. At the same time, an approach was worked out to allow California public transit agencies to receive their federal grant funds while the PEPRA/13(c) issue was being litigated before the U.S. District Court, Eastern Division of California. As a result, DOL has been certifying grants since late 2013.

In December 2014, the U.S. District Court ruled in favor of the state and SacRT, holding that DOL had erred in relying on PEPRA to withhold certification of federal grants for California public transit agencies. The court remanded the case back to DOL for further proceedings consistent with its determination.

After reconsidering SacRT's grant pursuant to the U.S. District Court's remand order, DOL formally communicated the following findings: (1) the ruling of the court was incorrect; (2) the department had not acted improperly in withholding certification of SacRT's grant; and (3) the department was reserving its rights to defend its action again, not only based on its original assertions, but also based on new evidence brought to bear in response to the remand order.

The parties returned to the U.S. District Court seeking review of DOL's response to the remand order and its decision to withhold certification of SacRT's grant a second time. In August 2016, the court again ruled in favor of the state and SacRT, opining that: (1) DOL's new decision could not be supported by its interpretation of Section 13(c) or by legislative history; (2) the department could not show a clash between PEPRA and federal labor policy; and (3) the department improperly focused on the results of collective bargaining under PEPRA, rather than on the continuation of the ability to engage in bargaining. DOL continues to issue conditional transit grant certifications, specifying that transit agencies must restore benefits to pre-PEPRA levels should DOL prevail in future appeals.

VTA will work with the California Transit Association to ensure that the status quo is maintained and that the department continues to certify federal grants submitted by California public transit agencies while the case is considered by the appellate court.

With the enactment of AB 1222 (Bloom) in 2012 the California legislature provided that 13(c) transit workers were exempt from PEPRA until a federal court had ruled that the DOL had erred in refusing to certify grants, as the U.S. District did on December 30, 2014.

In 2016, VTA sponsored AB 1640 (Stone) to clarify any ambiguity in AB 1222 and ensure that transit employees hired into classic-level membership between January 1, 2013 and December 30, 2014 (“gap employees”) remained classic-level beneficiaries for the duration of their employment and on retirement. This legislation was withdrawn before a Senate floor vote after the California’s Public Employees’ Retirement System (“CalPERS”) filed a lawsuit against VTA seeking the Court’s imprimatur on CalPERS’ decision to change their gap members’ classic benefits to PEPRA-level benefits as of December 30, 2014.

VTA blocked the *CalPERS v. VTA* lawsuit at the Superior Court level again when CalPERS appealed the lower court’s decision to the Third District Court of Appeal in Sacramento. The Third District ruled in May 2018 that CalPERS did not have access to the courts because it had failed to first hear the administrative appeals filed by parties contesting CalPERS decision, including VTA’s own appeal. CalPERS decided against a further appeal to the California Supreme Court and instead agreed to hold hearings before an administrative law judge on the propriety of CalPERS’ decision. VTA’s administrative appeal on behalf of its employees was heard in December, 2018.

Depending on the outcome of the administrative process, VTA will also support the reintroduction of legislation to ensure that CalPERS’ gap members retain the classic-level benefits into which they were hired.

## STATE

The State Section of VTA's 2019 Legislative Program is divided into the following policy areas:

1. Transportation Funding
2. Climate Change
3. High-Speed Rail
4. Project Delivery
5. Transportation Development Act
6. Transit Service Delivery
7. Bicycle and Pedestrian Safety
8. Autonomous Vehicles
9. Congestion Management

### **TRANSPORTATION FUNDING**

When the Legislature reconvenes the first year of the 2019-2020 legislative session on January 7, 2019, it will follow a two-year session that began with historic transportation funding legislation signed into law in 2017 and ended with demonstrations of popular support for infrastructure investment by the voters in 2018. The new Legislature, and Governor Newsom, will be challenged to maintain focus on delivering on the promises of these transportation funding measures and improving funding program structures, while facing environmental and housing issues that will compete for their attention. It will be incumbent upon VTA and other transportation agencies to advocate that transportation investment remains a priority in the coming year.

The Legislature made clear the state's renewed commitment to building and rehabilitating California's transportation infrastructure with a number of transportation funding bills signed into law during the last legislative session. First among them was SB 1 (Beall) the "Road Repair and Accountability Act of 2017", but the list also included SB 595 (Beall) the "Regional Measure 3" bill authorizing a Bay Area bridge toll increase, and SB 797 (Hill) which authorizes a future sales tax measure to support Caltrain operations and capital costs. ACA 5 (Frazier), placed a constitutional amendment before the voters on the June ballot. Proposition 69 received support from more than 80 percent of voters statewide, and protected all new SB 1 revenues from diversion or borrowing for non-transportation purposes. In November, voters again stated their support for addressing years of chronic underinvestment in the transportation, when they opposed Proposition 6, which would have eliminated SB 1 and would have made future transportation funding efforts more difficult to approve.

Prior to the approval of these funding measures, transportation funding in California had failed to keep pace with the state's growth in population, licensed drivers, registered vehicles, and vehicle miles traveled. At the same time, increases in automobile fuel economy and a shift to clean-fuel vehicles have resulted in motorists paying less excise taxes for each mile they drive. While the cost of constructing transportation infrastructure projects goes up each year, excise taxes had remained constant, eroding purchasing power. When SB 1 was signed into law, the shortfall for maintenance and rehabilitation work on the state highway system was estimated at \$59 billion, and \$78 billion for local streets and roads. The state's public transit systems faced a \$72 billion funding gap, \$39 billion of which relates to deferred maintenance, vehicle replacement and facility rehabilitation.

Revenues generated since November 2017 have already begun to make a positive impact on Santa Clara County. The maintenance and rehabilitation projects on the state highway system and on local streets and roads each receive \$1.5 billion each year under SB 1, and jurisdictions within Santa Clara County are estimated to receive an additional \$50-60 million in annual funding for road maintenance. VTA's transit service is expected to receive \$23-27 million next year in additional State Transit Assistance program funding to support operations and maintenance. In 2018, VTA secured a number of competitive grants through programs created by SB 1 or supplemented with new revenues pursuant to its enactment, for transit and highway capital projects. These awards include \$33.2 million for the third phase of the US 101 Managed Lanes Project, which will convert the existing HOV lanes on US 101 from SR 237 to the San Mateo County Line and the US 101/SR 85 carpool-to-carpool direct connectors to express lane connectors up to SR 237 on SR 85. BART to Silicon Valley, Phase II was awarded \$730 million through the Transit and Intercity Rail Capital Program, which completes the state's investment in the project. \$17 million was awarded for improvements to the interchange along Mathilda Avenue at US 101 and State Route 237, and design work for improvements at US 101 and SR 25 received \$4.2 million.

After Governor Brown signed 595 (Beall) into law, the Metropolitan Transportation Commission (MTC), acting as the Bay Area Toll Authority (BATA), moved quickly to place a measure on the June 2018 ballot in all nine counties to approve an increase in the base toll rate in an amount not to exceed \$3 for vehicles crossing the Bay Area's seven state-owned toll bridges to fund projects and programs that reduce congestion or make travel improvements in the toll bridge corridors. Soon after the measure's approval by Bay Area voters, a lawsuit was filed challenging the legality of the toll increase. Tolls will increase beginning in January 2019 but revenues will sit in an escrow account until the resolution of the legal process. Until then, VTA will continue to educate the general public and our state and federal delegation, about the status of the lawsuit and its impacts to projects in Santa Clara County to be funded with toll revenues. The projects receiving dedicated bridge toll revenues include BART to Silicon Valley, Phase II, the expansion of the Diridon Station complex, and the Eastridge to BART Regional Connector and Express lanes projects in Santa Clara County are eligible for a portion of these revenues. Further, Santa Clara County may conduct, administer and operate a value pricing system on U.S. 101 throughout San Mateo County subject to the approval of an agreement between VTA, the City/County Association of Governments of San Mateo County and the San Mateo County Transportation Authority.

VTA has long supported the creation of a dedicated revenue source to support Caltrain operations, maintenance and capital projects. Moving forward, this could become a reality if voters approve a sales tax measure on a future ballot, authorized by SB 797 (Hill).

**Sales Tax Collection:** In June 2018, the United States Supreme Court issued its decision in the case of *South Dakota v. Wayfair* with implications for the collection and remittance of sales taxes on the purchase of products on the internet. The decision upends a precedent set 25 years earlier in *Quill Corp. v. North Dakota*, that states could apply a requirement to collect sales and use taxes to retailers that maintain a physical presence within their state. In 2016, South Dakota passed a law requiring out-of-state retailers to collect these taxes if, on an annual basis, the retailer delivered more than \$100,000 of goods or services or engaged in 200 or more separate transactions for delivery into the state. The *South Dakota v. Wayfair* decision throws out the physical presence requirement, with the majority arguing, "the physical presence rule is not a necessary interpretation of the requirement that a state tax must be applied to an activity with a substantial nexus with the taxing State." The decision has prompted the California Department of Tax and Fee Administration to engage local jurisdictions on how to implement the enforcement of this requirement on online retailers in light of the U.S. Supreme Court's ruling. The Legislature has simultaneously signaled interest in weighing in on the

distribution of these taxes to local jurisdictions and districts. In response, the Self Help Counties Coalition formed a Sales Tax Working Group that will meet in 2019 to develop recommendations for the Legislature to consider as the state evaluates potential changes to the collection of sales taxes.

As in past years, VTA and our transportation partners will need to be mindful of how any FY 2020 state budget proposals impact state funding for transportation. In 2019, VTA will advocate for changes to streamline and improve SB 1 and other state grant program application processes and formula program distributions to meet the needs of local transportation agencies. In so doing, VTA and our transportation partners will demonstrate, to elected leaders and the public at large, the public benefits that will come to Santa Clara County as a result of recently enacted funding measures.

Along these lines, VTA's state advocacy efforts in 2019 will focus on the following:

- Actively work with others in the transportation community to protect existing transportation funding sources and seek new revenues to meet California's growing transportation infrastructure needs, including state highways, local streets/roads, public transit, and active transportation.
- Support the following policy reforms: (1) permanently extending a California Environmental Quality Act (CEQA) exemption in current law for roadway projects occurring within existing rights-of-way; and (2) extending indefinitely 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).
- Participate in the Self Help Counties Coalition Sales Tax Working Group and develop recommendations for the Legislature to consider as the state evaluates potential changes to the collection of sales taxes. VTA will support the enforcement of collection of sales taxes on products purchased online, and the distribution of these revenues using the same formula applied to sales taxes collected on products purchased from brick-and-mortar retailers in local jurisdictions.
- Guard against legislative attempts to: (1) impose state requirements on how expenditure plans for local transportation sales tax measures should be developed; or (2) restrict the ability of agencies to craft ballot propositions that adequately addresses local transportation priorities and that have a chance of succeeding at the polls.
- Support improvements, as needed, that streamline and expedite the allocation of new funding, especially under SB 1 program categories such as the Solutions for Congested Corridors program and advocate for transportation funding levels in the FY 2019-2020 state budget at existing levels.

## **CLIMATE CHANGE**

The enactment of AB 32 (Nunez and Pavley), the “Global Warming Solutions Act” in 2006, was a significant milestone in California’s efforts to combat climate change. It required CARB to approve a statewide greenhouse gas emissions limit equivalent to the 1990 level to be achieved by 2020, and to adopt measures by regulation that would reduce such emissions from stationary sources and the transportation sector in the most technologically feasible and cost-effective manner possible.

California’s current climate strategy, as outlined in CARB’s Scoping Plan most recently updated in 2014, relies on: (1) a greenhouse gas emissions cap coupled with a market-based allowance trading system known as cap-and-trade; and (2) a suite of sector-specific policies, such as a renewable portfolio standard for electricity, energy efficiency programs, a low carbon fuel standard, light duty vehicle emissions standards, and regional transportation-related emissions reduction targets.

CARB adopted the state’s cap-and-trade regulation in October 2011, and it took effect on January 1, 2012. The first allowance auction occurred in November 2012. To help achieve the 2020 greenhouse gas emissions reduction limit established by AB 32, CARB set up three compliance periods. The first began on January 1, 2013, and ended on December 31, 2014. The second compliance period started on January 1, 2015, and concluded on December 31, 2017. The final period under AB 32 will run from January 1, 2018, to December 31, 2020.

Under current law, revenues generated from the purchase of allowances at CARB’s quarterly auctions by regulated entities other than investor-owned utilities are deposited into the Greenhouse Gas Reduction Fund and distributed according to an investment framework that was established in 2014 through the enactment of SB 862. Under this framework, 60 percent of all cap-and-trade money in the Greenhouse Gas Reduction Fund is continuously appropriated, requiring no action on the part of the Legislature. The programs that receive continuous appropriations are as follows:

- 5 percent to the Low Carbon Transit Operations Program. This formula-based program provides operating and capital assistance to public transit agencies to reduce greenhouse gas emissions, improve mobility, and enhance or expand service to increase mode share.
- 10 percent to the Transit and Intercity Rail Capital Program. This competitive grant program is intended to fund “transformative” capital improvements that reduce greenhouse gas emissions, and modernize intercity, commuter and urban transit systems.
- 20 percent to the Affordable Housing and Sustainable Communities Program. This program provides grant funds on a competitive basis for projects that reduce greenhouse gas emissions through the implementation of land-use, housing, transportation, and agricultural land preservation practices that support infill and compact development.
- 25 percent to high-speed rail.

The remaining 40 percent of cap-and-trade money in the Greenhouse Gas Reduction Fund is “uncommitted” and subject to annual appropriations by the Legislature.

The Legislature took major steps in recent years to stabilize the state’s cap-and-trade system and ensured its existence through 2030. In 2016, Gov. Brown signed into law two bills that created a framework for reducing greenhouse gas emissions beyond 2020. The first measure, SB 32 (Pavley),

requires CARB to establish a post-2020 greenhouse gas emissions limit equivalent to 40 percent below the 1990 level to be achieved by 2030. In addition, the bill extended the core provisions of AB 32, except for those that authorized CARB to set up and implement the state's cap-and-trade system. A companion bill, AB 197 (Garcia), included various provisions to allow the Legislature to play a much stronger role in overseeing how CARB is implementing cap-and-trade and other elements of the state's climate strategy.

SB 32 and AB 197 did not by themselves resolve the uncertainty surrounding the future of cap-and-trade but committed California to achieving climate goals beyond 2020. The Legislature followed up in 2017 with the passage of AB 398 (E. Garcia), AB 617 (C. Garcia) and ACA 1, a legislative package designed to preserve cap-and-trade through 2030. AB 398 extends the authorization of CARB to adopt and implement the cap-and-trade system to December 31, 2030. A companion bill, AB 617 required CARB to establish a uniform, statewide system for monitoring and reporting emissions of pollutants, beyond GHG emissions, and establish a range of regulatory tools to ensure their reduction. AB 617 was critical to gaining the political support needed to approve the extension of the cap-and-trade system.

ACA 1 authorized the placement of a measure on the June 2018 statewide ballot, which became known as Proposition 70, that would have amended the state constitution to require the first appropriation of cap-and-trade auction proceeds after January 1, 2024, to be subject to a two-thirds vote of the Legislature. However, this measure was rejected by more than 62 percent of California voters and the status quo has been maintained. With the cap-and-trade program extended and the Transit and Intercity Rail Capital Program (TIRCP) further supplemented with \$245 million in ongoing revenues from the new transportation improvement fee and a one-time infusion of \$236 million from prior-year loans to the state's General Fund, pursuant to SB 1 (Beall), the California State Transportation Agency (CalSTA) was now in a position to award the program's first five-year program of projects. It is within this program that VTA received the \$730 million multi-year grant award in April 2018.

Finally, CARB adopted new regulations for public transit buses, previously known as the Advanced Clean Transit Rule, and renamed the Innovative Clean Transit (ICT) Initiative, at the end of 2018. The ICT is intended to spur the adoption of zero emissions vehicles through pilot projects and binding commitments from transit operators across the state. The California Transit Association has been actively working with CARB to ensure the adoption of a regulatory framework that provides flexible program targets and additional funding to offset the cost of adopting zero emission vehicles and electrical infrastructure. In addition, the Association has engaged the California Public Utilities Commission (CPUC) to ensure that the cost of electricity to public transit agencies is considered and properly managed, as part of a larger move toward electrification of the transportation sector.

In order to increase retail sales of renewable electricity to fifty percent by December 31, 2030 pursuant to SB 350, the "Clean Energy & Pollution Reduction Act of 2015", the state's three major investor-owned utilities were required to propose multi-year programs of investments to accelerate the adoption of transportation electrification. These proposals also include changes to rate design for electricity. The California Transit Association has worked throughout the development of these regulations to share concerns about the readiness of ZEB technology and funding availability, and to support regulatory language that would further protect transit agencies from ZEB purchase requirements if cost and performance benchmarks are not met. The regulations impose a zero-emission bus (ZEB) purchase mandate on large transit agencies in California, beginning as soon as 2023 but as late as 2025, and on small transit agencies, beginning in 2026. VTA supports the California Transit Association's efforts.

In 2019, VTA will advocate for the following:

- Support efforts to protect the cap-and-trade program as a source of transportation funding, seek to preserve the current continuous allocation levels to the Transit and Intercity Rail Capital and Low Carbon Transit Operations Programs and support any potential one-time appropriations to either program. Support efforts to ensure that funding identified for other environmental goals such as wildfire prevention and protection efforts, come from the 40 percent of cap-and-trade funds that are not automatically committed each year.
- Partner with MTC and other Bay Area transportation entities to support efforts to revise the definition of disadvantaged communities as it relates to cap-and-trade funding to better align it with the region's definition of "communities of concern," which includes a greater proportion of the region's low-income census tracts than the California Environmental Protection Agency's CalEnviroScreen tool.
- Actively participate in the California Transit Association's efforts with CARB, the CPUC and the Legislature to ensure that any strategies contemplating greater emissions reductions from public transit or the electrification of public transit operations are carried forward in a manageable, reasonable and cost-effective manner.
- Seek improvements to the Affordable Housing and Sustainable Communities Program to support more direct investment in transportation improvements and eliminate any barriers to greater participation in the program by transportation agencies. Support efforts that encourage transit-oriented development to further the state's climate change goals.

## **HIGH-SPEED RAIL**

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

To fund the core segment of the state's proposed high-speed train system, SB 1856 (Costa) was enacted into law in 2002 to provide for the submission of the Safe, Reliable, High-Speed Passenger Train Bond

Act for the 21<sup>st</sup> Century to the voters of California for their approval. The bond act calls for issuing a total of \$9.95 billion in bonds, \$9 billion of which would be used in conjunction with federal and private funds for the planning and construction of the first phase of the system, which would run from the Los Angeles Basin to the Bay Area. The remaining \$950 million is for urban, commuter and intercity rail projects that: (1) provide connectivity to the high-speed train system; or (2) enhance the capacity or safety of urban, commuter or intercity rail services. Under the provisions of SB 1856, the bond act was initially scheduled for the 2004 general election. However, two subsequent bills postponed its consideration until November 2008, at which time it was approved by the voters as Proposition 1A.



In 2016, the High-Speed Rail Authority, MTC, the Peninsula Corridor Joint Powers Board (JPB), VTA, the San Mateo County Transportation Authority, the City/County of San Francisco, and the San Francisco County Transportation Authority executed a Regional Funding Supplement to an existing memorandum of understanding (MOU) for the Caltrain Electrification Project. The Regional Funding Supplement closed a funding shortfall of more than \$500 million for electrification through a combination of: (1) additional contributions from the local partners, MTC and the High-Speed Rail Authority; (2) federal dollars from the Capital Investment Grant Program; and (3) cap-and-trade auction proceeds from the Transit and Intercity Rail Capital Program. Caltrain subsequently received a \$647 million grant through the Capital Investment Program, and the first appropriation of \$100 million, in 2017. The appropriation of funding in future years, in amounts specified in the agreement, are subject to the annual Congressional Appropriations process.

As part of its 2019 Legislature Program, VTA will continue to work with the High-Speed Rail Authority, MTC, the JPB, and other regional partners to pursue actions at the state and federal levels, as necessary, to help ensure the timely implementation of the financial strategy for the Caltrain Electrification Project.

### **PROJECT DELIVERY**

Transportation projects can take a considerable amount of time to complete. Project sponsors must maneuver through a multi-stage development and review process that includes planning; design and engineering; right-of-way acquisition; environmental impact review and mitigation; financing; construction; and other related requirements at various levels of government. To control costs and provide the benefits of transportation improvements to the public sooner, it is important to explore different and innovative ways to expedite project delivery.

In 2019 VTA will support legislation to reform and expedite the delivery of transportation projects, including, but not limited to the following changes:

- Reinstating the statutory authority for Caltrans and regional transportation agencies, including VTA, to utilize public-private partnerships for state highway projects, which expired on January 1, 2017.
- Enhancing the ability of VTA and other project sponsors to utilize the construction manager/general contractor (CMGC) method of procurement and other innovative contracting approaches to deliver state highway, public transit and other types of transportation projects.

## **TRANSPORTATION DEVELOPMENT ACT**

The Mills-Alquist-Deddeh Act (SB 325), otherwise known as the Transportation Development Act (TDA) of 1971, was enacted to improve existing public transportation services and encourage regional transportation coordination by funding transit and non-transit related purposes that comply with regional transportation plans. In general, the TDA funds a wide variety of transportation programs, including planning and program activities, pedestrian and bicycle facilities, community transit services, public transportation, and bus and rail projects. TDA established two funding programs: The Local Transportation Fund (LTF), and the State Transit Assistance (STA) fund. Providing certain conditions are met, counties with a population under 500,000 may also use the LTF for local streets and roads, construction and maintenance. The STA funding can only be used for transportation planning and mass transportation purposes.

Local Transportation Fund (LTF), is derived from a ¼ cent of the general sales tax collected statewide. The State Board of Equalization, based on sales tax collected in each county, returns the general sales tax revenues to each county's LTF. Each county then apportions the LTF funds based on population.

STA funds are appropriated by the Legislature to the State Controller's Office (SCO) and the SCO then allocates the tax revenue, by formula, to planning agencies and other selected agencies. Funding for the STA program is derived from the sales tax on diesel fuel and supplemented with enough transportation improvement fees established by SB 1 to more than double the size of the program. The State Controller's Office allocates STA dollars to the 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 sub-allocate these population-based dollars to public transit operators within its jurisdiction.
- 50 percent of all STA funding flows from the Controller's Office to regions based on a calculation of the operating expenses and non-locally generated operating revenues of each public transit operator in comparison to the rest of the state. Each regional agency is required to sub-allocate these revenue-based dollars to public transit operators within its jurisdiction based on the specific operator shares published by the Controller's Office.

In 2016, the Controller's Office implemented changes to the methodology used to calculate a public transit operator's share of STA revenue-based funds. These changes went into effect starting with the first quarter allocations for FY 2016 and impacted all public transit operators in California to varying degrees. In response, the Legislature approved SB 838, the FY 2017 transportation budget trailer bill, temporarily pausing the implementation of these changes. The Controller's Office was required to use the same list of eligible recipients and the same proportional operator shares in place during the fourth quarter of FY 2015 to distribute any unallocated FY 2016, and all FY 2017 and FY 2018 STA revenue-based funds.

Subsequently the California Transit Association sponsored AB 1113 (Bloom) which was signed into law on July 21, 2017. AB 1113 (Bloom) clarified (1) the entities 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, would sub-allocate these dollars to public transit operators within their respective jurisdictions.

Following the California Transit Association's involvement in these recent efforts to improve the STA program, the chairs of the Senate Committee on Transportation and Housing the Assembly Committee on Transportation wrote, on August 8, 2018, to request the Association spearhead the creation of a Policy Task Force to examine potential updates to performance metrics applied to the state's transportation system. The task force will be comprised of transit operators, regional transportation planning agencies, Caltrans academics and other stakeholders. This group will examine a range of requirements pertaining to farebox recovery ratios, service levels, state oversight, and a range of other factors impacting agencies' abilities to provide public transit service in a cost-effective manner and increase transit ridership. The Task Force would conduct its analysis over the course of 2019 and develop any recommended changes to the TDA program to be considered by the Legislature in 2020. In 2019, VTA will support this statewide effort to provide recommendations to improve TDA performance metrics and increase transit ridership.

### **TRANSIT SERVICE DELIVERY**

**Buses on Shoulders:** In 2013, legislation was enacted to authorize the Monterey-Salinas Transit District (MST) and the Santa Cruz Metropolitan Transit District (Santa Cruz Metro), subject to the approval of Caltrans and the California Highway Patrol (CHP), to operate their buses on the shoulders of state highways within their respective service areas in order to: (1) minimize congestion-related interruptions of service; and (2) improve travel times for public transit relative to cars in a manner that is low-cost and easy to implement. In 2016, VTA sponsored legislation to authorize the Alameda-Contra Costa Transit District, the Central Contra Costa Transit Authority, the Livermore Amador Valley Transit Authority, the Los Angeles Metropolitan Transit Authority, the North County Transit District, the San Diego Association of Governments, the San Diego Metropolitan Transit System, and VTA to conduct a transit bus-only program using the shoulders of certain highways with the approval of Caltrans and the California Highway Patrol. While this legislation was not approved during that session, VTA participated in a working group convened by the California Transit Association in 2018 to gauge the interest of transit operators in making another attempt to extend this authority to other interested public transit agencies. As part of its 2019 Legislative Program, VTA will join the Association and other transit operators to seek legislation to expand this authorization to operators across the state.

### **BICYCLE AND PEDESTRIAN SAFETY**

Each year, more than 30,000 people are killed on streets in the United States in traffic collisions. Many are bicyclists and pedestrians. The Centers for Disease Control recently reported that the traffic death rate per person in the United States was about double the average of peer nations, with close to 10 percent of traffic-related fatalities occurring in California. Unsafe speed of motor vehicles has been found to be the most frequent cause of traffic-related fatalities and severe injuries.

In response, local jurisdictions across the country are initiating traffic safety programs called Vision Zero that aim to eliminate all traffic-related fatalities by a certain year, as well as significantly reduce the

number of severe injuries caused by traffic collisions. In California, the cities of San Jose, San Francisco, San Mateo, San Diego, Los Angeles, Long Beach, and Fremont have adopted Vision Zero strategies, while others are considering following suit. As part of this effort, some localities are pursuing new tools for enhancing safety, including authorization to conduct automated speed enforcement pilot programs within their jurisdiction.

In 2019, VTA will support cities such as San José, as they seek funding or policy changes to help achieve the goals of Vision Zero, including proposals to enhance the enforcement of traffic laws protecting motorists, bicyclists and pedestrians.

### **AUTONOMOUS VEHICLES**

In 2012, legislation was enacted requiring the Department of Motor Vehicles (DMV) to adopt regulations regarding the operation of autonomous vehicles on California's public roadways. It also included several general requirements for the operation of autonomous vehicles, including the presence of an operator inside the vehicle, and the ability of the operator to take over control of the vehicle from the autonomous technology through the use of the brake, the accelerator pedal or the steering wheel.

The rollout of the DMV's regulations pursuant to this law was separated into the following two stages: (1) regulations for insurance requirements for the purpose of testing autonomous vehicles; and (2) regulations for the full deployment of autonomous vehicles on California roadways for non-testing purposes. Both sets of regulations were required to be adopted by January 1, 2015. The DMV adopted testing regulations in May 2014, and submitted, to the Office of Administrative Law (OAL), proposed final regulations for the deployment of autonomous vehicles for non-testing purposes on January 11, 2018. OAL approved the regulations on February 26, 2018 and became effective April 1, 2018. While the DMV regulates the safe operation of autonomous vehicles, the California Public Utilities Commission (CPUC) regulates passenger service provided by all common carriers.

On June 6, 2018, the CPUC issued a decision authorizing two pilot programs for the regulation of passenger service provided to the public in California by entities using automated vehicles. The first pilot authorizes permitted entities to provide passenger service in these vehicles with a driver present, the second would authorizes permitted entities to provide passenger service in automated vehicles without a driver in the vehicles. As part of the June decision, the CPUC's Consumer Protection and Enforcement Division was directed to host a workshop on passenger service. The Commission further directed that in preparation for the workshop, a working group be launched to develop a scope of issues around accessibility issues and automated vehicles. This working group was formed in the fall of 2018 and will continue to meet to refine the scope in 2019. Accessibility issues outlined in this scope could then become part of a larger regulatory framework considered by the Commission later in 2019-2020. VTA has been invited to participate in this working group and is also implementing its own accessible automated vehicle pilot project at the Veterans Administration Hospital in Palo Alto.

As part of its 2019 Legislative Program, VTA will actively participate in the CPUC-led accessibility working group. VTA will continue to support regulatory and legislative efforts at all levels of government to encourage the development of connected and autonomous vehicles, with the goal of accelerating their accessibility, mobility, safety, community, and economic benefits. VTA will support

efforts to facilitate data sharing with local jurisdictions to assist in addressing potential safety and congestion management issues, and strengthen cyber security regulations. In addition, VTA will support the efforts of the City of San José and other Santa Clara County jurisdictions that are seeking to implement pilot projects for testing autonomous vehicles with emphasis on projects that address first/last mile connectivity to transit.

### **CONGESTION MANAGEMENT**

Enacted in the early 1990's, California's Congestion Management Program statutes require all counties that contain an urbanized area to develop and update a congestion management program (CMP) every two years. These comprehensive programs are designed to reduce traffic congestion, improve land-use decision-making and enhance air quality. VTA has been designated by the County of Santa Clara and the fifteen cities within the county, to develop and update Santa Clara County's CMP, and does so in collaboration with all of these jurisdictions. Pursuant to these state statutes and VTA's strategic plan, Santa Clara County's CMP includes, among other elements, multimodal performance measures, a land use impact analysis element, trip reduction and Transportation Demand Management strategies, a countywide transportation model, annual monitoring of conformance with the CMP, and deficiency planning. The CMP relies on a vehicular Level of Service (LOS) standard as a primary measure of the impact of proposed development projects the performance of the transportation system. Vehicular LOS is also currently used in the environmental review required under the California Environmental Quality Act (CEQA).

SB 743 (Steinberg), signed into law in September 2013, directed the Governor's Office of Planning and Research (OPR) to develop alternative metrics to replace the use of LOS for evaluating the transportation impacts of projects under CEQA. OPR has since been working to develop updated

CEQA guidelines that focus on Vehicle Miles Traveled (VMT), a broader measure of the overall amount of vehicular travel on the transportation network. OPR has recently submitted draft updated CEQA guidelines to the Secretary of Natural Resources for formal rule-making. It is anticipated that these new rules will be in place in late 2018, and Lead Agencies will be required to transition to the use of VMT in most CEQA analysis by July 1, 2020. However, CMP statutes have not yet been updated to align with new CEQA practice under SB 743. In 2019, VTA will seek legislation to reform CMP statutes to enhance and promote multimodal transportation planning in coordination with land use planning, by allowing Lead Agencies the option to choose vehicular LOS or VMT and multimodal performance measures in their analyses.

## REGIONAL

The Regional Section of VTA’s 2019 Legislative Program is divided into the following areas:

1. Metropolitan Transportation Commission (MTC).
2. San Francisco Bay Area Rapid Transit.
3. Caltrain Commuter Rail Service.
4. Diridon Station.
5. Capitol Corridor Service.

### **METROPOLITAN TRANSPORTATION COMMISSION**

The Metropolitan Transportation Commission (MTC) is the transportation planning, financing and coordinating agency for the nine-county San Francisco Bay Area. MTC is comprised of 18 voting members that are local elected officials from all nine Bay Area counties, and three non-voting members representing the U.S. Department of Transportation, U.S. Department of Housing and Urban Development and California State Transportation Agency. Three commissioners represent jurisdictions within Santa Clara County, with one member appointed by the Santa Clara County Board of Supervisors, one selected by the mayors of the cities in each county and one member appointed by mayor of the City of San José.

**Regional Discretionary Funds:** MTC allocates more than \$1 billion per year in federal, state and toll revenues to operate, maintain, rehabilitate, and expand the Bay Area’s transportation network. In some cases, MTC sub-allocates the funds directly to public transit agencies and county congestion management agencies on a formula basis. In other cases, MTC has the discretion to determine which projects are funded. When it comes to these discretionary dollars, Santa Clara County has historically been a donor county, receiving significantly less money from MTC than what the county’s population-based share (approximately 25 percent) would suggest. Moreover, as opposed to most of the other Bay Area counties, Santa Clara County currently receives no bridge toll revenues and is not compensated for that fact when it comes to MTC’s distribution of other discretionary dollars. In 2018, MTC began a wide-ranging dialogue with transit operators, housing advocates and other jurisdictions and stakeholders on ways to achieve number of policy goals beyond transportation, as outlined in the update to *Plan Bay Area*.

*Plan Bay Area 2040* (the “Plan”), adopted by the MTC Commission and Association of Bay Area Governments (ABAG) Executive Board in June, serves as the Bay Area’s 2017 Regional Transportation Plan and Sustainable Communities Strategy. The Plan is the region’s integrated and long-term guide for transportation investments and land-use decisions, pursuant to SB 375, which required all metropolitan areas in California to develop a Sustainable Communities Strategy to accommodate future population growth and reduce greenhouse gas emissions. Part of the effort to update the Plan included an “Action Plan” designed to address three key impacts of the Bay Area’s growing economy and modest housing production. These three issues include: (1) significant housing issues such as lowering the costs of housing, improving the availability of affordable housing and addressing the risk of displacement of lower income households; (2) economic development concerns related to improving transportation access to jobs and increase the creation of middle-wage jobs; (3) enhancing the region’s environmental

protection and adaptation efforts.

Following the release of the Draft Plan Bay Area 2040, MTC convened what became known as CASA, or the Committee to House the Bay Area. This committee was tasked with building a regional political consensus around increasing housing production at all levels of affordability, preserving existing affordable housing, and protecting vulnerable populations from housing instability and displacement. This committee met throughout 2018 to develop a set of legislative, financial, policy and regulatory recommendations that became known as the CASA Compact. The Compact touches on major land use and housing reforms, including an emergency rent cap, reforms to eviction law, streamlining approvals for secondary units, minimum zoning standards for housing projects located near transit, fair housing law reforms, promoting the use of public lands for housing, streamlining local housing approval processes, and the creation of a new regional housing enterprise to manage \$1.5 billion in new housing revenues.

At the direction of the Commission, in 2018 MTC staff also explored opportunities to leverage the use of a range of transportation funding sources under MTC discretion to encourage the building of additional low and middle-income housing. The result of this effort are proposed changes to the existing One Bay Area Grant program (OBAG), created to meet the goals of the region's Sustainable Communities Strategy. OBAG funds are distributed to local jurisdictions, by a formula that considers housing production and projected need, to fund transportation improvements. These recommended changes would further strengthen the existing requirements in OBAG, which are projected to have a minimal impact on overall Santa Clara County funding levels but could have different impacts on individual local jurisdictions. While VTA would not support the use of other transportation funds to incentivize housing, Santa Clara County has been a regional leader in supporting affordable housing and creating meaningful linkages between development and transportation infrastructure. In 2016, voters in the county approved a \$950 million bond for affordable housing (Measure A). In addition, VTA's Joint Development Policy contains affordable housing goals, and in our role as the county's Congestion Management Agency, VTA advocates for innovative approaches to integrating land use decisions and transportation improvements. As a property owner and transit service provider, VTA continues to advocate for efforts to improve ridership by encouraging the construction of transit-oriented development and works with surrounding jurisdictions to ensure that developments positively contribute to neighborhoods near transit stations and major bus lines.

In 2019, MTC will refine concepts developed within the CASA committee process and through the development of the next iteration of the region's Sustainable Communities Strategy, *Plan Bay Area 2050*. The elements of the CASA Compact are expected to form the basis for MTC's legislative advocacy for solutions to the housing crisis in the coming year.

As part of its 2019 Legislative Program, VTA will strive to ensure that any allocation of discretionary funds by MTC results in Santa Clara County receiving no less than its population-based share. In addition, VTA will:

- Seek to secure regional discretionary funding for high-priority projects in Santa Clara County, especially the Silicon Valley Express Lanes Network.
- Actively champion policies, programs and funding that reflect the range of efforts in Santa Clara County to encourage appropriate, affordable and transit-oriented development, as MTC explores the

development of new tools to incentivize housing production across the region. Support efforts to protect the original transportation uses of funding programs while working collaboratively to achieve the region's other policy goals, wherever possible.

- Oppose efforts on the part of MTC to impose additional conditions, other than those required by federal or state law, when sub-allocating federal and state formula-based funds to public transit agencies or county congestion management agencies.
- Limit efforts on the part of MTC to take discretionary funding “off the top” to administer regional competitive grant programs, and advocate for project selection and program implementation for discretionary funds to occur at the county level.
- To the extent that MTC administers regional competitive grant programs, seek to ensure that the Commission establishes fair criteria that would allow all nine Bay Area counties to have an equitable opportunity to compete for such dollars.

**Cap-and-Trade:** In response to the enactment of SB 862, which established a statewide investment framework for cap-and-trade auction proceeds deposited into the Greenhouse Gas Reduction Fund, MTC adopted an update to its Regional Cap-and-Trade Funding Framework in 2016 that includes supporting the allocation of \$750 million from the competitive Transit and Intercity Rail Capital Program to the second phase of VTA's BART Silicon Valley Extension Project.

In 2018, the California State Transportation Agency (CalSTA) awarded VTA \$730 million from the Transit and Intercity Rail Capital Program to VTA for BART Phase 2, bringing the total state investment in the project to \$750 million. Included in CalSTA's five-year program of projects covering FY 2019 through FY 2023, the grant award will be allocated over a seven-year period, and is contingent upon VTA securing a full funding grant agreement from the Federal Transit Administration for \$1.5 billion. In December 2018, the California Transportation Commission approved a Letter of No Prejudice to allow VTA to advance Phase II with \$238 million in local funds and be reimbursed with cap-and-trade funding once the federal investment is secured. In 2019, VTA will continue to partner with MTC to ensure that the BART extension, Phase II, remains a regional and statewide priority as VTA prepares to apply for a federal full funding grant agreement. In the event of any regional deliberations on recommended modifications to the cap-and-trade program to address environmental or housing goals, VTA will to advocate for a focus on transportation projects and programs, as the transportation sector remains largest source of GHG emissions in the state of California.

**Express Lanes:** Building regional support for the expansion of the Silicon Valley Express Lanes Network is a goal for VTA in the coming year. In Santa Clara County, express lanes currently are in operation in the southbound direction of a portion of I-680 and at the I-880/State Route 237 Interchange with two major expansions under construction in 2019. VTA will complete the second phase of express lanes on State Route 237, extending the current express lanes to Mathilda Avenue in Sunnyvale. After receiving a \$33 million SB 1 Solutions for Congested Corridors program grant in May 2018 construction of U.S. 101 and State Route 85, Phase 3 project will begin in the first quarter of 2019. Meanwhile, MTC is developing a regional express lane network covering portions of I-80, I-880 and I-680, and the approaches to the Dumbarton and San Mateo Bridges. MTC and Caltrans are planning updates to express lanes operations policies that would increase passenger occupancy requirements to three passengers per vehicle (HOV 3), for express lanes in the Bay Area, to allow for express lanes



operations at the state-mandated 45 mile-per-hour threshold. VTA adopted an ordinance for the administration and enforcement of express lanes tolls in Santa Clara County on December 6, 2018, which included provisions addressing violations due to the use of express lanes without a transponder, Clean Air Vehicle (CAV) tolling and partial discounts for drivers with a passenger in HOV 3 corridors.

Pursuant to the passage of SB 595 (Beall), Bay Area voters approved a toll increase on the June 2018 ballot on the seven state-owned bridges of three dollars, to be phased in by 2025. Known as Regional Measure 3 (RM 3), express lanes projects in Santa Clara County are included within the corresponding program of projects and are eligible for a portion of the \$300 million in funding that is part of this program.

Under the provisions of SB 595, VTA has the authority to conduct, administer, and operate a value pricing high-occupancy toll lane program on State Highway Route 101 in San Mateo County in coordination with the City/County Association of Governments of San Mateo County and the San Mateo County Transportation Authority. This authorization was extended along this corridor into the City and County of San Francisco when Governor Brown signed AB 2865 (Chiu) into law on September 18, 2018. If San Mateo County or the City and County of San Francisco elect to collaborate with VTA in the development and implementation of such a system, VTA will provide advocacy and support as needed to complete the system in coordination with the development of express lanes in Santa Clara County. VTA will continue to advocate on this subject according to the following principles:

- VTA retains complete autonomy for developing, constructing and operating express lanes in Santa Clara County, while working with MTC to ensure consistency for Bay Area motorists, to the extent practicable, among different express lane corridors in the region.
- Popular, political and legislative support rest on demonstrating that all express lane revenues collected in a particular corridor are used to benefit travelers in that corridor. Thus, VTA will oppose any efforts to divert any express lane revenues generated by corridors within Santa Clara County to fund corridors in other parts of the Bay Area.
- As the region develops the implementation plan for Regional Measure 3, VTA will advocate for an open, competitive grant application process for projects receiving a portion of the \$300 million dedicated to the Bay Area Express Lane Network and seek grant funding for the Silicon Valley Express Lanes network through that program.

### **SAN FRANCISCO BAY AREA RAPID TRANSIT SERVICE**

The San Francisco Bay Area Rapid Transit System (BART) is a 112 mile daily commuter rail service connecting the City and County of San Francisco and San Mateo, Alameda, Contra Costa counties. VTA is responsible for transit planning, construction and operations in Santa Clara County, and is the owner and builder of the BART extension into Silicon Valley. The first phase of VTA's BART extension to Berryessa is projected to enter revenue service by the end of 2019, while VTA reached several critical milestones for the next phase of the project in 2018.

The VTA Board approved the BART Extension to Silicon Valley, Phase II, and certified the final Supplemental Environmental Impact Statement on April 5, 2018. The BART Board of Directors

followed suit on April 26, 2018. In so doing, both agencies came to agreement on the final description of the project, including the use of a single bore tunnel through downtown San José. On June 4, 2018, the Federal Transit Administration issued a Record of Decision allowing VTA to move into the engineering and pre-construction phase of the New Starts program. In 2019, VTA will prepare an application for a Full Funding Grant Agreement from the FTA in the amount of \$1.5 billion to be submitted by the beginning of 2020. In November 2017, the VTA Board and the BART Board established an Ad Hoc Negotiation Committee to work with the BART Board of Directors and executive staff, to create effective communication protocols, and ensure an informed decision making and a common approach to operating the extension in Santa Clara County.

In 2019, VTA's advocacy efforts with regard to BART will focus on supporting the completion of the Operations and Maintenance Agreement and establishment of communications and governance protocols that allow VTA and BART to find mutually agreeable solutions to future issues as they arise, while minimizing impacts to BART customers in Santa Clara County and throughout the BART district. VTA will continue to build support for the construction of Phase II, in preparation for the application for federal funding.

### **CALTRAIN COMMUTER RAIL SERVICE**

Caltrain is a 76.8-mile daily commuter rail service that runs between San Francisco and Gilroy. It operates on railroad tracks owned by the Peninsula Corridor Joint Powers Board (JPB) between San Francisco and the Tamien Station in San Jose, and on Union Pacific Railroad tracks between the Tamien Station and Gilroy. Caltrain is administered through a joint powers agreement executed by the City/County of San Francisco, SamTrans, and VTA. The JPB, which consists of three members appointed from each of the three counties, governs the service, while SamTrans serves as the managing agency.

The Caltrain JPB and additional partner agencies have worked together to develop a plan to modernize the railroad and a funding strategy to pay for these improvements. Executed in 2012, the Bay Area's *Memorandum of Understanding: High-Speed Rail Early Investment for a Blended System on the Peninsula Corridor* outlines the projects necessary to modernize Caltrain and provide the facilities for future high-speed train service along the Peninsula Corridor. This early investment strategy includes funding commitments for two major projects: (1) electrification of the corridor; and (2) an advanced signal system. Under this agreement, the three JPB partners each committed to contribute \$60 million in local funds. In addition, VTA has allocated \$26 million of its formula share of Proposition 1A bond funds to this effort.

Subsequently, a Regional Funding Supplement to this memorandum of understanding was executed to address a funding shortfall for the electrification project in 2016. The supplement includes an additional \$20 million contribution from VTA, contingent on the San Mateo County Transportation Authority and San Francisco approving equal contributions. This action was followed in January 2017, by VTA, the other two Caltrain funding partners, and MTC committing to provide a combined additional \$200 million in contingency funding as a condition of receiving a \$647 million Full Funding Grant Agreement (FFGA). The Federal Transit Administration (FTA) subsequently approved the FFGA, which completed the project's funding package, and construction of the electrification of Caltrain and

procurement of electric vehicles, began in June 2017. The first electric vehicles are projected to arrive in 2019, and passenger service on the electrified system is expected to begin by 2022.

**Caltrain Business Plan:** With the \$647 million full funding grant agreement secured in May 2017 and construction of the electrified corridor and purchase of Electric Multiple Unit railcars underway, Caltrain is now developing a long-term business strategy in advance of the electrification of the rail service. The Caltrain Board adopted a final Business Strategy and Scope of Work in February of 2018, which includes the development of a long-range service vision, an assessment of the corridor, a review of the Caltrain organization, the creation of the implementation plan, and operations funding strategies. VTA is actively participating in the creation of the Caltrain Business Plan which is expected to be completed in mid-2019.

The Caltrain JPB has been authorized to seek voter approval of 1/8 cent sales tax in the three counties that comprise the Caltrain corridor, to support Caltrain capital and operating costs, pursuant to SB 797 (Hill) signed by Governor Brown in October 2017. The Business Plan will identify a number of capital improvements that could be funded through this sales tax measure. If Caltrain pursues this ballot measure in 2020 and wins approval of the voters in the three counties, such a sales tax is projected to generate approximately \$100 million annually and could also replace contributions from the funding partners.

As in years past when developers indicated significant interest in the area surrounding the 4<sup>th</sup> and King Station in San Francisco, VTA will advocate that any costs associated with the necessary development studies near Caltrain stations should not be paid by the JPB, but rather by the developers and/or the local jurisdictions that are pursuing these efforts, except where such investment is in the best interest of the JPB and its partners. In addition, any potential land-use changes in and around the stations should not negatively impact Caltrain operations or train storage. If any Caltrain cost issues arise from the redevelopment of a station, the developer and/or the local jurisdiction should be responsible for paying the JPB for any one-time or additional ongoing costs that result from the development.

In 2019, VTA's advocacy efforts with regard to Caltrain will focus on the following:

- Working collaboratively with our JPB partners, the High-Speed Rail Authority, MTC, and others to ensure that the Caltrain Electrification Project is delivered in an efficient and cost-effective manner that protects the interests of VTA and Santa Clara County. Along these lines, VTA will seek to: (1) support Caltrain's management of major capital projects; (2) ensure that the other funding partners meet their financial commitments to the project; (3) prevent unnecessary cost increases from being incurred or passed on to the VTA and (4) maintain commitments to improving and increasing service to the South County.
- Working with our JPB partners to develop regional consensus and build public awareness of the positive impacts of transportation investment in the corridor and seek new funding to: (1) support Caltrain operations; (2) maintain Caltrain equipment, facilities and infrastructure in a state of good repair; (3) reduce the system's reliance on contributions from funding partners; and (4) pay for Caltrain system improvements, including grade separations, to provide cost-effective benefits for current and future passengers.

## **DIRIDON STATION**

Progress on the Caltrain electrification project, the BART Extension, Phase II, and the potential for high-speed train service, has intensified development interest the San Jose Diridon Station area. On December 4, 2018, the City of San José approved an historic agreement with Google to pave the way for the development of a new corporate campus adjacent to Diridon Station, which is projected to eventually support approximately 25,000 workers. The City of San José also formed the Station Area Advisory Group (SAAG) to solicit input from residents and stakeholders on the potential community impacts from such a development and mitigation measures. VTA participates as a member of this group to provide transit expertise. Further, the consulting firm Arcadis Bethem Crouwel was selected in 2018 to develop the Diridon Integrated Station Concept Plan to plan for the transformation of the station area and the increased demand for future public transit ridership. This plan will also examine organizational structures that could be used to deliver the improvements planned at the station.

In 2019, VTA work collaboratively with our JPB partners, the City of San José and other parties, through the SAAG and the Diridon Station Joint Policy Advisory Board, to ensure a seamlessly functioning multi-modal transit hub that is fully integrated into surrounding community, and to continue to pursue funding for station planning, construction, and future operations and maintenance.

## **CAPITOL CORRIDOR INTERCITY RAIL SERVICE**

The Capitol Corridor is a 170-mile intercity rail service that runs between Auburn/Sacramento and San Jose. The Capitol Corridor Joint Powers Authority (JPA) consists of two representatives from each of the eight counties that the trains serve. Funding is provided by the state of California, and BART serves as the managing agency.

As part of its 2019 Legislative Program, VTA will support the JPA as it implements improvements to increase the frequency of Capitol Corridor service to San Jose and shorten travel times funded with revenues from Regional Measure 3 and SB 1. In addition, with the increased private development interest adjacent to the Capitol Corridor stations in the cities of San José and Santa Clara, VTA will work collaboratively with the Capitol Corridor, as well as with the Altamont Commuter Express (ACE), to pursue capital improvements that ensure seamless public transit connections between VTA light rail and bus service, and those two train services. VTA also will continue to work with the Capitol Corridor and ACE to advocate for any potential land-use planning efforts that will improve access to, and avoid impacting the operations of, their services.



Date: January 3, 2019  
 Current Meeting: January 10, 2019  
 Board Meeting: January 10, 2019

## BOARD MEMORANDUM

**TO:** Santa Clara Valley Transportation Authority  
 Board of Directors

**THROUGH:** General Manager, Nuria I. Fernandez

**FROM:** Chief Financial Officer, Raj Srinath

**SUBJECT:** Amendment of Outfront Contract for BART Silicon Valley Berryessa Extension (SBVX) Advertisement

Policy-Related Action: No

Government Code Section 84308 Applies: Yes

## ACTION ITEM

### **RECOMMENDATION:**

Authorize the General Manager to execute an amendment to the contract with Outfront Media Group, LLC, to amend the scope of services to include the Berryessa/North San Jose Intermodal Transit Center and the Milpitas Intermodal Transit Center, and to increase the Minimum Annual Guarantee to reflect the additional advertising assets.

### **BACKGROUND:**

On July 1, 2016, VTA and Outfront Media Group, LLC (“Outfront”) entered into an agreement for transit advertising services, whereby Outfront sells, displays, and manages the advertising program on VTA bus and light rail vehicles, and on light rail platforms, for a five-year term ending on December 31, 2021, with an option for VTA to extend the contract for one five-year period (“Agreement”). Under the Agreement, Outfront pays to VTA a Minimum Annual Guarantee (“MAG”) or sixty-five percent (65%) revenue share, whichever is greater. For the first five-year term of the Agreement, VTA is guaranteed a total MAG payment of \$12,250,000.

### **DISCUSSION:**

With the completion of the BART Silicon Valley Berryessa Extension (SBVX), two new VTA assets have become available for transit advertising: the bus transit centers and BART stations at the Berryessa/North San Jose Intermodal Transit Center and the Milpitas Intermodal Transit Center (the “Transit Centers”). Staff proposes to amend the scope of services under the Agreement to include the Transit Centers, whereby Outfront will be authorized to sell, display,

and manage traditional paper/vinyl advertising as well as state-of-the art digital advertising. As with other VTA transit advertising assets, Outfront will pay \$1.735 million for digital advertising panels and other specified capital costs required to install and run the advertising program at the Transit Centers. In recognition of this long-term capital investment by Outfront, VTA will exercise its five-year option to extend the Agreement, for an end date of December 31, 2026. Furthermore, the MAG payment to VTA will increase, as follows:

**Current**

Total MAG for initial five-year term:	\$12,250,000
Revenue share:	65%

**Proposed**

Total MAG for initial five-year term:	\$14,078,571
Total MAG for five-year option term:	\$19,321,429
Revenue share:	65%

With the proposed amendment, VTA will generate at least \$33,400,000 in advertising revenue over the ten-year term of the Agreement.

**ALTERNATIVES:**

The Board could direct Staff to pursue an agreement with BART to have them take on advertising at the Transit Centers pursuant to BART's advertising contract with Outfront, with advertising revenues credited towards BART Silicon Valley Berryessa Extension operating costs. Because BART's contract with Outfront is much more complex than VTA's contract with Outfront, and is not structured to readily separate SVBX-specific advertising revenues from BART Core System advertising revenues and expenses, an amendment to the BART Outfront contact would need to be negotiated between BART and VTA. This could involve a significant expenditure of time and effort by staff from both agencies.

**FISCAL IMPACT:**

Under the terms of the recommended action, Outfront would provide to VTA at least \$33,400,000 in advertising revenue over the ten-year term of the Agreement.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Administration and Finance Committee considered this item on December 20, 2018. One committee member asked for clarifications on the annual escalation factor, which staff responded to with an explanation of the balance between escalation and capital investment by the vendor. Afterwards, the Committee unanimously recommended the item be forwarded to the VTA Board of Directors for approval.

Prepared by: Ron Golem & Kathy Bradley  
Memo No. 6808

**ATTACHMENTS:**

- Memo 6808 Attachment A (PDF)

## Attachment A

Amendment of Outfront Contract for SVBX Advertisement  
List of Consultant(s)/Contractor(s)

Firm Name	Name	Role	Location
Outfront	Frank Sandusky	VP Business Development	Orange, CA



Date: January 3, 2019  
 Current Meeting: January 10, 2019  
 Board Meeting: January 10, 2019

## 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:** Multifunction Devices & Managed Print Services

Policy-Related Action: No

Government Code Section 84308 Applies: Yes

## ACTION ITEM

### RECOMMENDATION:

Authorize the General Manager to negotiate and execute a contract with Ray Morgan Company (RMC) for Multifunction Device (print, copy, scan) services. The initial term of the contract will be five years with an option to extend the contract on an annual basis for two additional years. The cost of the initial five-year term is \$1,800,000, plus \$300,000 per year for two optional one-year periods, for a total of \$2,400,000.

### BACKGROUND:

VTA currently has a fleet of 87 Ricoh Multifunction Devices (MFD) supported by Managed Print Services through Ricoh USA, Inc. The seven-year contract ended in February 2018, and we are now paying for services on a month-to-month basis. Current equipment has passed the end of its engineered lifecycle which necessitates executing a new equipment contract that supports VTA's current and future print, copy, and document scanning demand with the added benefit of providing enhanced print and scan capabilities at an overall lower cost of ownership. VTA is at risk for service rate increases that's required to support these out dated models. In addition, VTA's customer experience has been diminished due to reliability and quality issues resulting from equipment failure/downtime.

Multifunction Device service is currently maintained via Super Users, the Technology Helpdesk, and Ricoh's on-premises Managed Print Services Specialist. In addition to device support services, Managed Print Services centralizes control of all enterprise print devices, allowing detailed monitoring of print usage. This affords the ability to collaborate with departments and leverage VTA's sustainability team to make responsible, forward-thinking changes regarding



what and how the enterprise prints. Since implementing Managed Print Services in 2014, VTA has reduced the overall print/copy/scan device count from over 530 devices to about 150 devices. VTA strives to further reduce the amount of desktop printers and standalone fax machines via the combination of the new Multifunction Devices and Managed Print Services.

### **DISCUSSION:**

VTA staff has determined that the most timely and cost-effective approach for acquiring new equipment was to issue a Request for Proposal for Multifunction Devices and Services. This yielded much more competitive pricing across the board, compared to an existing state or cooperative-network contract vehicle.

The proposed contract would accomplish the following:

- 1) Replace aging and repair-prone equipment;
- 2) Deliver more efficient, robust and capable devices;
- 3) Consolidate current MFD inventory from 8+ models down to 3 models;
- 4) Provide color-capable devices across the fleet, eliminating the issue of under/over-utilized devices due to users changing their default printers to connect to a color device;
- 5) Provide new valuable features:
  - a. Badge-Access Printing (Security)
  - b. Ability to configure Guest Printing (Accessibility)
  - c. Ability to configure Follow-me and Mobile/Wireless Printing (Accessibility)
  - d. Rules-based printing (Sustainability)
  - e. Cloud-Based electronic Fax Solution (Sustainability and reduced costs)
  - f. On-device OCR (Optical Character Recognition) (Electronic Records)
  - g. Standard and customizable scanning workflow (Electronic Records)
  - h. Improved and speedier integrated scanners (Electronic Records)
- 6) Migrate all HP desktop printers into the Managed Print Services plan (departments are no longer required to manage and purchase toner and drums);
- 7) Provide all features while reducing overall costs

The RFP was released on VTA's website on September 7, 2018. The RFP was downloaded by 99 interested parties. Representatives from seven (7) firms attended the pre-proposal conference held on September 18, 2018. A total of eight (8) firms submitted proposals by the October 9, 2018 submittal due date:

- Canon Solutions America
- KBA Docusys
- Konica Minolta Business Solutions
- Pacific Office Automation
- Ray Morgan Company (RMC)
- Ricoh USA, Inc.

- Sharp Business Systems of Northern California
- Xerox Corporation

A VTA evaluation team consisting of staff from Engineering and Program Delivery, Technology & Innovation, Operations Division, and the Office of the Board Secretary conducted an evaluation of the proposals. The proposals were evaluated based on the following criteria outlined in the RFP:

1. The Solution: Functionality of Devices & Managed Print Services
2. Deployment, Training, Maintenance, and Support
3. Cost
4. Experience & Reliability of Proposer
5. Project Assessment & Implementation Plan

***Evaluation Summary:***

The proposers were ranked based on the accumulated evaluator ratings. The Evaluation Team gave the highest ranking to the proposals submitted by RMC, concluding that they offered the most flexibility for the VTA's business environment and provided VTA the best overall value.

Staff recommends Board approval of RMC as VTA's Multifunction Device and Managed Print Services provider with an aggregated spending authorization of \$2,400,000 and authorizes the General Manager to enter into contract agreement with this firm.

The new contract yields substantial cost savings for VTA:

<b><u>Estimated 5 Year Cost</u></b>	<b><u>Previous Contract</u></b>	<b><u>Proposed Contract</u></b>
<b>MFD Equipment Costs</b>	\$710,000	\$675,000
<b>MFD Services Costs</b>	\$830,000	\$725,000
<b><u>MPS Costs</u></b>	<b><u>\$535,000</u></b>	<b><u>\$400,000</u></b>
<b>Total</b>	<b>\$2,075,000</b>	<b>\$1,800,000</b>

**ALTERNATIVES:**

The Board of Directors could choose to continue to amend and extend the contract of the current Multifunction Device and Managed Print Services provider, Ricoh. However, this option would eliminate many opportunities for technological improvements, efficiencies, cost savings, and reliability.

**FISCAL IMPACT:**

This action will authorize a 5-year lease (with two optional years thereafter) for approximately 87 +/- 10% Multifunction Devices and Managed Print Services for a total estimated cost of \$30,000 per month, which includes maintenance and all consumable supplies for all units. Appropriation for contract expenditures through June 30, 2019 is included in the FY19 Adopted VTA Transit Fund Operating Budget. Appropriation for the remainder of the contract period will be included in subsequent Biennial Operating Budgets.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Administration and Finance Committee (A&F) committee considered this item as part of its December 20, 2018 Regular Agenda and unanimously recommended Board approval.

The committee placed the item on the Consent Agenda for the January 10, 2018, VTA Board of Directors' meeting.

Prepared by: Jonathan Maier  
Memo No. 6762

**ATTACHMENTS:**

- Gov't Code 84308\_memo\_for\_6762 MFD Contract (PDF)

## Attachment to Board Memo no. 6762

## Multifunction Devices &amp; Managed Print Services

Item Desc	Service Provider	Address	Principal Contact
Multifunction Devices and Managed Print Services	Ray Morgan Company	Ray Morgan Company 5201 Great America Parkway, Ste 260 Santa Clara, CA 95054	Clarissa Picone - Major Account Rep 408-916-0809 cpicone@raymorgan.com



Date: January 3, 2019  
 Current Meeting: January 10, 2019  
 Board Meeting: January 10, 2019

## 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:** Closed Circuit Television on Light Rail Vehicles Contract Amendment

Policy-Related Action: No

Government Code Section 84308 Applies: Yes

## ACTION ITEM

### **RECOMMENDATION:**

Authorize the General Manager to: (1) execute a contract amendment with Allied Telesis for additional warranty, support and software customization services in support of the Closed Circuit Television (CCTV) system on Light Rail in an amount not to exceed \$1,525,647; (2) extend the contract term through six (6) years of Extended Warranty; and (3) increase the total contract value to an amount not to exceed \$9,163,044.

### **BACKGROUND:**

At its January 2018 Board meeting, VTA selected Allied Telesis to provide and install new CCTV systems, cameras, Mobile Digital Video Recorders (MDVRs), digital image storage, network backhaul, train yard connectivity, light rail station connectivity, training, support, system warranty, spare parts, and all associated hardware and software on all 98 light rail vehicles in VTA's active fleet. The installation and commissioning of this system is currently on-going.

Under the existing agreement, additional warranty and services can be incrementally contracted as additional grant funding becomes available.

### **DISCUSSION:**

This Light Rail CCTV project is principally grant funded and local funds are only needed for incidentals, such as sales tax. In the initial Request for Proposal the vendor included pricing for additional, optional line items that could be exercised as funding became available.

In early December 2018, the grantors notified VTA that additional years of support, warranty and maintenance would be grant eligible. This augmentation allows VTA to utilize the incremental

grant funding remaining in the California Proposition 1B Transit Security Grants.

This is the last year of this particular grant program and the performance period will expire in early 2019. Any projects funded by this program need to conclude at that time. VTA has wrapped up the projects that are eligible for this program and the remaining funding and interest accumulated can be used for this Light Rail CCTV project.

Three additional years of warranty and support were originally procured at an approximate cost of \$903,000. An additional three additional years of warranty and support, are now grant eligible, with an estimated value of \$909,000. Combined with an estimate for tax and software customization priced in the existing agreement, an augmented budget authority is needed in an amount not to exceed \$1,525,647. This will bring the total agreement value to an amount not to exceed \$9,163,044.

### **Contract Summary**

<b>Vendor Name:</b> Allied Telesis	<b>Original Board Authority:</b> \$7,407,750
<b>Contract Number:</b> P17148	<b>Prior Modifications:</b> \$229,647*
<b>Contract Term(s):</b> Extended through 6 years of Support and Warranty	<b>Amount Requested:</b> \$1,525,647
<b>Procurement Type:</b> Competitive	<b>Total Amount Including Request:</b> \$9,163,044
<b>Small Business Enterprise Goal:</b> VTA has not established a contract specific participation goal for this project.	<b>% of Request to Current Amount:</b> 20%
<b>Funding Source(s):</b> Grants	<b>% Modifications including request to original Board Authority:</b> 2%

\*within the General Manager's authority

### **FISCAL IMPACT:**

This action will authorize up to \$ 1,525,647 for additional warranty, support and software customization services for CCTV on light rail vehicles. Appropriation for this expenditure is included in the FY19 Adopted VTA Transit Fund Capital Budget. This contract is funded by California Proposition 1B Transit Security Grants and VTA local funds.

### **STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Administration and Finance Committee (A&F) committee considered this item as part of its December 20, 2018 Regular Agenda and briefly discussed the project benefits to VTA. One member of the A&F Committee recused and as a result the Committee did not have enough votes to formally recommend approval to the VTA Board of Directors. The committee placed the item on the Consent Agenda for the January 10, 2019, VTA Board of Directors' meeting.

Prepared by: Richard Bertalan  
Memo No. 6823

#### **ATTACHMENTS:**

- Government Section Code 84308 - for Item #6823 CCTV for lrvs Amend (PDF)

## Attachment to Board Memo no. 6823

## Closed Circuit Television on Light Rail Vehicles Contract Amendment

Item Desc	Service Provider	Address	Principal Contact
CCTV Parts, Software, Warranty and for Light Rail Fleet	Allied Telesis	3041 Orchard Prkwy., San Jose, CA 95134	Tim Hopkins, VP of Engineering and Security Systems, (408) 519-8713 Tim_Hopkins@alliedtelesis.com
CCTV Install for Light Rail Fleet	iTech Solutions	2064 Flintcrest Dr, San Jose, CA, 95148	Miguel Plascencia, Owner 408-832-8150 Miguel@i-techsolution.com
CCTV MDVRs	Tactical Micro	3509 Shannon Park Dr, Fredericksburg VA, 22408	Eric Balgoyen, Srn Project Manager, 540-898-0954 sales@tacticalmicro.com



Date: January 3, 2019  
 Current Meeting: January 10, 2019  
 Board Meeting: January 10, 2019

## **BOARD MEMORANDUM**

**TO:** Santa Clara Valley Transportation Authority  
 Board of Directors

**THROUGH:** General Manager, Nuria I. Fernandez

**FROM:** Chief Engineering & Program Delivery Officer, Carolyn M. Gonot

**SUBJECT:** Sunol Smart Carpool Lane Second Amended and Restated JPA

**Policy-Related Action:** No

**Government Code Section 84308 Applies:** No

## **ACTION ITEM**

### **RECOMMENDATION:**

Authorize the General Manager to enter into a Second Amended and Restated Joint Powers Agreement with Alameda County Transportation Commission in connection with the operations of the I-680 Express Lane.

### **BACKGROUND:**

The Sunol Smart Carpool Lane Joint Powers Authority (also known as the I-680 Express Lane JPA) is a governing body, consisting of representatives from the Alameda County Transportation Commission (ACTC) and the Santa Clara Valley Transportation Authority (VTA), that oversees the implementation and operation of express lanes on a limited portion of I-680 within Alameda and Santa Clara counties.

For the purposes of the JPA, I-680 Express Lanes are split into two sections: the 14-mile southern section spanning 11.7 miles in Alameda County and 2.3 miles in Santa Clara County between State Route (SR) 84 in Alameda County and SR 237 in Santa Clara County. The northern section spans approximately 10 miles between Alcosta Boulevard and SR 84, all within Alameda County.

### **DISCUSSION:**

The I-680 Express Lane JPA was created on February 23, 2006. This governing body consists of four representatives from ACTC and one from VTA due to about 80 percent of the facility being in Alameda County and the remaining 20 percent being in Santa Clara County.



Among the key functions of the I-680 Express Lane JPA are:

- To oversee the implementation and operation of express lanes;
- To adopt an annual budget dictating the annual expenses and revenues for the express lanes; and
- To administer an expenditure plan for the use of the net revenue generated by the express lanes.

The key change in the proposed Second Amended and Restated Joint Powers Agreement is that any shortfalls in operational costs or other unfunded obligations will be assessed on a pro-rated basis between ACTC and VTA, with ninety percent (90%) assessed to ACTC and ten percent (10%) assessed to VTA. This is a change from the current financial exposure for VTA versus the original split of eighty percent (80%) to ACTC and twenty percent (20%) to VTA for the I-680 Southbound Express Lanes. In 2020, the construction of the nine mile I-680 Northbound Express Lane will expand the express lanes system under the JPA purview. With the expansion, it is estimated that about ten percent (10%) of the Express Lane lane-miles will be within Santa Clara County with the rest being in Alameda County.

Currently, the I-680 Southbound Express Lane generates positive net revenues. The use of net revenues is dictated through the adoption of an expenditure plan by the JPA.

#### **ALTERNATIVES:**

The alternative would be to remain with the existing terms listed in the Amended and Restated Joint Powers Agreement for the I-680 Express Lanes.

#### **FISCAL IMPACT:**

Execution of the Second Amended and Restated Agreement will reduce VTA's financial responsibility in the event of a shortfall in operational costs or other unfunded obligations from twenty percent (20%) to ten percent (10%).

#### **STANDING COMMITTEE DISCUSSION/RECOMMENDATIONS:**

The Congestion Management Program & Planning (CMPP) Committee considered this item as part of their consent agenda on December 20, 2018 and recommended VTA Board of Directors' approval without comment.

Prepared by: Murali Ramanujam - Transp Engineering Mgr  
Memo No. 6704



Date: January 3, 2019  
 Current Meeting: January 10, 2019  
 Board Meeting: January 10, 2019

## **BOARD MEMORANDUM**

**TO:** Santa Clara Valley Transportation Authority  
 Board of Directors

**THROUGH:** General Manager, Nuria I. Fernandez

**FROM:** Director - Planning & Programming, Chris Augenstein

**SUBJECT:** Local Program Reserve (LPR) Funding Advance to develop a Vehicle Miles Traveled (VMT) Estimation Tool and Additional funds for the SR 152/SR 156 Interchange Close Out

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**Policy-Related Action: No**

**Government Code Section 84308 Applies: No**

## **ACTION ITEM**

### **RECOMMENDATION:**

Program \$150,000 of Local Program Reserve (LPR) funds to provide the local share of the development of a Vehicle Miles Traveled (VMT) Estimation Tool, to be repaid with a one-time surcharge on Congestion Management Program (CMP) Member Agency fees in Fiscal Year 2020. Also, allocate \$12,684.19 of LPR funds to close out the SR152/SR156 Interchange project.

### **BACKGROUND:**

#### **Senate Bill 743 and Vehicle Miles Traveled (VMT)**

Senate Bill (SB) 743, approved by the California Legislature in September 2013, includes changes to the California Environmental Quality Act (CEQA) and Congestion Management Program (CMP) law related to the analysis of transportation impacts. The bill directs the Governor's Office of Planning and Research (OPR) to develop alternative metrics to replace the use of vehicular "level of service" (LOS) for evaluating the transportation impacts of projects under CEQA. The OPR has determined that the primary metric to replace the use of LOS in CEQA transportation analysis will be Vehicle Miles Traveled (VMT). The State has also set July 1, 2020 as the mandatory date to complete the switch from LOS to VMT in CEQA documents, although agencies may switch before then.

Between December 2013 and November 2017, OPR released four rounds of draft guidance on implementing SB 743. Santa Clara Valley Transportation Authority (VTA) staff brought information items to the Technical Advisory Committee (TAC), the Policy Advisory Committee

(PAC) and the Congestion Management Program & Planning Committee (CMPP) after each of these rounds.

### **VMT Estimation Tool - Overview**

As local agencies implement SB 743, one of the decisions they face is what tool (or tools) they will use to estimate VMT for land use projects and plans in their CEQA documents. OPR provided some general guidance on estimating project VMT in their Technical Advisory but has left considerable discretion to Lead Agencies to select a tool. Based on the example set by agencies that have made the LOS-to-VMt switch so far, it appears that land use project evaluation will involve a combination of: (a) "screening out" projects that meet certain criteria so their VMT does not need to be quantified; (b) running a travel demand model for larger or more unique projects; and (c) using a spreadsheet or web-based "sketch tool" for more routine projects.

The City of San Jose developed a VMT Evaluation Tool (sketch tool) along with its new VMT-based Transportation Analysis Policy, which was adopted by the City in February 2018. San Jose's sketch tool is spreadsheet-based, and relies on baseline VMT data from the City of San Jose's travel demand model and VMT reduction factors from a wide range of research studies. This tool is available at <http://www.sanjoseca.gov/vmt>.

Through the LOS-to-VMt Ad Hoc Working Group process that VTA convened, VTA has heard a clear call from Member Agencies for VTA to assist in the SB 743 implementation process, and to promote as much consistency as possible in the data and methods used to estimate VMT. The Ad Hoc Working Group expressed support for developing a VMT Estimation Tool that is customized for Santa Clara County, by building on the City of San Jose's spreadsheet-based tool, expanding it to cover all areas and parcels within the county, and making it web and Geographic Information Systems (GIS) based. At the August 2018 VTA TAC meeting, VTA presented an information item regarding the possible development of a countywide VMT Estimation Tool, noting that funding from Member Agencies would be needed to develop a VMT Estimation Tool that could be used by any Member Agency. A number of TAC members expressed support for developing a tool that is GIS and web-based.

### **VMT Estimation Tool - Funding Framework**

At the October 2018 VTA TAC meeting, VTA presented staff's proposed framework to fund the development of a countywide VMT Estimation Tool. Staff estimated that the vendor costs to develop the VMT Estimation Tool would be approximately \$265,000, including the build cost, first-year maintenance, and a 20% contingency. In addition to the vendor costs, a substantial amount of VTA in-kind staff time will be involved in the development of the tool. The City of San Jose will also provide in-kind staff time supporting the countywide process based on their experience developing their spreadsheet tool.

The funding framework presented at the October TAC meeting included the following elements:

- Member Agencies will provide cash contributions in the near-term (late 2018/early 2019) toward approximately half of the vendor costs to develop the VMT Estimation Tool. The contributions would follow the same ratios as the CMP Member Agency fees, with the exception that the City of San Jose and VTA would only provide in-kind staff time.
- VTA will request a contribution from the Metropolitan Transportation Commission (MTC)

from their pool of federal funds that support local agency planning and technical assistance. Following detailed review and discussion, the VTA TAC unanimously approved staff's recommended funding framework.

### **DISCUSSION:**

After the October TAC meeting, MTC confirmed its commitment to provide \$132,000 in federal funds towards the development of the VMT Estimation Tool, as envisioned in the TAC-approved funding framework. Also after the TAC meeting, VTA staff met with Member Agency Planning and Public Works/Transportation staff through the LOS-to-VMT Ad Hoc Working Group and discussed the logistics of securing Member Agency contributions for the local share of the funding. Absent another mechanism, securing the local share will require executing 15 separate funding agreements between VTA and Member Agencies, many for less than \$5,000. Numerous agency staff urged VTA to streamline the process and explore other options if possible.

Based on this feedback, VTA staff has identified funds a loan from VTA's Local Program Reserve (LPR) as a way of moving the process forward without the need to execute these funding agreements.

#### *Local Program Reserve Funds and Funding Strategy*

Since 2007, the VTA Board of Directors authorized exchanges of \$122.48 million in State Transportation Improvement Program funds for Capitol Expressway LRT and two BART Extension projects and programmed an equivalent amount of Measure A funds to establish the Local Program Reserve (LPR) to fund local transportation projects at the VTA Board's discretion. It should be noted that the intent of the program is to utilize locally derived funds to efficiently deliver transportation projects and services to Santa Clara County. At the August 2018 meeting, the VTA Board of Directors provided the additional funds needed for the closeout of SR 152/SR 156 Interchange Project. Sufficient LPR funds are available to fund the above expenses and provide a loan for the VMT Sketch tool.

Local Program Reserve funds could be advanced for the local share since they are available upon VTA Board approval; funds would then be repaid with a one-time surcharge on CMP Member Agency fees in Fiscal Year 2020. The surcharge amount for each Member Agency is shown in Attachment A. VTA staff proposes programming \$150,000 in LPR funds and repaying \$133,000 via the CMP fee surcharge in FY2020. The remaining \$17,000 would be held as an additional contingency for the VMT tool vendor effort, if needed.

This funding strategy will allow VTA to hire a vendor to develop the tool by late spring/early summer 2019 and to have a prototype tool available for Member Agency testing by late fall 2019. This allows approximately six months for tool refinement and staff training before the mandatory VMT adoption date of July 2020.

There are numerous benefits from VTA's development of a countywide VMT Estimation Tool (funded as described in this report):

- This approach will provide Member Agencies with a tool to estimate VMT that they can reference in CMP and CEQA transportation analysis;
- Creating a countywide VMT Estimation Tool will promote consistency in the way VMT

is estimated for land use projects across Santa Clara County;

- This countywide effort will allow VTA and Member Agencies to pool resources on tool development, testing and training of agency staff; and
- This approach is far more cost-efficient and should save tens of thousands of dollars compared to each agency “going it alone”.

Each agency is also advised to consult CEQA experts and legal counsel regarding SB 743 implementation. Additional information on VTA’s SB 743 implementation efforts can be found at VTA's home for the LOS-to-VMT transition, <http://www.vta.org/los-vmt>. Further information about SB 743 as well as OPR's *Technical Advisory on Evaluating Transportation Impacts in CEQA* is available at <http://www.opr.ca.gov/ceqa/updates/sb-743/>.

### **ALTERNATIVES:**

The VTA Board of Directors may choose not to program the LPR funds. For the VMT Estimation Tool, there are two possible alternatives to the recommended action:

1. The Board could decline to authorize the use of LPR funding, and VTA could execute individual funds transfer agreements with 15 Member Agencies. This alternative would involve considerably more staff time for both VTA and Member Agencies and would likely delay the process.
2. The Board could decline to authorize the use of LPR funding, and VTA could delay the gathering of Member Agency contributions until the FY2020 CMP budget year begins; however, this would delay hiring a vendor until fall 2019, which likely will make it challenging to meet the state’s July 2020 mandatory adoption date.

### **FISCAL IMPACT:**

This action will provide additional \$12,684.19 of LPR funds to the SR 152/SR 156 Interchange project and \$150,000 for development of a Vehicle Miles Travelled (VMT) Estimation Tool. Developing the VMT Estimation Tool would involve in-kind staff time from within the current and upcoming FY2020 and FY2021 CMP budgets. If the \$17,000 in additional contingency (the difference between the \$150,000 in LPR advance and FY2020 CMP fee repayment) is used, this would modestly decrease the amount of available LPR funding for other uses.

### **STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

This item was heard on the Regular Agenda at the December 20, 2018 meeting of the Congestion Management Program & Planning (CMPP) Committee. Members of the Committee had the following comments and questions: 1) inquired about the possibility of using LPR funds directly for the VMT Estimation Tool rather than advancing LPR funds and having them repaid by CMP fees; 2) asked whether the VMT Estimation Tool will be sensitive to the different contexts and development project sizes around Santa Clara County; and 3) commented that the City of San Jose invested a great deal of staff and consultant time in developing their tool so this funding proposal is a good value by comparison.

VTA Staff responded as follows: 1) noted that there is no formal policy regarding when to use LPR funds directly versus using LPR funds as an advance to be repaid by another source; 2) noted that the State has indicated each Lead Agency will have discretion on what VMT threshold

to choose, and the VMT tool can be customized in some ways to reflect local conditions; and 3) acknowledged the comment. The CMPP Committee unanimously recommended Board approval of the item.

Prepared by: Celeste Fiore  
Memo No. 6768

**ATTACHMENTS:**

- AttachmentA\_VMT Estimation Tool - funding framework\_REV\_2018-11-9 (PDF)

## **VMT Estimation Tool for Santa Clara County Funding Framework**

**Attachment A to December  
2018 VTA Committee item**

### **Project Description:**

This project involves the creation of a “VMT Estimation Tool” (an online, Geographic Information Systems-based tool) to allow VTA and its Member Agencies to estimate Vehicle Miles Traveled (VMT) for land use projects and plans. This tool would estimate how many VMT a land use project, such as a new housing development or office building, would generate per person per day, and how the project’s VMT could be reduced by multimodal features or Transportation Demand Management measures. This tool would largely rely on the research basis in the City of San Jose’s recently-released VMT Estimation Tool, but would be expanded with current travel demand model and demographic data to cover the entire geography of Santa Clara County.

### **Funding Framework Elements:**

- Total project cost estimated at \$380,000, outside vendor cost estimated at \$265,000
- Metropolitan Transportation Commission provides Federal funding covering 50% of vendor costs (\$132,000)
- Member Agencies provide 50% of vendor costs (\$133,000) through one-time surcharge to FY2020 CMP fees
- Surcharge applies to all Member Agencies except City of San Jose and VTA, and follows current CMP fee ratios
- Local funding provided via an advance of Local Program Reserve funds, repaid with FY2020 CMP fee surcharge

### **Local Funding Amounts (Surcharge to FY2020 CMP Fees)**

Agency	Surcharge Amount	
County	\$	26,740
Campbell	\$	4,972
Cupertino	\$	7,639
Gilroy	\$	3,716
Los Altos	\$	2,453
Los Altos Hills	\$	654
Los Gatos	\$	3,385
Milpitas	\$	7,576
Monte Sereno	\$	197
Morgan Hill	\$	2,470
Mountain View	\$	12,302
Palo Alto	\$	13,921
San Jose	In-kind staff time	
Santa Clara	\$	20,377
Saratoga	\$	2,134
Sunnyvale	\$	24,464
<i>Total CMP Fee Surcharge</i>	\$	<i>133,000</i>
MTC Contribution	\$	132,000
VTA Contribution	In-kind staff time	
<b>TOTAL</b>	<b>\$</b>	<b>265,000</b>

### **In-Kind Contributions**

Agency	Estimated Contribution
VTA	\$115,000 going forward; Substantial additional time over past 9 months
City of San Jose	Substantial - both developing city tool and supporting countywide process



Date: January 3, 2019  
 Current Meeting: January 10, 2019  
 Board Meeting: January 10, 2019

## BOARD MEMORANDUM

**TO:** Santa Clara Valley Transportation Authority  
 Board of Directors

**THROUGH:** General Manager, Nuria I. Fernandez

**FROM:** Chief Engineering & Program Delivery Officer, Carolyn M. Gonot

**SUBJECT:** VTA Highway Program Cooperative Agreement

Policy-Related Action: Yes

Government Code Section 84308 Applies: No

## ACTION ITEM

### RECOMMENDATION:

Authorize the General Manager to execute Cooperative Agreements with:

1. California Department of Transportation (Caltrans);
2. Cities and Towns of Santa Clara County and the County of Santa Clara; and
3. State and regional agencies such as the California Highway Patrol (CHP) and Metropolitan Transportation Commission (MTC)

for planning, environmental, design, right of way, and construction phases of roadway projects.

### BACKGROUND:

The VTA Board of Directors adopted the Valley Transportation Plan (VTP) 2040 in February 2015 followed by submittal of VTP projects for inclusion in the Regional Transportation Plan (RTP) adopted by the Metropolitan Transportation Commission (MTC). Funding for these projects is anticipated from the State Transportation Improvement Program (STIP), the 2016 Measure B sales tax, local contributions, State grants, Federal grants, and other sources.

On October 5, 2017, the Board of Directors adopted a resolution establishing the 2016 Measure B Programs and the 2016 Measure B Program Category Guidelines, outlining the implementation of 2016 Measure. The Measure includes the following roadway-related funding: \$750 million for the Highway Interchanges Program, \$350 million for the State Route 85 Corridor, and \$750 million for the County Expressways Program.



## **DISCUSSION:**

VTP 2040 identifies a list of roadway projects to improve the transportation network in Santa Clara County. Attachments A and B list the roadway projects that are included in the RTP and the 2016 Measure B. With funding becoming available through various SB 1 programs and 2016 Measure B, many of these projects will begin to be delivered.

The staff recommendation is to authorize the General Manager to execute cooperative agreements for roadway improvement projects with Caltrans, local agencies, regional agencies such as CHP and MTC, and regulatory agencies. The cooperative agreements would cover all phases of projects including planning, project approval and environmental document, design, right of way, construction, landscaping and project closeout. The reason for this action is to streamline the process to initiate the start of projects that would be especially useful in such cases as with Senate Bill (SB) 1 funds where there are strict requirements for the award of contracts that could hinge on the ability to get cooperative agreements in place.

In the case of highway projects with significant involvement by VTA and Caltrans, the agreements would establish the roles and responsibilities of VTA and Caltrans for project phases through construction. The agreements could also establish grant funding reimbursement parameters.

For VTA and regulatory agencies, the agreements could establish VTA's commitments such as for environmental mitigation measures, VTA compliance to regulatory agency standards and policies, and VTA reimbursement of services provided by the regulatory agency.

The local agency agreements could identify local agency contributions toward a project and the roles and responsibilities of VTA and the local agency relative to the subject project.

The VTA Administrative Code Chapter 5 establishes the powers and duties of the General Manager (GM) including the delegated authority of the GM to execute grant agreements for amounts not to exceed \$5,000,000 for projects and programs that are identified and included in VTA's budget. If agreements are beyond the GM's authority under the administrative code, GM authorization to execute such agreements would be submitted to the Board for approval.

## **ALTERNATIVES:**

An alternative to the recommendation of this memorandum is for staff to appear before the VTA Board of Directors to request GM authorization to enter into agreements for each individual project as has been the practice in recent years. This approach has worked due to the lower number of roadway projects implemented by VTA without a direct steady source of funding that could be leveraged to fund roadway projects.

The potential to have steady funds from SB 1, Measure B and other sources means that the backlog of roadway improvements as shown in Attachments A and B could swell the number of cooperative agreements that are needed to be executed. The requested GM authority for cooperative agreement approval would put into place an authority similar to the one that was implemented for the 1996 Measure B Highway Program.

**FISCAL IMPACT:**

There are no direct fiscal impacts as a result of this action. However, the individual agreements could have a fiscal impact. To the extent that agreements are beyond the authorization of the General Manager, they will be brought to the Board for approval.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Congestion Management Program and Planning Committee heard this item at their December 20, 2018 meeting recommended it to move forward to the VTA Board of Directors for approval.

Prepared by: Lam Trinh - Project Manager  
Memo No. 6665

**ATTACHMENTS:**

- Attachment A - VTP 2040 Highway Program Projects (PDF)
- Attachment B - VTA 2016 Measure B Highway Program (PDF)

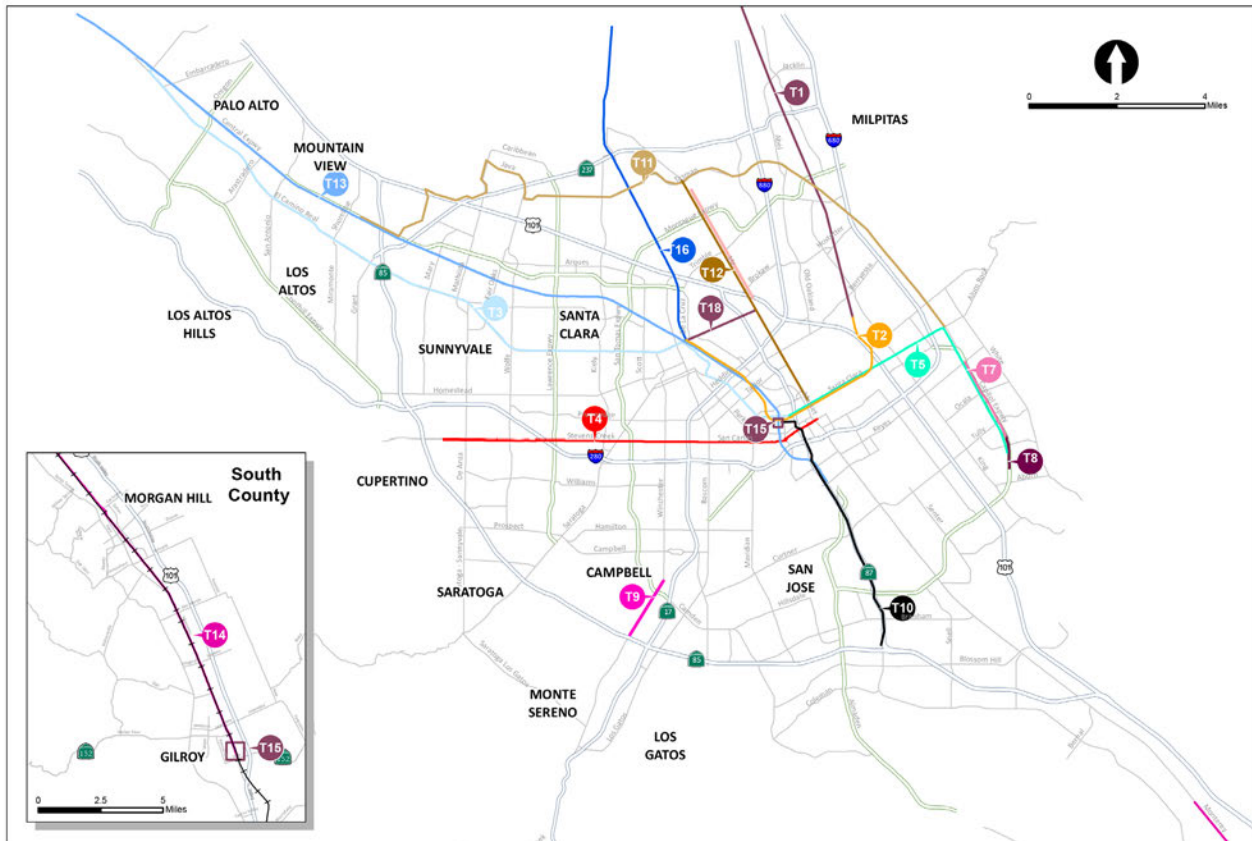


Figure 2.1 Transit projects in Santa Clara County. Source: VTA

## Highway System Program Development

The VTP 2040 Highway Program includes ongoing efforts to expand the express lanes network, improvements to system operations, increased efficiency in key corridors, and enhancements that relieve congestion, alleviate bottlenecks, and increase safety. Capacity increasing projects are pursued if no other feasible alternative is found.

### Highway Capital Program

Seventy-six projects, representing approximately \$5.6 billion in costs, were evaluated using the Board adopted Highway Project Prioritization criteria, which are designed to allot fair consideration to the full range of low-cost, high utility improvements as well as higher cost mainline capacity and systems enhancements. Out of this unconstrained list the financially constrained projects were derived. The financially constrained project list consists of fifty-two projects totaling \$3.1 billion dollars of improvements (Figures

2.2 and 2.3), including \$2.3 billion for the comprehensive Silicon Valley Express Lane (SVEL) network in Santa Clara County. Revenues from the Express Lane Program will fund both operations and capital improvements.

VTA has legislative authority to implement and operate express lanes in the SR 237 and SR 85/US 101 corridors, and they are considered the highest priority express lanes projects in Santa Clara County.

Over the last several years, VTA and Caltrans have conducted highway planning studies to identify projects for development and that have been included in the VTP planning process. The highway projects in VTP 2040 focus on improving the existing highway network and were chosen because they address congestion, improve efficiency, and reduce commute times, all of which help to reduce greenhouse gases, vehicle miles traveled, and enhance the driving experience for travelers.

**Table 2.3a Financially Constrained Express Lanes/Toll Facilities Projects in Santa Clara County**

VTP ID	Route	Project Title and Description	Cost (2013 \$M)
H1	SR 85	<b>SR 85 Express Lanes: US 101 (South San Jose to Mountain View)</b>  Converts 24 miles of the existing high-occupancy vehicle (HOV) lanes along SR 85 to express lanes. The proposed facility will allow single occupancy vehicles access to the express lanes by paying a toll. An additional express lane will be added to create two-lane express lanes along a portion of the corridor. The project will also include the continuation of the express lanes for three miles to US 101 in South San Jose, through the SR 85/US 101 Interchange, for a total of 27 miles.	\$181.0
H2	US 101	<b>Convert Existing HOV Lanes to Express Lanes on US 101 from Whipple Ave. in San Mateo County to Cochrane Rd. in Morgan Hill</b>  Convert 34 miles of the existing HOV lane on US 101 between Cochrane Rd. and Whipple Ave. in San Mateo County to express lane operation. The proposed facility will implement two lanes of express lanes within the existing footprint to accommodate the projected travel demand for US 101.	\$465.0
H3	SR 237	<b>SR 237 Express Lanes: North First St. to Mathilda Ave.</b>  Convert HOV lanes to express lanes on SR 237 between North First St. and Mathilda Ave.	\$20.0
H4	SR 87	<b>SR 87 Express Lanes: SR 85 to US 101</b>  Convert HOV lanes to express lanes on SR 87.	\$35.0
H5	SR 237	<b>SR 237 Express Lanes: Mathilda Ave. to SR 85</b>  Build new express lanes on SR 237 between Mathilda Ave. and SR 85.	\$81.0
H6	I-680	<b>I-680 Northbound Express Lane: Calaveras Blvd. to Alameda County line</b>  Widen to add an express lane on I-680 Northbound between Calaveras Blvd. and the Alameda County Line.	\$36.0
H7	I-880	<b>I-880 Express Lanes: Alameda County line to US 101</b>  Convert existing HOV lanes to express lanes on I-880 between the Alameda County line and US 101.	\$23.0
H8	US 101	<b>US 101 Express Lanes: Cochrane Rd. to Masten Ave.</b>  Build new express lanes on US 101 between Cochrane Rd. and Masten Ave.	\$107.0
H9	US 101	<b>US 101 Express Lanes: Masten Ave. to 10th St.</b>  Build new express lanes on US 101 between Masten Ave. and 10th St.	\$68.0
H10	US 101	<b>US 101 Express Lanes: 10th St. to SR 25</b>  Build new express lanes on US 101 between 10th St. and SR 25.	\$50.0
H11	I-280	<b>I-280 Express Lanes: Leland Ave. to Magdalena Ave.</b>  Convert existing HOV lanes to express lanes on I-280 between Leland Ave. and Magdalena Ave.	\$58.0
H12	I-280	<b>I-280 Express Lanes: US 101 to Leland Ave.</b>  Convert one general purpose lane to express lanes in each direction on I-280 between US 101 and Leland Ave.	\$25.0
H13	I-280	<b>I-280 Express Lanes: Southbound El Monte Ave. to Magdalena Ave.</b>  Build new express lanes on I-280 Southbound from El Monte Ave. to Magdalena Ave.	\$14.0
H14	I-680	<b>I-680 Express Lanes: Calaveras Blvd. to Montague Expwy.</b>  Convert one general purpose lane to express lanes in each direction on I-680 between Calaveras Blvd. and Montague Expwy.	\$20.0

**Table 2.3a. continued Financially Constrained Express Lanes/Toll Facilities Projects in Santa Clara County**

VTP ID	Route	Project Title and Description	Cost (2013 \$M)
H15	I-880	<b>I-880 Express Lanes: US 101 to I-280</b> Build new express lane on I-880 between US 101 and I-280.	\$186.0
H16	SR 17	<b>SR 17 Express Lanes</b> Convert one lane to express lanes between I-280 to SR 85.	\$30.0
H17	I-680	<b>I-680 Express Lanes: Montague Expwy. to US 101</b> Convert one lane to express lanes between I-280 to SR 85.	\$35.0
H18	SR 152	<b>New SR 152 Alignment: SR 156 to US 101</b> Project includes US 101 widening from Monterey St. to the SR 25/US 101 interchange; new interchange at SR 25/US 101; and a new SR 152 alignment that will be operated as a toll facility from US 101 to SR 156. SR152 improvements include roadway and access control improvements between SR156 and the County line, and new eastbound truck-climbing lanes over Pacheco Pass.	\$848.0
<b>EXPRESS LANES PROJECTS TOTAL</b>			<b>\$2,282.0 M</b>

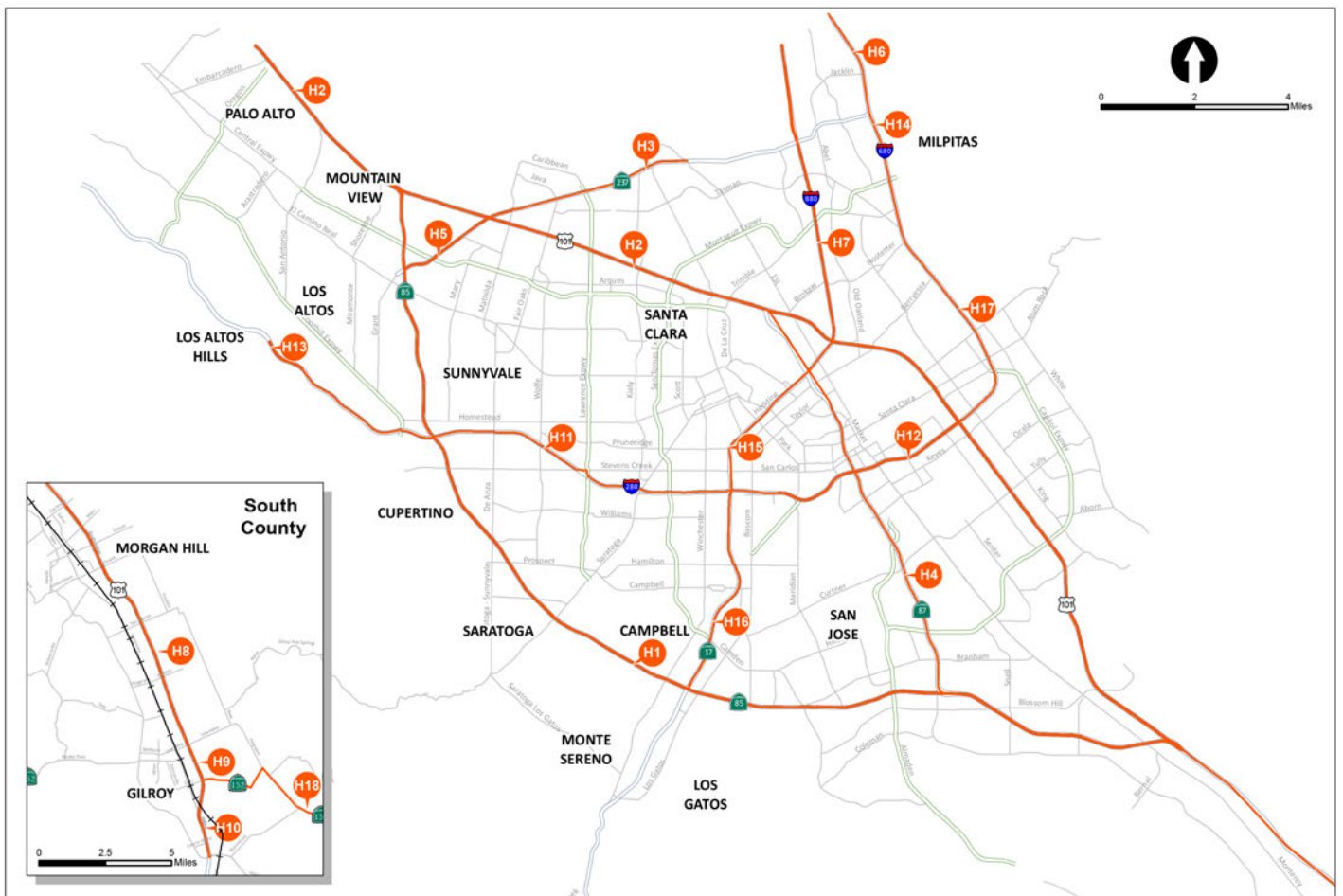


Figure 2.2 Express lane projects in Santa Clara County. Source: VTA

**Table 2.3b Financially Constrained Highway Projects in Santa Clara County**

VTP ID	Route	Project Title and Description	Cost (2013 \$M)
H19	US 101	<b>Double Lane Southbound US 101 off-ramp to Southbound SR 87</b> Widen the existing ramp by providing a secondary lane on the off-ramp at SR 87.	\$1.0
H20	SR 17	<b>SR 17 Southbound/Hamilton Ave. Off-Ramp Widening</b> Widen off-ramp to improve operations on Southbound Route 17 at Hamilton Ave.	\$1.0
H21	SR 85	<b>SR 85 Northbound to Eastbound SR 237 Connector Ramp and Northbound SR 85 Auxiliary Lane</b> Widen off-ramp from Northbound SR 85 to SR 237 Eastbound to two lanes; construct auxiliary lane on Eastbound SR 237 between SR 85 on-ramp to Middlefield Rd.; construct braid off-ramp on Eastbound SR 237 between SR 85 and Dana St. These improvements will address the current congestion that extends from SR 237 to SR 85 El Camino Real interchange during the AM peak period. In addition, it would also remove the weave between traffic on Eastbound SR 237 exiting to Dana St. with traffic from Northbound SR 85.	\$30.0
H22	SR 85	<b>SR 85/Cottle Rd. Interchange Improvements</b> Reconfigure ramp interchange with minor improvements at SR 85 and Cottle Rd.	\$6.0
H23	SR 87	<b>SR 87/Capitol/Narvaez Interchange Improvements</b> Reconfigure the SR 87 interchange, with possible adjustment at Narvaez Ave.	\$12.0
H24	US 101	<b>Montague Expwy. and US 101 Interchange Improvements</b> Construct partial interchange at US 101 and Montague Expwy.	\$17.0
H25	US 101	<b>US 101 Southbound/Trimble Rd./De La Cruz Blvd./Central Expwy. Interchange Improvements</b> Modify existing loop cloverleaf ramp from Southbound US 101 to Trimble Rd. into a partial cloverleaf ramp (diagonal ramp with signalized intersection). Modify the Southbound US 101 on-ramp from De La Cruz Blvd./Central Expwy. to 1 mixed flow lane, 1 HOV lane with ramp metering equipment. The on-ramp will be modified to improve merging onto Southbound US 101. The De La Cruz Blvd. bridge across US 101 will be widened from four to six lanes. The segment between De La Cruz Blvd./Trimble Rd. intersections to bridge overcrossing will be widened by an additional lane.	\$39.0
H26	US 101	<b>US 101/Blossom Hill Rd. Interchange Improvements</b> Reconfigure interchange at US 101/Blossom Hill Rd. in San Jose; modifications are on the local roadway system, including widening of Blossom Hill Rd. over US 101.	\$23.0
H27	US 101	<b>US 101/Mabury Rd./Taylor St. Interchange Improvements</b> Construct a new interchange with full access to the US 101 freeway. The project will provide access to US 101 for the heavy local commuter traffic that currently is forced to use the congested Old Oakland Rd. interchange (north of Mabury Rd.). The interchange would also act as the primary access to the future Berryessa BART station.	\$57.0
H28	US 101	<b>US 101/Old Oakland Rd. Interchange Improvements</b> Interchange improvements at US 101 and Old Oakland Rd. and possible widening on Old Oakland Rd.	\$23.0
H29	US 101	<b>US 101/Hellyer Ave. Interchange Improvements</b> Widening the overcrossing from two to four lanes and installing traffic signals at each of the two off-ramp intersections. Widen the intersection with the southbound on- and off-ramps to include a second eastbound through-lane and a separate left turn pocket. Widen the southbound off-ramp will be widened to provide two left-turn lanes. At the intersection of the northbound off-ramp, widen Hellyer from one to two lanes in the eastbound direction and the westbound left turn pocket.	\$16.0



**Table 2.3b continued Financially Constrained Highway Projects in Santa Clara County**

VTP ID	Route	Project Title and Description	Cost (2013 \$M)
H30	US 101	<b>US 101/Zanker Rd./Skyport Dr./Fourth St. Interchange Improvements</b>	<b>\$104.0</b>
		Constructs a new interchange connecting Zanker Rd. and Old Bayshore Hwy. with North Fourth St. and Skyport Drive at US 101. The interchange will provide an overcrossing across US 101 to improve limited existing connectivity across US 101 to the North San Jose employment centers. In addition, the interchange would improve access to Mineta International Airport (San Jose) from US 101. The existing intersections at North First St. and Skyport Drive, North Fourth St. and Old Bayshore Hwy., Northbound US 101 on- and off-ramp, Northbound US 101 off-ramp to Brokaw Rd. will be modified to construct this interchange.	
H31	US 101	<b>US 101/Buena Vista Ave. Interchange Improvements</b>	<b>\$31.0</b>
		Constructs a full interchange at US 101 and Buena Vista Ave. The interchange includes a flyover southbound on-ramp to braid with the existing truck exit at the CHP Inspection Station. Off-Ramp diagonal ramps will be constructed.	
H32	SR 237	<b>SR 237 Westbound On-Ramp at Middlefield Rd.</b>	<b>\$13.0</b>
		Construct westbound loop on-ramp from Northbound Middlefield Rd. to Westbound SR 237; eliminates signalized intersection at Middlefield Rd./Westbound SR 237 diagonal on-ramp; and realigns frontage road to form a new intersection at Middlefield Rd./Ferguson Drive.	
H33	SR 237	<b>SR 237/Mathilda Ave. and US 101/Mathilda Ave. Interchange Improvements</b>	<b>\$17.0</b>
		Modify US 101/Mathilda and SR 237/Mathilda interchanges, reducing to one signalized intersection and increasing intersection spacing in the Mathilda Ave./SR 237 interchange area. Project to include ramp improvements, addition of auxiliary lanes, and construction of new ramp configurations.	
H34	SR 237	<b>SR 237/North First St. Interchange Improvements</b>	<b>\$2.0</b>
		Interchange improvements at SR 237 and North 1st St.	
H35	I-280	<b>I-280 Northbound: Second Exit Lane to Foothill Expwy.</b>	<b>\$2.0</b>
		Construct a second exit lane from northbound I-280 to Foothill Expwy.	
H36	I-880	<b>I-880/Montague Expwy. Interchange Improvement</b>	<b>\$14.0</b>
		Construct partial interchange at I-880 and Montague Expwy., including improvements on Montague.	
H37	SR 152	<b>SR 152 Ramp/Intersection Improvements</b>	<b>\$10.0</b>
		Construct eastbound right-turn lane at the intersection of SR 152 and Frazier Lake Rd.; widen SR 152 at the intersection of Bloomfield Rd.; construct additional turn lanes at SR 152 and Watsonville Rd.; signalize and widen SR 152 south leg and Ferguson Rd. from two to four lanes.	
H38	SR 237	<b>SR 237/El Camino Real/Grant Rd. Intersection Improvements</b>	<b>\$5.0</b>
		Widen Westbound SR 237 within the existing median to extend both of the left-turn lanes; lengthen the Northbound El Camino Real right-turn lane onto SR 237 starting the lane at Yuba Drive; widen the Southbound El Camino Real left-turn lane within the existing median; and construct a right-turn lane on Southbound El Camino Real for traffic accessing Westbound Grant Rd.	
H39	I-280	<b>I-280 Downtown Access Improvements between 3rd St. and 7th St.</b>	<b>\$29.0</b>
		Reconstruct the existing I-280 Northbound off-ramp at 7th St. to connect directly to 3rd St.; the I-280 Northbound on-ramp from 4th St. will be reconstructed to cross over the new off-ramp. The existing off-ramp connection to 5th St. will be eliminated.	
H40	SR 85	<b>SR 85/El Camino Real I/C Improvements</b>	<b>\$23.0</b>
		Construct SR 85 auxiliary lanes between El Camino Real and SR 237, and SR 85/El Camino Real interchange improvements.	

**Table 2.3b continued Financially Constrained Highway Projects in Santa Clara County**

VTP ID	Route	Project Title and Description	Cost (2013 \$M)
H41	I-680	<b>I-680/Montague Expwy. Interchange Improvement</b> Construct partial interchange at I-680 and Montague Expwy. including improvements on Montague Expwy.	\$26.0
H42	US 101	<b>US 101 Southbound Improvements: San Antonio Rd. to Charleston Rd./Rengstorff Ave.</b> Construct Southbound improvements on US 101 from San Antonio Rd. to Charleston Rd./Rengstorff Ave.	\$22.0
H43	US 101	<b>US 101/Oregon Expwy./Embarcadero Rd. Improvements</b> Construct improvements to US 101/Oregon Expwy./Embarcadero Rd. interchange.	\$55.0
H44	SR 237	<b>SR 237 Westbound to Southbound SR 85 Connector Ramp Improvements (Including SR 85 Auxiliary Lanes between El Camino Real and SR 237)</b> Construct a collector/distributor road in the westbound direction on SR 237 from the Central Expwy. overcrossing to SR 85. Widen off-ramp from westbound SR 237 to Southbound SR 85 to two lanes. Add auxiliary lane in the Southbound direction between SR 237 and the El Camino Real interchange on SR 85.	\$40.0
H45	I-280	<b>I-280 Northbound Braided Ramps between Foothill Expwy. and SR 85</b> Conduct preliminary engineering, environmental studies and design to widen the existing off-ramp to Foothill Expwy. from Northbound I-280 from a single-lane exit to a two-lane exit opening at I-280. This solution is expected to improve the existing weaving traffic through this area.	\$44.0
H46	I-280	<b>I-280/Senter Rd. Interchange</b> Extend Senter Rd. and construct new on-/off-ramps and modify existing on-/off-ramps into a collector/distributor ramp system.	\$50.0
H47	SR 237	<b>SR 237 Eastbound Auxiliary Lanes: Mathilda Ave. to Fair Oaks Ave.</b> Construct SR 237 Eastbound; build auxiliary lanes between Mathilda Ave. to Fair Oaks Ave.	\$7.0
H48	US 101	<b>US 101 Southbound Auxiliary Lane: Great America Pkwy. to Lawrence Expwy.</b> Construct auxiliary lanes on US 101 from Great America Pkwy. to Lawrence Expwy.	\$3.0
H49	US 101	<b>Southbound Auxiliary Lane Improvement Between Ellis St. and SR 237</b> Construct a US 101 Southbound auxiliary lane from Ellis St. interchange to Eastbound Route 237. The project will reduce queue backup onto Southbound US 101 mainline during the morning peak period by providing additional storage. The project may also include Traffic Operation Systems (TOS) elements.	\$4.0
H50	All	<b>Sound Walls</b> Construct soundwalls on major highways and expressways. Projects to be determined through soundwall study.	\$15.0
H51	All	<b>Hwy. Transportation Operations System</b> Transportation Operations Systems installation and maintenance for metering ramps and other ramp improvements.	\$50.0
<b>HIGHWAY PROJECTS TOTAL</b>			<b>\$792.0 M</b>



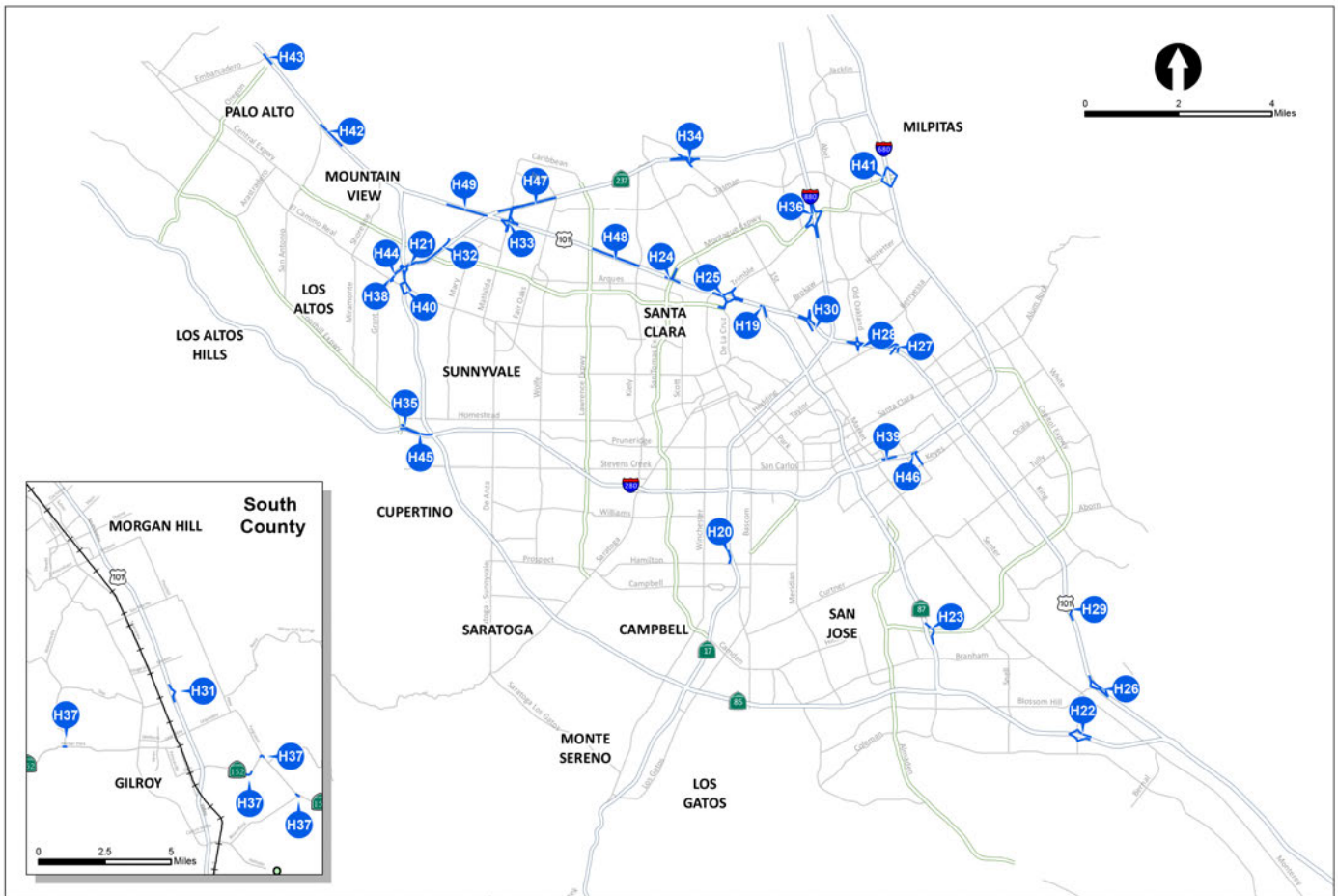


Figure 2.3 Highway projects in Santa Clara County. Source: VTA

## Local System Program Development

The Local System Program area is a new organizational structure in the VTP document and encompasses a range of projects. The projects in this new program area have in the past been included in other VTP Program Areas, and are now consolidated into three primary categories:

- County Expressways
- Local Streets and County Roads
- Multimodal Transportation Investments (MTI)

The Local System Program area is intended to maximize funding flexibility and opportunities, and create a planning framework that encourages cities and county to look for project synergies—with the ultimate goals of improved project scope, cost savings, and increased administrative efficiency. Local System projects are largely generated by VTA's Member Agencies, with

input from the communities, and address deficiencies within the local street and county road system. The Local System Program areas are each discussed in more detail below.

### County Expressways

Santa Clara County is the only County in California operating a comprehensive expressway system within the urban areas. In 2008, the County of Santa Clara adopted its Comprehensive County Expressway Planning Study which provides a long-term plan for the improvement and maintenance of the expressway system. In 2013, the County initiated a comprehensive update to this plan, reflecting new conditions and opportunities, and addressing unresolved issues identified in the 2008 Study. This new plan; however, will not change the County's expressway project VTP 2040 submittals but will be the basis for the expressway project submittals in the next VTP.

## ATTACHMENT B

VTA 2016 MEASURE B HIGHWAY PROGRAM
US 101 Improvements in the cities of Palo Alto and Mountain View to address regional connectivity and circulation between San Antonio Road and Charleston Road at the US 101/San Antonio Road, US 101/Rengstorff/Charleston Road and US 101/Shoreline Boulevard interchanges.
SR 85/SR 237 Area Improvements in Mountain View to address mainline congestion and regional connectivity through the SR 85/SR 237 connector, SR 85/El Camino Real interchange, and the SR 237/El Camino/Grant Road interchange.
SR 237/US 101/Mathilda Avenue Area Improvements in Sunnyvale to address local roadway congestion.
SR 237 Corridor Improvements in the cities of San Jose, Santa Clara and Milpitas to address mainline congestion and regional connectivity by addition of a SR 237 westbound lane between McCarthy Boulevard and North First Street, improvements at the SR 237/Great America Parkway westbound off-ramp, and replacement/widening of the Calaveras Boulevard structures over the UPRR tracks.
West County Improvements along I-280 in Cupertino, Los Altos, Los Altos Hills and Sunnyvale to address mainline congestion with mainline and interchange improvements from Magdalena Avenue to the San Mateo County line.
SR 85/I-280 Area Improvements in Cupertino, Los Altos, and Sunnyvale to address regional connectivity through a northbound I-280 braided ramp between SR 85 and Foothill Boulevard and improvements at the northbound I-280 off-ramp to Foothill Boulevard.
US 101/Trimble Road/De La Cruz Boulevard to Zanker Road Area Improvements to address local roadway connectivity and mainline congestion in San Jose and Santa Clara with US 101/Trimble Road/De La Cruz Boulevard interchange improvements, southbound US 101/SB 87 connector improvements, and a new US 101/Zanker Road interchange.
US 101/Old Oakland Road Improvements in San Jose to address local roadway congestion, access, and connectivity.
A new interchange on US 10/Mabury Road in San Jose to address regional access.
I-680 Corridor Improvements in San Jose to address mainline congestion and regional connectivity by improving the I-680/Alum Rock Avenue and I-680/McKee Road interchanges.
I-280/Lawrence Expressway/Stevens Creek Boulevard Interchange Improvements to address mainline and local roadway congestion.
I-280/Saratoga Avenue Interchange Improvements to address local circulation and mainline congestion.

I-280/Winchester Boulevard Area Improvements in Santa Clara and San Jose to address regional connectivity and local circulation.
SR 87 Corridor Technology-based Improvements in San Jose to address mainline congestion and system reliability through the implementation of technology-based operational improvements to the freeway.
Highway 17 Corridor Congestion Relief: Upgrade Highway 17/9 interchange to improve pedestrian and bicycle safety, mobility, and roadway operations; deploy advanced transportation technology to reduce freeway cut thru traffic in Los Gatos, including traffic signal control system upgrades in Los Gatos, Traveler Information Systems advanced ramp metering systems; support Multi-Modal Congestion Relief Solutions, including enhanced Highway 17 Express Bus service, implementing local bus system improvements that reduce auto trips to schools, work and commercial areas in Los Gatos; and develop park and ride lots to serve as transit hubs for express bus, shuttles, local bus system connections.
SR 17 Southbound/Hamilton Avenue Off-ramp Widening Improvements in Campbell to address mainline congestion and local circulation.
SR 17/San Tomas Expressway Improvements in Campbell to address mainline congestion and local circulation.
US 101/Blossom Hill Boulevard improvements in San Jose to address local roadway congestion and connectivity including for bicyclists and pedestrians.
US 101 Improvements in Gilroy to address mainline congestion and regional connectivity with a new US 101/Buena Vista Avenue interchange and US 101/SR 152 10th Street ramp and intersection improvements.
SR 152 Corridor Improvements in Gilroy including US 101/SR 25 interchange improvements to address regional connectivity and goods movement network improvements.
I-280/Wolfe Road Interchange Improvements in Cupertino to address mainline congestion and improve local traffic circulation.
I-880/Charcot Avenue Overcrossing in San Jose to address local relief circulation and adjacent I-880 interchanges congestion relief.
Noise Abatement Projects in Santa Clara County to implement treatments to address existing freeway noise levels throughout the county.
Intelligent Transportation Systems (ITS) Projects in Santa Clara County such as integrated corridor management systems, traffic operations systems, ramp metering, managed lanes, and local traffic signal control systems to address freeway mainline congestion and local roadway congestion caused by cut-through traffic.



Date: December 27, 2018  
 Current Meeting: January 10, 2019  
 Board Meeting: January 10, 2019

## BOARD MEMORANDUM

**TO:** Santa Clara Valley Transportation Authority  
 Board of Directors

**THROUGH:** General Manager, Nuria I. Fernandez

**FROM:** Director - Planning & Programming, Chris Augenstein

**SUBJECT:** VTA Land Use and Development Review Policy

Policy-Related Action: Yes

Government Code Section 84308 Applies: No

## ACTION ITEM

### RECOMMENDATION:

Approve the VTA Land Use and Development Review Policy.

### BACKGROUND:

As the Congestion Management Agency (CMA) for Santa Clara County, the Santa Clara Valley Transportation Authority (VTA) administers the Development Review Program (Program). The Program reviews development proposals, land use plans, and transportation projects throughout Santa Clara County. Once reviewed, VTA provides comments on these plans and projects regarding how well they integrate land use and multimodal transportation. It is at the discretion of the local jurisdiction whether or not to incorporate VTA's input in the final development or plan.

The Program has focused predominately on reviewing plans and proposals through California Environmental Quality Analysis (CEQA) and Transportation Impact Analysis (TIA) reports submitted by local jurisdictions. In this capacity, VTA provides detailed review of transportation network impacts, multimodal recommendations and site design improvements, primarily within the CEQA/TIA/entitlement process. However, the overall transportation performance of projects can be influenced by factors prior to projects entering the CEQA/TIA/entitlement process, such as broader land use policies (e.g., General Plans) and early project consultation between developers and local jurisdictions. These factors can set the stage for a project's multimodal travel options and transit-supportive qualities.

While the Program has worked well over the years, VTA believes the creation of a formal

process for development review, as well as tools for local jurisdictions and VTA to engage earlier in the development process, will enhance the Program. Accordingly, VTA has created a Land Use & Development Review Policy (policy), provided as Attachment A. The policy formalizes VTA's current best practices and provides a framework for VTA and local jurisdictions to work together in the future. Additionally, the policy clearly lays out VTA's positions on the integration of land use and transportation and provides local jurisdictions with a guide regarding how VTA will provide comments on developments and plans within their jurisdictions. Ultimately, the policy will result in stronger partnerships with local jurisdictions and better integrated development projects that protect and enhance the transportation infrastructure that has been made throughout the county.

## **DISCUSSION:**

The policy was developed across multiple VTA divisions, and presented to the Land Use and Transportation Integration Working Group of the VTA Technical Advisory Committee for input and review. Successful implementation of this policy will facilitate vibrant, complete and connected communities with a high-quality built environment that enables multimodal access, supports fast and efficient transit operations, and creates transit ridership.

The policy fulfills two VTA Business Lines as described in the 2016 Strategic Plan: A network of Fast, Frequent and Reliable Transit Service and Delivering Projects and Program through land use and transportation integration. The principles and strategies outlined in the policy are designed to advance these VTA directives. Additionally, the policy will work hand-in-hand with other current and forthcoming VTA policies, including but not limited to the Station Access Policy, Joint Development Policies, Transit Service Design Guidelines, Fast Transit Program and Complete Streets policy. Ultimately, the success of the policy will rely on the ongoing cooperation, responsiveness, and partnership between VTA and local jurisdictions.

In summary, the policy is divided into the following sections:

### **Principles**

The principles guide how VTA will engage in land use and development processes. The principles describe how VTA will build effective partnerships, work to increase transit ridership, support transit-supportive developments, and prioritize sustainable transit behavior.

### **Strategies**

The strategies describe how VTA will work with local jurisdictions at the earliest planning stages and throughout the process to expand mobility options and fulfill the vision contained in the principles. The strategies also call for VTA to create a comprehensive Land Use and Development Review Procedure (procedure) to facilitate sustainable development, protect transit investment by ensuring well-integrated and structurally safe development adjacent to transit facilities, and ensure early and ongoing coordination.

### **Tools and Implementation**

A series of tools will assist in implementing the Principles and Strategies, including but not

limited to:

#### *Collaboration Tools*

- Adopt a Land Use and Development Review Procedure and internal VTA review process (3<sup>rd</sup> Quarter, 2019);
- Create a Development Intake Form that notifies VTA at the earliest stages of development (2<sup>nd</sup> Quarter, 2019);
- Standardize a set of common responses for development review using existing VTA Standards and Guidelines (2<sup>nd</sup> Quarter, 2019);
- Meet early and often, focus on building relationships with local jurisdiction staff and developers (Immediately); and
- Strengthen and update the existing Voluntary Contributions program framework (4<sup>th</sup> Quarter, 2019).

#### *Information Tools*

- Create a Common Concerns matrix that outlines VTA's safety and operational concerns based on VTA facility type (2<sup>nd</sup> Quarter, 2019);
- Build a Developer's Web Portal that provides ease-of-use in understanding the locational relationship between proposed projects and existing or planned VTA facilities, and identifies potential site-specific issues and concerns (3<sup>rd</sup> Quarter, 2019);
- Create a Development Review Guidebook that complements the policy and is targeted toward local jurisdictions and Developers (4<sup>th</sup> Quarter, 2019);
- Create a Best Practices Report that demonstrates the successes of the Land Use and Development Review policy and includes solutions and lessons learned from a range of projects (1<sup>st</sup> Quarter, 2020); and
- Create a safety review checklist for new development immediately adjacent to VTA transit facilities (2<sup>nd</sup> Quarter, 2019).

#### *Monitoring Tools*

- Enhance and support the policy by publishing an annual report on the performance of the policy, highlighting best practices and partnerships, challenges and recommended refinements; and (Annually)
- Utilize the existing Development Review Web service to accurately track project development and milestones (Immediately).

Following Advisory and Standing Committee review of the policy, minor revisions were incorporated to improve the clarity of safety as a guiding principle, to make consistent references to the existing and planned Frequent Network, to clarify the potential cost, delay, and safety

impacts that the policy is aiming to prevent, and to ensure that the VTA Complete Streets Policy is referenced as an interrelated policy.

### **ALTERNATIVES:**

The VTA Board may modify the policy, or elect not to adopt the policy. In the absence of this policy, VTA will continue its current practices.

### **FISCAL IMPACT:**

No direct fiscal impacts identified.

### **ADVISORY COMMITTEE DISCUSSION/RECOMMENDATION:**

The Land Use and Development Review Policy item was heard at the November 7, 2018 meeting of the Technical Advisory Committee (TAC). Members of the Committee had the following comments and questions: 1) supported strengthening VTA-local jurisdiction partnerships, encouraged working within local jurisdiction timeframes and sharing of VTA data to support early VTA engagement, and encouraged consideration of a regional impact fee program as an alternative to the current VTA Voluntary Contributions (VC) Program; and 2) encouraged flexibility in the policy to discourage, but not ban at-grade crossings of light rail. Staff responded as follows: 1) staff acknowledged the comments; and 2) staff noted that the California Public Utilities Commission (CPUC) is the approval authority for at-grade crossings of light rail, and oversees the safety of VTA light rail. The TAC recommended Board approval of the policy with a modification to discourage, but not ban new at-grade crossings of light rail, with XX votes supporting, and one opposing.

The Bicycle Pedestrian Advisory Committee (BPAC) considered this item at their November 7, 2018 meeting. Members of the Committee had the following comments: 1) promoted the importance of reviewing development from the pedestrian's experience; 2) inquired about how VTA gets involved earlier in land use processes; 3) inquired about how VTA would measure success; 4) encouraged VTA to review Americans with Disabilities Act (ADA) standards and Complete Streets standards separately; and 5) inquired about the policy's impact on VTA projects. Staff responded as follows: 1) acknowledged that the policy advocates for safe, easy, attractive and seamless access for pedestrians; 2) noted that staff is invited by local jurisdictions to participate on long-range and general plan processes, and that the policy communicates VTA's expectations for engagement; 3) noted that measures of success are still under development and invited the BPAC's input; 4) affirmed that ADA and universal design standards and Complete Streets standards are separate in the policy; 5) clarified that the policy applies to private development, and that VTA joint development would demonstrate best practices from the policy. The BPAC unanimously recommended Board approval of the policy, with a suggestion to have the BPAC staff liaison have a role in development review.

The Citizens Advisory Committee (CAC) considered this item at their November 7, 2018 meeting. Members of the Committee had the following comments: 1) asked to clarify the Voluntary Contributions (VC) Program; and 2) asked how this policy would consider expansion of transit services. Staff responded as follows: 1) shared that the VC Program is a tool to assist

Cities with transportation mitigation when one project alone cannot accomplish or correct the impacts; 2) clarified that this policy is not related to land acquisition, but does play an important role in protecting future planned transit corridors. The CAC unanimously recommended Board approval of the policy.

The Committee for Transportation Mobility and Accessibility (CTMA) considered this item at their November 8, 2018 meeting. One Committee member expressed support for the policy and noted the importance of creating cohesiveness and trust working with local jurisdictions; VTA acknowledged the supportive comment. The CTMA unanimously recommended Board approval of the policy.

The Policy Advisory Committee (PAC) considered this item at their November 8, 2018 meeting. Members of the Committee had the following comments: 1) inquired about how the policy could improve transit opportunities in high-growth areas currently not well-served by transit; 2) inquired about VTA staff's engagement on City of Cupertino projects; 3) inquired about the timing of the policy and whether current City of Santa Clara projects would be affected or slowed down by the policy; and 4) noted the issues raised at TAC regarding an interest in allowing flexibility in the policy to consider at-grade crossings, and inquired whether the policy imposed a ban on at-grade crossings. Staff responded as follows: 1) offered to coordinate future conversations between local jurisdictions and VTA around opportunities to improve transit in high-growth areas, within the framework of VTA Board-adopted policies; 2) noted that VTA staff met with City of Cupertino staff to discuss the proposed policy and the Vallco Specific Plan (on separate occasions), and noted available opportunities to discuss transit solutions for both the Vallco Specific Plan and the SB 35 project; 3) noted that staff has tested implementation of the proposed policy on current City of Santa Clara projects and has had positive results, and that staff's intention is to save time and money for all in the process; 4) noted that VTA is regulated by the CPUC, that CPUC is the approval authority for at-grade crossing requests, that CPUC has a practice of opposing new at-grade crossings, that at-grade crossings are not in the public interest, and that VTA reviews at-grade crossings on a case-by-case basis. A motion was made to recommend Board approval of the policy with the following modification:

The policy should encourage that new access be provided via grade separation but not impose a ban on at-grade crossings.

The motion failed by a vote of five opposing and four supporting. The PAC unanimously recommended Board approval of the policy as recommended by VTA staff.

### **STANDING COMMITTEE DISCUSSION/RECOMMENDATIONS:**

The Congestion Management Planning and Programming Committee (CMPP) considered this item at their November 16, 2018 meeting. Members of the Committee had the following comments: 1) concerns by Mountain View representative regarding how VTA's policy could affect planning processes near light rail in Mountain View due to the policy not supporting new at-grade crossings; 2) strong support from several members to include a statement in the policy not supporting at-grade crossings; 3) commented that in order to make transit competitive with autos, VTA must begin to take stronger stances on protecting transit investments and prioritizing safety. Staff responded as follows: 1) staff noted that VTA has responded consistently throughout Mountain View planning processes regarding lack of support for new at-grade



crossings in Mountain View due to safety concerns. Staff also shared that VTA is regulated by the CPUC, that CPUC is the approval authority for at-grade crossing requests, that CPUC has a practice of opposing new at-grade crossings, that at-grade crossing are not in the public interest; 2) support noted; 3) comment noted. A motion was made to support the staff direction. The motion passed by a vote of three supporting the action and one opposing, recommending Board approval of the policy.

The Safety, Security and Transit Planning Operations Committee (SSTPO) considered this item at their November 17, 2018 meeting. Members of the Committee had the following comments: 1) questioned if any agency is considering documenting land use approvals and review on a regional level; 2) asked how VTA involves itself in long range planning processes; 3) commented on how VTA could better advertise and outreach for Joint Development sites; 4) noted that Cities are continuously concerned that local control will be modified by regional or state agencies to address housing. Staff responded as follows: 1) staff noted that MTC has just begun a process and hired a consultant to create a tracking database with the goal of having a common input standard for all agencies to document their projects; the Grand Boulevard Initiative also documents development along the El Camino but only in San Mateo and Santa Clara Counties; 2) staff noted that VTA has been actively involved on General Plan Task Forces of multiple cities and that we pursue changes through letter writing, this policy would shift that approach and encourage VTA staff to have more proactive and direct conversations with City staff and policy makers early in land use processes; 3) comment noted; 4) comment noted. A motion was made and unanimously supported recommending that the Board approve the policy.

Prepared by: Melissa Cerezo  
Memo No. 6685

**ATTACHMENTS:**

- Attachment A - Land Use Development Review Policy 11-26-18 Revised (DOCX)

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### ***1. Purpose:***

This VTA Land Use & Development Review Policy establishes a framework for VTA's comprehensive role in local land use and development processes. By strengthening coordination of land use and transportation strategies with local jurisdictions and the development community the policy seeks to promote sustainable development and expand mobility options.

This policy is designed to facilitate vibrant, complete and connected communities with a high-quality physical environment that enables multimodal access and creates transit ridership. This policy supports broader livability goals to manage congestion, support transit and multimodal transportation, reduce vehicle miles traveled (VMT), promote safer travel, increase physical activity and improve public health.

### ***2. Scope:***

The policy applies to all relevant VTA Divisions and personnel including consultants and contractors that have a role in planning, coordinating and engaging in local land use and development processes throughout Santa Clara County.

### ***3. Responsibilities:***

VTA Planning and Programming Division, specifically the Land Use and Transportation Integration group, will lead and be the primary point of contact for all land use and development review efforts on VTA's behalf, including development coordination, engagement and monitoring between VTA and third parties, such as local jurisdiction staff, and the development community. In some instances, those responsibilities may be delegated to other VTA Divisions. VTA Divisions will incorporate the principles and strategies established in this policy into all phases of their projects when and where those projects or programs involve integration with development, or where developments are proposed by local jurisdictions, or private parties. Furthermore, given the interdependent relationship between local land use and the countywide transportation network, the success of the policy will rely on the ongoing cooperation, responsiveness, and partnership of local jurisdictions.

### ***4. Policy:***

#### **A. Guiding Principles**

The policy establishes the following of set of principles to support and guide VTA's work in engaging in local land use and development processes.

#### **Build Effective Partnerships**

VTA will build common ground with local jurisdictions and other stakeholders to support sustainable development that maximizes mobility options by working together at the earliest

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stage in the land use and development process in order to maximize the synergy between land use and transportation.

#### **Increase Ridership and Support Fast, Frequent, Safe and Reliable Transit Service**

VTA will expand access and incentivize choices for all riders by making it easier, safer and more comfortable, and convenient to get to and from transit services in the County, principally focused on VTA's Frequent Network.

#### **Support Transit-Supportive Development in Close Proximity to Transit**

VTA will facilitate transit-supportive development that maximizes transit access, incentivizes ridership, and enhances safety and operations by improving communication, coordination, and understanding between VTA, local jurisdictions and the development community regarding development near transit services and/or directly adjacent to VTA facilities.

#### **Prioritize Sustainable Travel Behavior**

VTA will promote active transportation and high capacity transit as an access strategy to reduce emissions, decrease VMT, support Vision Zero safety goals, and improve public health.

### **B. Strategy**

VTA will engage in local land use planning efforts (e.g., placemaking, specific, area, urban village, general plan, long-range, and individual development planning processes) at the earliest planning stage and on an ongoing basis. In doing so, VTA will take policy positions in order to expand mobility options in sustainable locations, preserve and enhance VTA operations and the quality of service VTA provides, and complement VTA joint development efforts. VTA Board Members, and VTA staff will also work alongside local jurisdictions to implement the following policy priorities:

- Encourage new growth and development within close proximity of the existing and planned Frequent Network and station areas to enable pedestrian-friendly, compact, mixed-use communities that are well-connected, and expand a range of opportunities (including but not limited to economic, educational and social) along high-quality transit.
- Intensify land uses and maximize densities to support transit ridership.
- Implement VTA Complete Streets principles.
- Ensure safe accommodations for all, including the elderly and people with disabilities, by following accessible, universal design standards.
- Make transit connections easy, attractive, and seamless through investments in the existing and planned Frequent Network, frequent service, passenger information, waiting facilities and coordination with other service providers.

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- Promote high-quality design for access improvements utilizing industry best practices and design principles.
- Invest in strategies that shift access from single occupancy vehicles to greater levels of walking, bicycling, and transit access.
- Improve bicycle and pedestrian infrastructure to transit, including connections between trail systems and stations.
- Protect and enhance transit investment by improving or maintaining travel time of transit operations.
- Ensure that new access across light rail is provided via grade separation in order to safeguard the travelling public and maintain efficient operations. VTA will not support new at-grade crossings of light rail.
- Encourage carefully considered and balanced parking strategies that maximize transit ridership and Transportation Demand Management measures.
- Coordinate with third-party shuttle providers to encourage safe and responsible use of VTA facilities per VTA's Commuter Shuttle Policy.
- Promote the use of multimodal measures to analyze impacts of local development decisions on transit and non-motorized modes of transportation, e.g., transit delay analysis.

VTA will create a comprehensive VTA Development Review Procedure (the "Procedure") to facilitate sustainable development, protect transit investment by ensuring well-integrated and structurally safe development adjacent to transit facilities, and highlights the importance of early and ongoing coordination. This procedure includes:

- Complete and coordinated VTA review (e.g. VTA Planning, Engineering, BART, Safety, Transit Operations, Real Estate, Environmental, and other divisions as appropriate) of development that is
  - 1) Located within 2,000 feet of existing or planned transit services or facilities, with a special attention to development located within 200 feet of the Frequent Network, VTA property, facilities, services or assets; or
  - 2) Generates 100 or more net new peak hour project trips.
- Creating procedural standards that are clear, predictable, correspond with the phases of the development process (e.g. site planning/project development, entitlement, engineering, and construction safety and monitoring), and complements local land use and building permit processes.
- Committing to work with local jurisdictions and the development community to identify shared project objectives and transit integration opportunities/challenges at

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the earliest stage in the land use and development process to determine common understandings, ensure successful transit-supportive development, and prevent potential conflicts that could result in development costs, construction delays and safety impacts.

- Developing guidance, tools, and resources that facilitate coordination and synergy between adjacent development and VTA facilities, and clarifies challenges and concerns.
- Creating opportunities for access improvements through development by cost-sharing, data sharing and information sharing with partners.

### C. Tools and Implementation

The Principles and Strategies outlined in this policy will be implemented through collaboration, information and monitoring tools. VTA will endeavor to design, build and implement the following tools, which include but are not limited to:

#### Collaboration Tools

- Adopt a future Land Use and Development Review Procedure and internal VTA review process, referred to in Section B;
- Create a Development Intake Form that notifies VTA at the earliest stages of development;
- Standardize a set of common responses for development review using existing VTA Standards and Guidelines;
- Meet early and often, focus on building relationships with local jurisdiction staff and developers; and
- Strengthen and update the existing Voluntary Contributions program framework.

#### Information Tools

- Create a Common Concerns matrix that outlines VTA's safety and operational concerns based on VTA facility type;
- Build a Developer's Web Portal that provides ease-of-use in understanding the locational relationship between proposed projects and existing or planned VTA facilities, and identifies potential site-specific issues and concerns;
- Create a Development Review Guidebook that complements the Land Use & Development Review Policy and is targeted toward local jurisdictions and Developers;

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- Create a Best Practices Report that demonstrates the successes of the Land Use and Development Review Policy and includes solutions and lessons learned from a range of projects; and
- Create a safety review checklist for development immediately adjacent to VTA transit facilities.

#### Monitoring Tools

- Enhance and support the policy by publishing an annual report on the performance of the policy, highlighting best practices and partnerships, challenges and recommended refinements; and (Annually)
- Utilize the existing Development Review Web service to accurately track project development and milestones (Immediately).

#### **D. Interrelated Policies**

This policy has a direct relationship with other VTA policies, including but not limited to:

- *VTA Station Access Policy*
- *VTA Transit-Oriented Development Parking Policy*
- *VTA Complete Streets Policy*

Development Review Best Practices, Standards and Guides. Examples include (but are not limited to):

- *VTA 2017-2022 Strategic Plan*
- *VTA Community Design and Transportation Manual of Best Practices for Integrating Transportation and Land Use*
- *VTA Temporary Bus Stop Relocation Policy*
- *VTA Transit Passenger Environment Plan*
- *VTA Transit Service Guidelines Update 2018*
- *VTA Service Design Guidelines*
- *VTA Bicycle Technical Guidelines and Countywide Bicycle Plan*
- *VTA Pedestrian Technical Guidelines and Pedestrian Access to Transit Plan*
- *VTA Commuter Shuttle Policy*
- *VTA Transportation Impact Analysis Guidelines 2014*
- *VTA Permit Policy CO-PL-0001*
- *California Highway Design Manual* and all Deputy Directives and Design Information Bulletins
- *National Association of City Transportation Officials (NACTO) Urban Bikeway Design Guide*
- *NACTO Urban Street Design Guide*
- *NACTO Transit Street Design Guide*
- *Silicon Valley Bicycle Coalition Bicycle Friendly Development Guidelines*

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- Federal Transit Administrations *Livable Communities Strategies*
- Federal Highway Administration *Railroad-Highway Grade Crossing Handbook* 2007
- General Order No. 88-B Public Utilities Commission of the State of California Rules for Altering Public Highway-Rail Crossings
- LA Metro *Adjacent Development Handbook*
- Transportation Research Board *Highway Capacity Design Manual* 2010

## 5. Definitions:

**Complete Streets** refers to streets that are for the safe travel of all users, where designs are context sensitive, and incorporate a balanced network approach, prioritize the safety and comfort, and convenience of pedestrians, bicyclists, and transit riders (including access and operations) of all ages and abilities, while still providing safe accommodations for motorist and other roadway users.

**Frequent Network** refers to VTA's core routes that provide service every 15 minutes or better on weekdays, and every 20 minutes or better on weekends.

**Transit-Supportive Development** refers to development that supports higher numbers of employees or residents per acre, generates a high number of trips that can be served well by transit, reflects a site design that reinforces safe, convenient and direct access to transit, encourages the use of alternative modes, and maintains transit speed and reliability.

**Transportation Demand Management (TDM)** refers to policies and programs to reduce the number of cars on the road. Examples of TDM include transit fare incentives, flextime, ridesharing, parking pricing, and dockless scooters.

**Vision Zero** refers to a safety initiative to eliminate all traffic fatalities and severe injuries on the roadway.

**Voluntary Contributions** refers to a public-private partnership program by VTA whereby a local jurisdiction, in its role as CEQA Lead Agency, may request an optional developer contribution toward a local jurisdiction and VTA-identified improvement of freeway, transit and/or other regional facilities as a mitigation measure for impacts to freeways.

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**6. Summary of Changes:**

Not applicable.

**7. Approval Information:**

<i>Prepared by</i>	<i>Reviewed by</i>	<i>Approved by</i>
<p>Melissa R. Cerezo, AICP Senior Transportation Planner</p>	<p>Chris J. Augenstein, AICP Director of Planning and Programming</p> <p>Nuria I. Fernández General Manager/CEO</p>	<p>VTA Board of Directors</p>

Date Approved: \_\_\_\_\_





Date: January 3, 2019  
 Current Meeting: January 10, 2019  
 Board Meeting: January 10, 2019

## BOARD MEMORANDUM

**TO:** Santa Clara Valley Transportation Authority  
 Board of Directors

**THROUGH:** General Manager, Nuria I. Fernandez

**FROM:** Director - Planning & Programming, Chris Augenstein

**SUBJECT:** Vehicle Registration Fee (VRF) Annual Report

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### FOR INFORMATION ONLY

#### **BACKGROUND:**

In 2009, Senate Bill 83 (Hancock) was signed into law, authorizing countywide transportation agencies, such as VTA, to implement a Vehicle Registration Fee (VRF) of up to \$10 on motor vehicles registered within the county for transportation programs and projects. Voters in Santa Clara County approved a VRF on November 2, 2010.

The VTA Board of Directors adopted an expenditure plan allocating the revenue to transportation-related programs and projects that have a relationship or benefit to the persons who pay the fee. This plan dedicates 80% of the VRF revenues to the Local Road Improvement and Repair Program, in which the revenue is returned directly to VTA Member Agencies (the cities, towns and county of Santa Clara County) based on each city/town's population and the County of Santa Clara's road and expressway lane mileage.

Another 15% of the revenue is directed to the "Countywide Program." On June 7, 2012, the VTA Board of Directors adopted an initial three-year Countywide Program and on December 10, 2015, the VTA Board of Directors adopted a second, three-year Countywide Program for FY2015/16 through FY2017/18 as follows:

1. Devote \$3 million to Intelligent Transportation System projects and \$300,000 for a countywide Intelligent Transportation System (ITS) strategic plan. On August 4, 2016, the VTA Board of Directors increased the amount for ITS projects to \$4.2 million.
2. Reserve the remaining funds for matching funds for regional roadway transportation projects included in the adopted Valley Transportation Plan.

Up to the remaining 5% of the VRF revenue is reserved for Program Administration. Unused administration funds, or leftover funds from under-budget projects, return to the "Countywide

Program” and are available for future Countywide Program programming.

### **DISCUSSION:**

During FY2017/18, there was a total of \$16,657,719 available for distribution. Of this, \$13,326,175 was distributed to Member Agencies via the Local Road and Repair Program, \$2,498,658 was placed into the Countywide Program, and \$146,079 was used to cover administrative expenses. Attachment A explains this VRF activity.

Attachment B summarizes allocations of VRF Local Road Improvement and Repair Program funds during FY2017/18. These funds have been used by the Member Agencies in various ways. Attachment C lists projects funded or completed by Member Agencies with Local Road Improvement and Repair Program funds in FY2017/18. Some agencies are combining funds over multiple years and/or combining them with other funding sources to finance large, multi-year projects. Lastly, Attachment D shows the status of the Countywide Program (ITS and Matching Fund) projects.

The administrative procedures adopted by the VTA Board allow financial audits to be performed at VTA's discretion. Funding agreements between VTA and member agencies require VRF records be available to VTA upon request for review and audit purposes. This is to ensure that each agency has properly expended VRF funds, in accordance with Senate Bill 83 and the Funding Agreement, on eligible transportation projects. Since last year's report, the Cities of Mountain View, Morgan Hill and Saratoga were audited. The auditor's reports for each city are provided as Attachments E, F and G. VTA anticipates additional agency audits to take place within the next year.

### **STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Congestion Management Program & Planning Committee considered this item as part of its December 20, 2018 Consent Agenda and recommended placing this item on the VTA Board of Directors' consent agenda for January 10, 2019.

Prepared By: Bill Hough  
Memo No. 6694

**Attachment A: Vehicle Registration Fee (VRF)  
Total Program**

	<b>FY 2017/18</b>	<b>Cumulative FY2012-18</b>
<b><u>Revenue:</u></b>		
VRF receipts from DMV	\$16,544,881	\$93,393,933
Interest earned on VRF revenue	\$112,838	\$1,031,426
One-time 2010 election expense	\$0	-\$866,584
<b>Total Available for Allocation</b>	<b>\$16,657,719</b>	<b>\$93,558,775</b>

<b><u>Allocation:</u></b>		
Revenue for Local Road and Repair Program	\$13,326,175	\$74,847,022
Revenue for Program Administration	\$832,886	\$4,677,939
Revenue for Countywide Program*	\$2,498,658	\$14,033,817

<b><u>Ongoing Expenses:</u></b>		
Administration charges	\$146,079	\$1,575,402

<b><u>*Countywide Program:</u></b>		
Revenue for Countywide Program	\$2,498,658	\$14,033,817
Unused Administration Funds available for Countywide Program	\$705,391	\$3,969,120
<b>Total Available for Countywide Program</b>	<b>\$3,204,049</b>	<b>\$18,002,937</b>

**Attachment B: VRF Local Road Improvement and Repair Program**

<b>Agency</b>	<b>FY2017/18 Allocation</b>	<b>Cumulative FY2012-18 Allocation</b>
Campbell	\$262,407	\$1,482,120
Cupertino	\$361,846	\$2,110,152
Gilroy	\$343,538	\$1,891,279
Los Altos	\$192,859	\$1,081,243
Los Altos Hills	\$53,027	\$298,712
Los Gatos	\$192,319	\$1,091,893
Milpitas	\$463,140	\$2,547,371
Monte Sereno	\$21,502	\$122,759
Morgan Hill	\$271,122	\$1,485,917
Mountain View	\$486,896	\$2,752,722
Palo Alto	\$421,874	\$2,391,264
San Jose	\$6,424,625	\$36,011,363
Santa Clara	\$761,457	\$4,329,967
Saratoga	\$187,743	\$1,089,719
Sunnyvale	\$920,206	\$5,239,682
Santa Clara County	\$1,961,613	\$10,920,859
<b>Total</b>	<b>\$13,326,175</b>	<b>\$74,847,023</b>

**Attachment C: VRF Local Road Improvement and Repair Program Funds  
Projects Funded FY 2017/18**

<b>Agency Name:</b>	<b>Project Title</b>	<b>Description</b>	<b>Project Limits</b>	<b>VRF funds spent *</b>
Campbell	Steet Maintenance-Rubber Cape Seal Project	Rubber Cape Seal Streets/Slurry Seal Streets	Various city Streets	\$262,630
Cupertino	2017 Pavement Maintenance	Pavement maintenance of Finch Avenue and Hyannisport Drive.	Finch Avenue from Phil Lane to Stevens Creek Blvd and Hyannisport Drive from Linda Vista Drive to Bubb Road.	\$361,846
Gilroy	Signs and Pavement Markings	Inventory signs, replaced signs as necessary to meet retroreflective standards, and replace faded existing striping and legends.	Various city Streets	\$42,709
Gilroy	Automall Parkway Improvements design	Design costs for Automall Parkway Improvement project. City removed and repaired failed asphalt areas and pavement overlay. They also provided new striping, pavement markers, and signage.	Automall Parkway from 10th Avenue to Luchessa Avenue	\$6,593
Los Altos	Funds banked	N.A.	N.A.	\$0
Los Altos Hills	2017 Pavement Rehabilitation Project	The work consisted of 6-inch deep lift AC patching, 4" full grind and 4"paving, 2-inch AC overlay, Microsurfacing, removing and reconstructing a concrete curb & gutter, pavement markings replacement, and utility adjustments for a total of 38 streets in the Town of Los Altos Hills.	Townwide.	\$53,027
Los Gatos	Street Repair & Resurfacing	Placement of rubber asphalt overlay.	Los Gatos Almaden Road from Los Gatos Boulevard to Camino Del Cerrp	\$230,450
Milpitas	Street Resurfacing Project 2018	Road rehabilitation.	S Hillview Dr, Yosemite Dr, Vista Way, Calle Oriente and Wool Dr	\$492,002
Monte Sereno	2018 Pavement Management Plan	Cape seal, overlay and microsurfacing	Various locations citywide	\$21,502
Morgan Hill	Monterey Preservaiton Project	Street repairs, including pavement milling and 2" Ac overlay.	Monterey Road between East Dunne Avenue and Est Middle Avenue	\$800,099
Mountain View	Drew Avenue Reconstruction	Constructed curbs, gutters and driveway approaches and pavement on Drew Avenue in the Rex Manor Neighborhood.	Drew Avenue between Burgoyne Street and Farley Street.	\$24,397
Mountain View	Hackett Avenue Reconstruction	Constructed curbs, gutters and driveway approaches and pavement on Hackett Avenue in the Rex Manor Neighborhood.	Hackett Avenue between Burgoyne Street and Farley Street.	\$334,348

**Attachment C: VRF Local Road Improvement and Repair Program Funds  
Projects Funded FY 2017/18**

<b>Agency Name:</b>	<b>Project Title</b>	<b>Description</b>	<b>Project Limits</b>	<b>VRF funds spent *</b>
Mountain View	Wagner Avenue Reconstruction	Constructed curbs, gutters and driveway approaches and pavement on Wagner Avenue in the Rex Manor Neighborhood.	Wagner Avenue between Burgoyne Street and Farley Street.	\$384,870
Palo Alto	FY2017 Overlay Project	Street repairs, including asphalt milling, paving, PCC repair, and sidewalk/curb/gutter replacement.	Various locations citywide	\$424,873
San Jose	Park Avenue	Enhanced safety along a section of Park Avenue. Work included the application of a green pavement treatment to enhance the visibility of the existing bike lanes. Sharrow lane markings and installation of bicycle boxes at signalized intersections.	Park Ave between Hedding and South Market Street.	\$775,442
San Jose	2016 Arterial Resurfacing Project	Resurfaced and rehabilitated 30 miles of streets in the City of San Jose. included work such as Cold in-Place Recycling (CIR), placing pavement fabric, applying a rubberized hot mix asphalt overlay, CD3 Park Av (Montgomery-Delmas) replaced traffic striping and markings, added new/enhanced bike lanes, and installed bicycle detector loops.	Various locations citywide.	\$5,110
San Jose	2017 Street Sealing	Installed microsurfacing sealant over streets that were repaired as part of the Remove and Replace project.	Various locations citywide.	\$1,557,264
San Jose	2017 ADA Ramp Project	Upgraded and constructed approximately 450 sidewalk accessibility ramps along the streets in the 2017 Remove & Replace Asphalt Concrete Project.	Various locations citywide.	\$643,488
San Jose	2016 Pavement & ADA Survey	Consultant surveyed all City streets to capture pavement condition data and develop ramps inventory for analysis and recording of pavement condition index and sidewalk accessibility ramps compliance status with ADA requirements.	All streets in San Jose.	\$421,965

**Attachment C: VRF Local Road Improvement and Repair Program Funds  
Projects Funded FY 2017/18**

<b>Agency Name:</b>	<b>Project Title</b>	<b>Description</b>	<b>Project Limits</b>	<b>VRF funds spent *</b>
San Jose	2017 Arterial Resurfacing Project	Resurfaced and rehabilitated 16 miles of streets in the City of San Jose. Work included Cold In-Place Recycling (CIR), placing pavement fabric, applying a rubberized hot mix asphalt overlay, replacing traffic striping and markings, adding new/enhanced bike lanes, and installing bicycle detector loops.	Various locations citywide.	\$936,006
San Jose	2018 Local Pavement Maintenance Project	Sealed and preserved approximately 184 miles of City's residential streets. Work included applying surface sealant such as Tire Rubber Modified Surface Sealant (TRMSS) and Rubberized Emulsion Aggregate Surfacing) and installing pavement markers and striping.	Various locations citywide.	\$47,423
San Jose	2018 Local Resurfacing	Resurfaced approximately 36 miles of residential streets with Pavement Condition Index (PCI) of 50 or less. The work included full width mill & fill 1.5"·3.0" HMA, pavement markings & striping replacement, and new curb ramp installation.	Various locations citywide.	\$521
San Jose	2018 Street Sealing Project	Installed microsurfacing sealant over approximately 69 miles of streets citywide to prolong the life of the pavement. These streets were repaired as part of the Remove and Replace projects.	Various locations citywide.	\$819
Santa Clara	Street Maintenance and Rehabilitation Program	Slurry Seal and Pavement Repair	Citywide	\$122,735
Saratoga	Streets & Storm Drain Maintenance Program	Maintained city's roadway, storm drains, curbs, gutters and sidewalks.	Citywide	\$187,743
Sunnyvale	Pavement Rehabilitation Project	Maintained city's Pavement Condition Index to a level in the high seventies.	Citywide	\$100,443
Santa Clara County	Lawrence Expressway - Homestead Road to Quito Road.	Pavement repair and resurfacing, restriping, ADA and bike accommodations on Lawrence Expressway.	Homestead Road to Quito Road.	\$3,377,249

\* Note: some agencies are combining multiple years of VRF funds and/or combining them with other funding to finance large, multi-year projects.

**Attachment C: VRF Local Road Improvement and Repair Program Funds  
Projects Funded FY 2017/18**

<b>Agency Name:</b>	<b>Project Title</b>	<b>Description</b>	<b>Project Limits</b>	<b>VRF funds spent *</b>
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## Attachment D: VRF Countywide Program Projects-Cycle 2

### Project Status

Sponsor	Project	Amount Programmed	Expended to date
<b><u>ITS-Regional Transportation Operations Personnel Service</u></b>			
San Jose	Fiber Optic Asset Management (\$70,000 approved 8/4/2016 and \$96,805 transferred from other projects)	\$166,805	\$20,806
San Jose	On-Call Fiber Optic Splicing, Repair & Testing (approved 8/4/2016)	\$80,000	\$0
San Jose	Silicon Valley Wide-Area Network Monitoring and Maintenance (approved 8/4/2016-funds transferred to Fiber Optic Management)	\$0	\$0
Santa Clara County	Repair Fiber Optic Cables at Lawrence and San Tomas Expwys (approved 8/4/2016)	\$50,000	\$50,000
Santa Clara	Network Repair and Troubleshooting (approved 5/4/2017)	\$20,000	\$0
<b>Subtotal RTOPS</b>		<b>\$316,805</b>	<b>\$50,000</b>
<b><u>ITS-Regional Intelligent Transportation System Maintenance Service</u></b>			
Santa Clara	Citywide ITS Project 2 on Monroe St., Benton St., and Lafayette	\$500,000	\$0
Los Gatos	Town-wide Traffic Signal System Upgrade (approved 8/4/2016)	\$500,000	\$11,138
Santa Clara	Citywide ITS Project 1 on Tasman Drive, Great America Pkwy., Homestead Rd, etc (approved 8/4/2016)	\$500,000	\$0
Campbell	Citywide ITS Enhancements (approved 8/4/2016)	\$500,000	\$226,336
San Jose	Signal Retiming and Vehicle Detection Repairs (approved 8/4/2016)	\$500,000	\$500,000
Santa Clara County	Traffic Signal Controller Upgrades at Various Locations (approved 8/4/2016)	\$150,000	\$150,000
Sunnyvale	ATMS Upgrades (approved 8/4/2016)	\$500,000	\$498,707
San Jose	VIDS Communication Modules Upgrade (approved 8/4/2016)	\$248,000	\$230,610
Los Altos	Signal Timing and Coordination Improvement (approved 8/4/2016)	\$415,000	\$195,684
VTA	ITS Strategic Plan (approved 12/10/2015)	\$300,000	\$300,000
<b>Subtotal RITSMS</b>		<b>\$4,113,000</b>	<b>\$2,112,475</b>
<b>Total ITS [RITSMS + RTOPS] programmed</b>		<b>\$4,429,805</b>	
<b>leftover funds from Cycle 1</b>		<b>\$26,642</b>	
<b>Total ITS [RITSMS + RTOPS]</b>		<b>\$4,456,447</b>	<b>\$2,162,475</b>
<b><u>Countywide Program Matching Funds</u></b>			
VTA	SR 237 Express Lanes (approved 10/6/2016)	\$4,000,000	\$0
Gilroy	North 1st Street Paving (approved 10/6/2016, deobligated 1/4/2018)	\$0	\$0
VTA	I-680 Soundwalls (\$502,000 from Cycle 1; additional \$500,000 approved 5/4/2017 and \$173,700 approved 5/3/2018)	\$673,700	\$0
Los Gatos	Los Gatos Boulevard project (approved 5/3/2018)	\$376,400	\$0
VTA	Freeway Performance Initiative (approved 5/3/2018)	\$53,073	\$0
VTA	Keep Santa Clara Valley Beautiful (approved 6/7/2018)	\$21,125	\$0
<b>Subtotal Matching Funds</b>		<b>\$5,124,298</b>	<b>\$0</b>
<b>Grand total</b>		<b>\$9,580,745</b>	<b>\$2,162,475</b>



March 28, 2018

City of Morgan Hill  
Chris Ghione, Interim Deputy City Manager  
17575 Peak Avenue  
Morgan Hill, CA 95037

Santa Clara Valley Transportation Authority  
Grants Management Department  
3331 North First Street  
San Jose, CA 95134

Dear Sir:

RSM US LLP (RSM) was engaged by the Santa Clara Valley Transportation Authority (VTA) to provide review and audit services related to the Vehicle Registration Fee (VRF), Local Road Improvement and Repair Program Funding Agreement (Funding Agreement) between the City of Morgan Hill (City) and VTA, dated June 7, 2013.

Our engagement was performed in accordance with the Standards for Consulting Services issued by the American Institute of Certified Public Accountants and the terms of our Statement of Work between the VTA and RSM.

Our procedures were performed solely to assist the VTA in determining compliance with the Funding Agreement and VRF Program requirements. This report should not be used for any other purposes.

The procedures we performed, the results of our tests, and any observations are summarized on the following pages.

**Summary:** We noted certain exceptions to the VRF Funding Agreement, or opportunities for improvement, as detailed on the following pages.

We appreciate the opportunity to work with the VTA and City of Morgan Hill.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bill Eggert', with a long horizontal flourish extending to the right.

Bill Eggert  
Auditor General, VTA

City of Morgan Hill  
 Santa Clara Valley Transportation Authority  
 March 28, 2018

#### **VRF EXPENDITURES REPORTED TO VTA BY THE CITY OF MORGAN HILL (RECIPIENT)**

The following amounts were subject to RSM's testing:

<b>Fiscal Year</b>	<b>Amount</b>
2013	\$218,338
2014	\$231,518
2015	\$247,277
2016	\$253,439
2017	\$264,222

#### **SUMMARY OF OBSERVATIONS**

We noted the following during our review:

- **Interest earned on unexpended VRF funds was understated** by a total of \$3,483.08 between FY13-17 annual reports as a result of interest calculation errors. In its FY18 report, the City should report the aggregate interest error and restate its opening VRF fund balance to include the amount of earned interest previously unreported. The City should report subsequent interest earned or allowable VRF expenditures incurred using the unreported interest in compliance with the agreement.
- **VRF annual reports were not submitted timely** before October 15 each fiscal year as required by the funding agreement. The FY13 annual report was submitted on October 29, 2013 and the FY16 annual report was submitted on November 7, 2016. The City should submit VRF annual reports before October 15 of each fiscal year to comply with the Funding Agreement.
- **VRF expenditures are co-mingled** with the rest of the City's general fund expenditures. As a result, we could not obtain the specific supporting documentation for the VRF expenditure amounts reported on the City's Annual Reports to VTA. We were provided with the City's VRF-related project expenditures and were able to select and test invoices equal to or greater than 50% of the reported VRF expenditures. VRF revenue journal entries are made to capture the amount received each fiscal year, but no specific entries are made for VRF expenditures. Although not a Funding Agreement requirement, the City should consider implementing best practices and tracking VRF project expenditures to the funding source for the purpose of increased precision and maintenance of an audit trail.

City of Morgan Hill  
 Santa Clara Valley Transportation Authority  
 March 28, 2018

#### **PROCEDURES PERFORMED**

- Compared the total VRF distribution amounts from the VTA to the Recipient's records, by fiscal year.
- Reviewed the first expenditures, based on invoice date, noting that costs were not incurred prior to July 1, 2011.
- Determined whether the Recipient had submitted to VTA an Annual Report of its VRF Program expenditures and associated interest, cover twelve months consisting of the previous State fiscal year, no later than October 15 (for each fiscal year).
- Determined whether Recipient had certified that it made a Good Faith Effort (GFE) to maintain a level of VRF expenditures, as part of its Annual Reports (for each fiscal year).
- Compared direct costs from reported expenditure to supporting documentation to ascertain whether the costs were eligible under the VRF Funding Agreement and CA. Senate Bill 83. Eligible costs include congestion and pollution mitigation expenditures and certain matching funds for transportation programs.
  - For payroll charges, traced amounts to payroll records or time cards
  - Determine whether VRF Program financial records, books, documents, papers, accounting records and other evidence has been maintained for five years
- Assessed whether the Recipient expended funds on the VRF Projects identified in the Annual Reports (for each fiscal year).
- Assessed whether the Recipient credited VTA's funding contribution on all signage, electronic or printed materials distributed to the public that are related to VRF Program projects.
- Assessed whether the Recipient tracked interest earned on unexpended VRF Program funds and applied interest to VRF Program eligible projects.
- Inquired whether there have been any material changes to the Funding Agreement, or any disputes.



January 4, 2018

City of Saratoga  
Tony McFarlane, Finance Department  
John M Cherbone, Public Works Department  
13777 Fruitvale Ave  
Saratoga, CA. 95070

Santa Clara Valley Transportation Authority  
Grants Management Department  
3331 North First Street  
San Jose, CA. 95134

Dear Sirs:

RSM US LLP (RSM) was engaged by the Santa Clara Valley Transportation Authority (VTA) to provide review and audit services related to the Vehicle Registration Fee (VRF), Local Road Improvement and Repair Program Funding Agreement (Funding Agreement) between the City of Saratoga (City) and VTA, dated December 6, 2012.

Our engagement was performed in accordance with the Standards for Consulting Services issued by the American Institute of Certified Public Accountants and the terms of our Statement of Work between the VTA and RSM.

Our procedures were performed solely to assist the VTA in determining compliance with the Funding Agreement and VRF Program requirements. This report should not be used for any other purposes.

The procedures we performed, the results of our tests, and any observations are summarized on the following pages.

**Summary:** We noted certain exceptions to the VRF Funding Agreement, or opportunities for improvement, as detailed on the following pages.

We appreciate the opportunity to work with the VTA and City of Saratoga.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bill Eggert', with a long horizontal flourish extending to the right.

Bill Eggert  
Auditor General, VTA

City of Saratoga  
 Santa Clara Valley Transportation Authority  
 January 4, 2018

#### **VRF EXPENDITURES REPORTED TO VTA BY THE CITY OF SARATOGA (RECIPIENT)**

The following amounts were subject to RSM's testing:

<b>Fiscal Year</b>	<b>Amount</b>
2013	\$169,433
2014	\$177,375
2015	\$185,393
2016	\$186,832
2017	\$182,943

#### **SUMMARY OF OBSERVATIONS**

We noted the following during our review:

- **Interest earned on unexpended VRF funds was not tracked** by the City as required by Section 3 Number 4 of the funding agreement, which states that after receipt of the funds, the recipient is required to "track interest earned on unexpended PROGRAM funds and apply interest to PROGRAM eligible projects." The City should track interest earned on VRF program funds to comply with the Funding Agreement.
- **VRF annual reports were not submitted timely** before October 15 each fiscal year as required by the funding agreement. The FY13 annual report was submitted on October 24, 2013, the FY14 annual report was submitted on October 23, 2014, and the FY16 annual report was submitted on November 21, 2016. The City should submit VRF annual reports before October 15 of each fiscal year to comply with the Funding Agreement.
- **VTA's funding contribution was not credited** or acknowledged on signage, electronic or printed materials distributed to the public that were related to VRF Program projects, as required by the Funding Agreement. The City should appropriately credit VTA's funding contribution with signage and other distributed materials, if such materials are deemed applicable. Additionally, evidence of applicable publicly-distributed materials and the related VRF-funded project should be included in the City's annual submission of the VRF Program Annual Report to VTA.
- **VRF expenditures are co-mingled** with the rest of the City's general fund expenditures. As a result, we could not obtain the specific supporting documentation for the VRF expenditure amounts reported on the City's Annual Reports to VTA. We were provided with the City's VRF-related project expenditures and were able to select and test invoices and payroll records equal to or greater than 50% of the reported VRF expenditures. Although not a Funding Agreement requirement, the City should consider implement best practices and tracking VRF project expenditures to the funding source for the purpose of increased precision and maintenance of an audit trail.

### **PROCEDURES PERFORMED**

- Compared the total VRF distribution amounts from the VTA to the Recipient's records, by fiscal year.
- Reviewed the first expenditures, based on invoice date, noting that costs were not incurred prior to July 1, 2011.
- Determined whether the Recipient had submitted to VTA an Annual Report of its VRF Program expenditures and associated interest, cover twelve months consisting of the previous State fiscal year, no later than October 15 (for each fiscal year).
- Determined whether Recipient had certified that it made a Good Faith Effort (GFE) to maintain a level of VRF expenditures, as part of its Annual Reports (for each fiscal year).
- Compared direct costs from reported expenditure to supporting documentation to ascertain whether the costs were eligible under the VRF Funding Agreement and CA. Senate Bill 83. Eligible costs include congestion and pollution mitigation expenditures and certain matching funds for transportation programs.
  - For payroll charges, traced amounts to payroll records or time cards
  - Determine whether VRF Program financial records, books, documents, papers, accounting records and other evidence has been maintained for five years
- Assessed whether the Recipient expended funds on the VRF Projects identified in the Annual Reports (for each fiscal year).
- Assessed whether the Recipient credited VTA's funding contribution on all signage, electronic or printed materials distributed to the public that are related to VRF Program projects.
- Assessed whether the Recipient tracked interest earned on unexpended VRF Program funds and applied interest to VRF Program eligible projects.
- Inquired whether there have been any material changes to the Funding Agreement, or any disputes.



## Attachment G



April 20, 2018

City of Mountain View  
Michael A. Fuller, Public Works Director  
500 Castro St  
Mountain View, CA 94041

Santa Clara Valley Transportation Authority  
Grants Management Department  
3331 North First Street  
San Jose, CA 95134

Dear Sir:

RSM US LLP (RSM) was engaged by the Santa Clara Valley Transportation Authority (VTA) to provide review and audit services related to the Vehicle Registration Fee (VRF), Local Road Improvement and Repair Program Funding Agreement (Funding Agreement) between the City of Mountain View (City) and VTA, dated November 1, 2012.

Our engagement was performed in accordance with the Standards for Consulting Services issued by the American Institute of Certified Public Accountants and the terms of our Statement of Work between the VTA and RSM.

Our procedures were performed solely to assist the VTA in determining compliance with the Funding Agreement and VRF Program requirements. This report should not be used for any other purposes.

The procedures we performed, the results of our tests, and any observations are summarized on the following pages.

**Summary:** We noted certain exceptions to the VRF Funding Agreement, or opportunities for improvement, as detailed on the following pages.

We appreciate the opportunity to work with the VTA and City of Mountain View.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bill Eggert', with a stylized flourish at the end.

Bill Eggert  
Auditor General, VTA



City of Mountain View  
 Santa Clara Valley Transportation Authority  
 April 20, 2018

#### **VRF EXPENDITURES REPORTED TO VTA BY THE CITY OF MOUNTAIN VIEW (RECIPIENT)**

The following amounts were subject to RSM's testing:

<b>Fiscal Year</b>	<b>Amount</b>
2013	\$420,053
2014	\$440,520
2015	\$460,863
2016	\$472,640
2017	\$471,750

#### **SUMMARY OF OBSERVATIONS**

We noted the following during our review:

On the FY16/17 Annual Report, the VRF ending balance was understated by \$27,368.02. This net understatement was due to the following reasons:

- **Reported Expenditures was overstated by \$67,271.62.** The originally reported expenditures was \$180,958.62. The accurate expenditures are \$113,687.00. This understatement was due to the following two reasons:
  - The *Reported Expenditures* incorrectly included fund transfers of \$42,065.60 and \$55,000.00. These transfers moved the remaining unspent funds from the Doane CIP (Capital Improvement Program) account to their original local funding accounts when the Doane Ave Reconstruction project was completed. These transfers are recorded on the GL as cash outflows, but they are not actual project expenses, making the VRF expenditures for Doane Ave Reconstruction project \$17,122.02 instead of \$84,284.38. A difference of \$67,162.36.
  - The *VRF Expenditure Allocation Ratio* was not updated after new funds (\$3,898.14) were allocated to the Doane Ave Reconstruction project. These new funds changed the allocation ratio from (\$420,000/\$607,000) to (\$420,000/\$610,898.14), making the VRF expenditures for Doane Ave Reconstruction project \$17,012.76 instead of \$17,122.02. A difference of \$109.26. The two aforementioned differences combined result in the total difference of \$67,271.62.
- **Reported VRF Revenue incorrectly included the fund transfer of \$42,065.60 from the Doane CIP to the VRF Fund.** This transfer should not have been reported as new VRF funds since it was the unspent balance to return back to the original funding source.
- **Reported Earned Interest was understated by \$2,162.00.** The originally reported earned interest was \$15,163.81, and the accurate earned interest is \$17,325.81. This error was due to a data entry error.

The City confirmed these errors and corrected the FY16/17 VRF annual report.

VRF annual reports required correction after submission to VTA, and the corrections were initiated by VTA approximately 1 year after the initial submission. The FY14 annual report was corrected to

City of Mountain View  
Santa Clara Valley Transportation Authority  
April 20, 2018

accurately reflect VRF funds expended based on the VRF allocation ratio. The FY16 report was corrected to reflect the correct FY16 VRF Funds beginning balance, interest amount, and FY16 VRF Fund ending balance. The FY17 annual report was corrected as a result of the VRF audit.

We recommend that going forward,

- The City should confirm the nature and validity of CIP fund outflows included in reported VRF expenditures.
- The City should include all project funding sources in the VRF allocation percentage applied to expenditures.
- The City should validate the completeness and accuracy of information in the annual reports against the GL to mitigate the risk of errors, and prior to submission to VTA.

City of Mountain View  
 Santa Clara Valley Transportation Authority  
 April 20, 2018

#### **PROCEDURES PERFORMED**

- Compared the total VRF distribution amounts from the VTA to the Recipient's records, by fiscal year.
- Reviewed the first expenditures, based on invoice date, noting that costs were not incurred prior to July 1, 2011.
- Determined whether the Recipient had submitted to VTA an Annual Report of its VRF Program expenditures and associated interest, cover twelve months consisting of the previous State fiscal year, no later than October 15 (for each fiscal year).
- Determined whether Recipient had certified that it made a Good Faith Effort (GFE) to maintain a level of VRF expenditures, as part of its Annual Reports (for each fiscal year).
- Compared direct costs from reported expenditure to supporting documentation to ascertain whether the costs were eligible under the VRF Funding Agreement and CA. Senate Bill 83. Eligible costs include congestion and pollution mitigation expenditures and certain matching funds for transportation programs.
  - For payroll charges, traced amounts to payroll records or time cards
  - Determine whether VRF Program financial records, books, documents, papers, accounting records and other evidence has been maintained for five years
- Assessed whether the Recipient expended funds on the VRF Projects identified in the Annual Reports (for each fiscal year).
- Assessed whether the Recipient credited VTA's funding contribution on all signage, electronic or printed materials distributed to the public that are related to VRF Program projects.
- Assessed whether the Recipient tracked interest earned on unexpended VRF Program funds and applied interest to VRF Program eligible projects.
- Inquired whether there have been any material changes to the Funding Agreement, or any disputes.



Date: January 3, 2019  
 Current Meeting: January 10, 2019  
 Board Meeting: January 10, 2019

## **BOARD MEMORANDUM**

**TO:** Santa Clara Valley Transportation Authority  
 Board of Directors

**THROUGH:** General Manager, Nuria I. Fernandez

**FROM:** Director - Planning & Programming, Chris Augenstein

**SUBJECT:** 2018 Transportation Fund for Clean Air (TFCA) Project Status Report

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### **FOR INFORMATION ONLY**

#### **BACKGROUND:**

The Transportation Fund for Clean Air (TFCA) is generated from a \$4.00 surcharge on vehicle registrations. The Bay Area Air Quality Management District (BAAQMD) administers these funds within the nine-county Bay Area. Funds are available for allocation to alternative fuel, arterial management, bicycle, and trip-reduction projects that reduce vehicle emissions.

BAAQMD returns 40% of these funds to the county of collection for allocation by a "County Program Manager." This fund is called the TFCA County Program Manager (CPM) Fund. VTA is the County Program Manager for Santa Clara County. Project sponsors apply directly to VTA for funding and the VTA Board of Directors allocates these funds to projects in Santa Clara County, subject to approval by BAAQMD.

State law requires VTA to conduct a periodic review of TFCA project status. The law states that VTA shall hold one or more public meetings per year to review the expenditure of revenues received. (Cal. Health and Safety Code 44241(f))

#### **DISCUSSION:**

In accordance with the requirement that the Board should review the expenditure of revenues received. Attachment A details the status of Santa Clara County's TFCA CPM-funded projects, and Attachment B provides a brief description of each project. Most projects are progressing smoothly; however, staff notes that Saratoga's Blue Hills Railroad Safety Crossing Project was denied a time extension request by BAAQMD.

#### **STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Congestion Management Program & Planning Committee considered this item as part of its

December 20, 2018 Consent Agenda. The Committee placed this item on the Board's consent agenda for January 10, 2019.

Prepared By: Bill Hough  
Memo No. 6695

**Attachment A**  
**Santa Clara County TFCA Funding Status Report**

TFCA Project #	Project Title	Project Sponsor	Current TFCA Funds Awarded	TFCA\$ Paid Out	% Cmpl	Project Completion Date per CMA Update	Comments
15SC11	Blue Hills School Railroad Safety Crossing Project	City of Saratoga	\$300,000.00	\$0.00	0%	cancelled	Project cancelled.
16SC01	Three-Position Exterior Bike Racks for Buses	Santa Clara Valley Transportation Authority (VTA)	\$820,000.00	\$539,769.00	60%	6/30/2019	In progress.
16SC05	Charcot Avenue Separated Bikeway	City of San Jose	\$49,768.00	\$0.00	75%	6/30/2019	In progress.
16SC06	Monroe Street Bikeway	City of San Jose	\$58,600.00	\$0.00	75%	6/30/2019	In progress.
17SC02	Lafayette Signal Timing Project	City of Santa Clara	\$210,000.00	\$0.00	40%	6/30/2019	In progress.
17SC03	Bowers Signal Timing Project	City of Santa Clara	\$590,000.00	\$0.00	40%	6/30/2019	In progress.
17SC04	School Improvements	City of Santa Clara	\$290,000.00	\$0.00	40%	6/30/2019	In progress.
17SC05	Fremont Avenue Signal Timing Improvements	City of Sunnyvale	\$55,321.00	\$32,141.73	80%	6/30/2019	In progress.
17SC06	Mary Avenue Signal Timing Improvements	City of Sunnyvale	\$98,724.00	\$56,978.53	80%	6/30/2019	In progress.
17SC07	Hollenbeck Avenue Signal Timing Improvements	City of Sunnyvale	\$59,869.00	\$35,064.00	80%	6/30/2019	In progress.
17SC08	Remington Drive Signal Timing Improvements	City of Sunnyvale	\$38,897.00	\$21,915.00	80%	6/30/2019	In progress.
17SC11	Interim Bicycle Improvement through I-280/Page Mill Interchange Area	Santa Clara County	\$125,000.00	\$35,750.00	35%	6/30/2019	In progress.
17SC13	Safe Routes to School - Pedestrian Infrastructure Improvements at Various Locations	City of Sunnyvale	\$415,961.00	\$0.00	60%	6/30/2018	In progress.
18SC00	Program Administration	Santa Clara Valley Transportation Authority	\$155,161.69	\$155,161.69	100%	complete	Project complete.
18SC01	Arques Avenue Signal Timing Improvements	City of Sunnyvale	\$36,400.00	\$0.00	25%	6/30/2019	In progress.
18SC02	Caribbean Drive Signal Timing Improvements	City of Sunnyvale	\$49,919.00	\$0.00	25%	6/30/2019	In progress.
18SC03	Evelyn Avenue Signal Timing Improvements	City of Sunnyvale	\$29,804.00	\$0.00	25%	6/30/2019	In progress.
18SC04	Fair Oaks Avenue Signal Timing Improvements	City of Sunnyvale	\$117,511.00	\$0.00	25%	6/30/2019	In progress.
18SC05	Reed Avenue Signal Timing Improvements	City of Sunnyvale	\$29,804.00	\$0.00	25%	6/30/2019	In progress.
18SC06	Sunnyvale Avenue Signal Timing Improvements	City of Sunnyvale	\$76,955.00	\$0.00	25%	6/30/2019	In progress.
18SC07	DASH Shuttle	Santa Clara Valley Transportation Authority	\$870,000.00	\$870,000.00	100%	complete	Project complete.
18SC09	Charleston-Arastradero Adaptive Timing Project	City of Palo Alto	\$250,604.00	\$0.00	90%	6/30/2019	In progress.
18SC10	Central, Montague, and Oregon-Page Mill Expressway Weekend Signal Timing Coordination	County of Santa Clara Roads and Airports Department	\$240,000.00	\$108,479.26	45%	6/30/2019	In progress.
18SC12	San Jose Bike Racks	City of San Jose	\$63,212.00	\$0.00	7%	6/30/2019	In progress.
18SC13	Lick Mill Signal Timing	City of Santa Clara	\$166,000.00	\$0.00	40%	6/30/2019	In progress.
18SC14	Homestead Signal Timing Project	City of Santa Clara	\$300,000.00	\$0.00	40%	6/30/2019	In progress.
18SC15	Agnew/De La Cruz signal timing project	City of Santa Clara	\$220,000.00	\$0.00	40%	6/30/2019	In progress.
18SC16	Mission College Bike Lanes	City of Santa Clara	\$109,500.00	\$0.00	35%	6/30/2019	In progress.

**Attachment B**  
**Santa Clara County TFCA 40% Program**  
**Descriptions of Current Projects-Fall 2018**

**15SC11- Blue Hills School Railroad Safety Crossing Project**

Saratoga proposed a pedestrian railroad crossing allowing a pass through Joe's Trail at De Anza from Guava Court to Fredericksburg Drive.

**16SC01 - 3-Position Bus Bike Racks**

VTa will procure and install three-position bike racks on its entire fleet of 460 active buses.

**16SC05 - Charcot Avenue Bikeway**

San Jose is installing Class II bike lane striping, bicycle signal detection, and physical separation on Charcot Avenue.

**16SC06 - Monroe Street Bikeway**

San Jose is installing Class II bike lane striping, signage, and bicycle signal detection on Monroe Street

**17SC02 - Lafayette Street Signal Timing**

Santa Clara will perform signal timing on Lafayette Street between Lewis Street and Newhall Street.

**17SC03 - Bowers Avenue Signal Timing**

Santa Clara will perform signal timing on Bowers Avenue between El Camino Real and US-101.

**17SC04 - SRTS School improvements**

Santa Clara will improve safety for students walking and biking to school. Improvements include enhanced crosswalks, improve signals and traffic calming.

**17SC05 - Fremont Avenue Signal Timing**

Sunnyvale will perform signal timing on Fremont Avenue between SR 85 and Fieldfair Drive/Rembrandt Drive.

**17SC06 - Mary Avenue Signal Timing**

Sunnyvale will perform signal timing on Mary Avenue between Homestead Road and Maude Avenue.

**17SC07 - Hollenbeck Avenue Signal Timing**

Sunnyvale will perform signal timing on Hollenbeck Avenue between Homestead Road and Danforth Drive.

**17SC08 - Remington Drive Signal Timing**

Sunnyvale will perform signal timing on Remington Drive between Bernardo Avenue and Manet Drive.

**17SC11 - Bicycle Improvement through 1-280/Page Mill Interchange Area**

Santa Clara County will improve bicycle access at the I-280/Page Mill interchange area. Improvements include signing and striping improvements.

**17SC13 - Pedestrian Infrastructure Improvements**

Sunnyvale will improve safety for students walking and biking to school in Sunnyvale. Improvements include in-pavement lighted crosswalks, raised crosswalks and traffic calming.

**18SC00 - Program Administration**

VTa receives 5% of TFCA Program Manager funds for program administration.

**18SC01 - Arques Avenue Signal Timing**

Sunnyvale will perform signal timing on Arques Avenue from Commercial Street to Oakmead Parkway.

**18SC02 - Caribbean Drive Signal Timing**

Sunnyvale will perform signal timing on Caribbean Drive from Mathilda Avenue to Lawrence Station Road.

**18SC03 - Evelyn Avenue Signal Timing**

Sunnyvale will perform signal timing on Evelyn Avenue from Sunnyvale Avenue to Mathilda Off-Ramp.

**18SC04 - Fair Oaks Avenue Signal Timing**

Sunnyvale will perform signal timing on Fair Oaks Avenue from El Camino Real to Fair Oaks Way.

**18SC05 - Reed Avenue Signal Timing**

Sunnyvale will perform signal timing on Reed Avenue from Timberpine Avenue to Gail Avenue.

**18SC06 - Sunnyvale Avenue Signal Timing**

Sunnyvale will perform signal timing on Sunnyvale Avenue from El Camino Real to Maude Avenue.

**18DC07 - DASH Shuttle**

MTA used TFCF funds to help support operations of the Downtown Area Shuttle (DASH) in downtown San Jose until the route is changed with the opening of Berryessa BART station.

**18SC09 - Charleston/Arastradero Adaptive Signal Timing.**

Palo Alto will perform signal timing on Charleston/Arastradero from East Charleston Road at Fabian Way to Arastradero Road at Gunn High School.

**18SC10 - Weekend Expressway Signal Timing Coordination**

Santa Clara County will perform signal timing along Central, Montague and Oregon/Page Mill Expressways.

**18SC12 - San Jose Bike Rack Purchase and Installation**

San Jose will install 300 public Bike Racks throughout the City of San Jose.

**18SC13 - Lick Mill Signal Timing**

Santa Clara will perform signal timing on Lick Mill Boulevard from Tasman Drive to Montague Expressway.

**18SC14 - Homestead Road Signal Timing**

Santa Clara will perform signal timing on Homestead Road from downtown Santa Clara to San Tomas Expressway.

**18SC15 - Agnew/De La Cruz Signal Timing**

Santa Clara will perform signal timing on Agnew/De La Cruz between Sun Fire Way and Laurelwood Road.

**18SC16 - Mission College Bike Lanes**

Santa Clara will add a Class 2 bike lane on Mission College Boulevard from Great America Parkway to the Sunnyvale City Limit.





Date: January 3, 2019  
 Current Meeting: January 10, 2019  
 Board Meeting: January 10, 2019

## **BOARD MEMORANDUM**

**TO:** Santa Clara Valley Transportation Authority  
 Board of Directors

**THROUGH:** General Manager, Nuria I. Fernandez

**FROM:** Director - Planning & Programming, Chris Augenstein

**SUBJECT:** Transit Sustainability Project Update

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### **FOR INFORMATION ONLY**

#### **BACKGROUND:**

Under the Santa Clara Valley Transportation Authority's (VTA's) Transit Sustainability Project (TSP) Strategic Plan adopted by the Board on December 2012, VTA began a five-year implementation of strategies to reduce costs by five (5) percent in one of the following categories: cost per passenger, cost per passenger mile and/or cost per service hour by Fiscal Year (FY) 2017. These goals are consistent with the efficiency targets established by the Metropolitan Transportation Commission (MTC). The discussion below presents the program objectives and participation, the reported results under each of the three cost categories and a summary of the initiatives implemented.

#### **DISCUSSION:**

##### **Program Objectives and Regional Participation**

On May 2012, MTC approved measures and targets to monitor the performance of the largest transit agencies in the Bay Area. It required a 5 percent real reduction in at least one of these performance measures: cost per service hour, cost per passenger and/or cost per passenger mile and no growth beyond the Consumer Price Index (CPI) thereafter. VTA was one of the seven large transit agencies in the region committed to this goal.

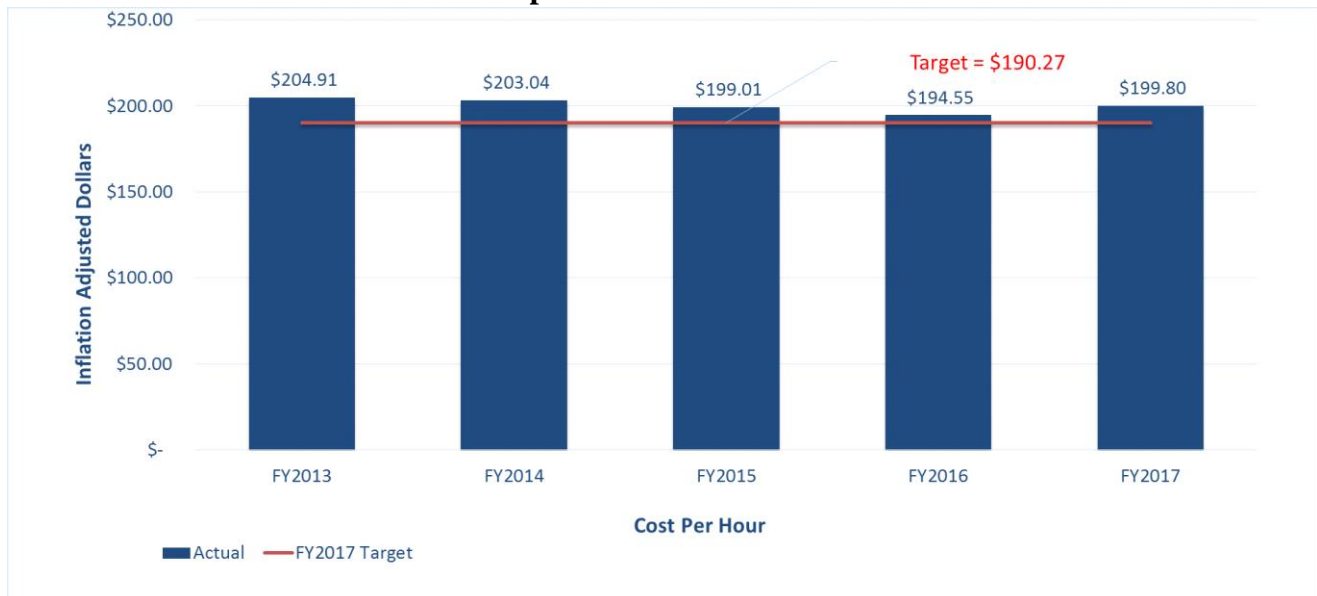
VTA's performance baseline was set at the highest cost year between FY08 and FY11 and it is updated to 2017 inflation-adjusted dollars, as follows:

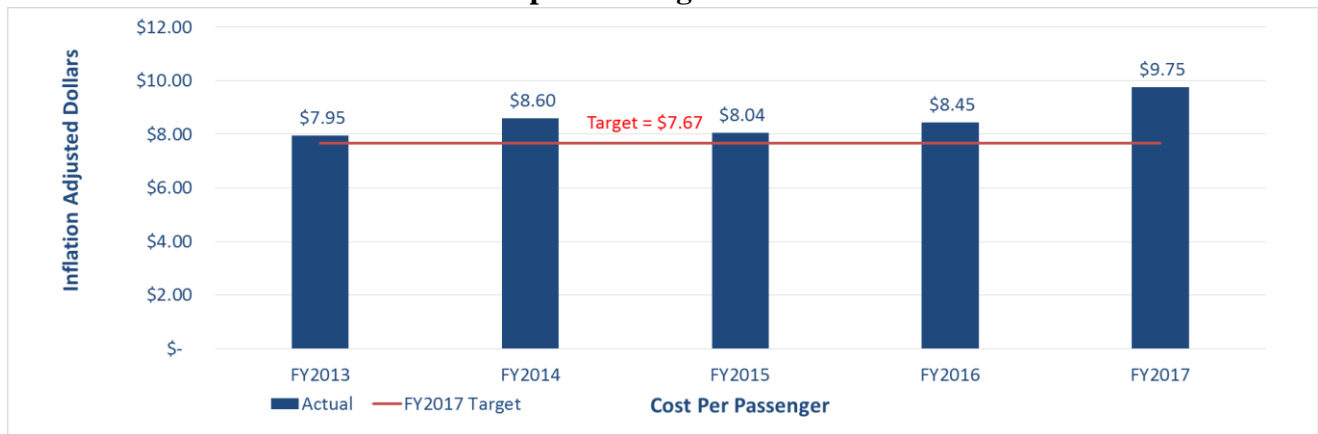
<b>Baseline Year (FY11) Key Performance Measures and 5% Reduction Target in 2017\$</b> Cost is for all modes combined -bus, light rail, shuttles, and paratransit			
Cost Category	FY11 Cost (2017\$)	%5 Reduction (2017\$)	Target Cost (2017\$)
Service Hour	\$200.29	-\$10.02	\$190.27
Passenger	\$8.07	-\$1.61	\$7.67
Passenger Mile	\$1.71	-\$0.09	\$1.62

### TSP Results

VTA began reporting data on these performance measures to MTC in FY2012, culminating in FY 2017. Since the official data is derived from the National Transit Database (NTD) the results are made available following fiscal year. Therefore the FY17 of NTD data became available for TSP analysis in July 2018. This section provides the year by year performance results for VTA. Charts 1-3 Summarize actual results under each of the three performance categories compared to their 5% reduction target.

**A. Chart 1: FY2012-FY2017 Cost per Hour**



**B. Chart 2: FY2012-FY2017 Cost per Passenger****C. Chart 3: FY2012-FY2017 Cost per Passenger Mile**

VTA strived to reach the performance targets in all three categories and consistently met the cost per passenger mile performance measure for four of the five reported years. It is important to note that even though VTA failed to meet its performance targets last year, this is not a unique problem, and other agencies in the region have also seen significant declines in performance and are struggling to meet their targets.

MTC is in the process of analyzing the performance outcomes of this five-year period and will report on the regional results in early 2019. They also began an in-depth analysis in partnership with the University of California, Los Angeles (UCLA) School of Public Affairs to develop a transit ridership trend study for the Bay Area focusing on the current ridership decline. This effort is modeled on a similar study that UCLA prepared in 2018 for southern California. Its goal is to examine the factors influencing transit use and trends in the Bay Area. The recommendations and final report are expected in mid-2019. VTA has volunteered to be part of MTC's Ridership Technical Advisory Committee that will participate in the UCLA study to evaluate the specific conditions affecting our region.

**TSP Initiatives**

Over the last several years, VTA has successfully applied diverse strategies aimed at meeting the

TSP program objectives and efficiency goals including:

#### Reductions in Ongoing Costs

- Negotiated increased Employee Pension contributions for CalPERS employees
- Negotiated increased Employee Pension contributions for ATU/MTA Pension Plan
- Transitioned to CalPERS Health Insurance

#### Establishment of Financial Sustainability Measures

- Created the Sales Tax Stabilization Reserve
- Established Expenditure Prioritizations
- Established Key Financial Principles
- Established Deficit Reduction Targets

#### Service Speed Improvements

- Elimination of slow zones in our light rail system resulting in significant improvements in on-time performance
- Technology improvements in real-time vehicle on-time performance and passenger load monitoring
- Completion of safety enhancements along the light rail corridor including eight light rail stations and over twenty intersections

#### Operational Improvements

- Improvements in system reliability and service delivery through the reduction of major mechanical failures and light rail vehicle fleet mid-life overhauls
- Implementation of bus rapid transit
- Deployment of the first fleet of zero-emission battery electric buses
- Construction of MTA's BART to Silicon Valley Phase 1 expansion

#### Implementation of Policies and Procedures Leveraging Planned Services

- Adoption of the Next Network
- Enactment of new transit service guidelines
- Improvements in the Employee Health and Wellness Program
- Augmented Clipper availability
- Intensification of land uses along important transit corridors through Joint Development Projects

#### **Looking Ahead**

Despite the financial and operational sustainability efforts, MTA is still facing tremendous challenges due to declining ridership, leveling of local sales tax revenue and increasing costs. On January 4, 2018, at the Board of Directors Meeting MTA announced the formation of the 2018 Ad Hoc Financial Stability Committee to address the current structural deficit. After several months of extensive analysis, the Committee presented their recommendations focusing on three areas: specific actions, encouragement/policy discussion, and further examination. These recommendations were unanimously approved by the Board on December 6, 2018. Immediate actions include service delivery costs caps, index fare pricing and internal early retirement incentives. Recommendations for addressing long-term financial recovery will continue to be

addressed through policy revisions, revenue generation and internal efficiencies.

In addition to financial uncertainty, VTA is currently facing significant decline in average transit travel speeds throughout the system. This has the dual effect of making transit less attractive to riders and more expensive for VTA to operate. Consequently, VTA started a comprehensive examination of the causes of declining speeds and reliability within the Frequent Network. Staff is utilizing new tools to aggregate data from multiple sources including ridership, travel time, reliability, and the bus stop inventory. The tools enable route by route analysis of the transit network to identify the reasons for specific speed problems and formulate potential solutions. The data analysis is also being informed by Operator expertise and fieldwork. This method ensures that potential solutions are being considered with a full understanding of their impacts on ridership and travel time. The analysis is expected to be completed in early 2019 and will inform policy discussions and policy development at the Municipal level.

Operationally, the recently-adopted Next Network bold transit redesign will reallocate resources to more productive uses to increase ridership and efficiency. Through a significant expansion of VTA's frequent transit network to more people, the new network will provide "show up and go" frequent service to 150,000 more residents and 160,000 more jobs, while maintaining a strong network of neighborhood services that are a lifeline for many residents. Staff is actively working on a plan for a smooth rollout of the new network that will coincide with BART service to Silicon Valley in 2019. With the new network and connections with BART service, we anticipate an increase in ridership of 8-10 percent after two years.

Building on the redesigned transit network, VTA is revamping our transit information materials to make transit easier to understand and use for our customers. To be released with the new network is a redesigned frequency-based transit system map, redesigned printed schedules, improved bus stop signage, an improved real-time transit data feed for third-party apps, and a redesigned VTA.org website.

Another effort to increase ridership for every dollar spent is a recently-launched redesign of VTA's Express Bus program of commuter routes. These commuter routes provide a valuable service to many Silicon Valley commuters, but the network of nine routes has poor performance and is quite inefficient. Staff is launching an effort to collaborate with community leaders, local employers, and commuters to develop a more efficient commute solutions program that serves many thousands more riders every day.

Finally, the newly adopted Transit Service Guidelines framework established a robust new transit performance monitoring program that will regularly monitor and report performance of our transit services, develop service change recommendations, and implement on a regular basis. These guidelines guide service improvements based on industry best practices and are accompanied by new minimum standards for service productivity. The new service guidelines will give staff the tools to provide better transit service that is fast, frequent, and reliable.

#### **STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

Staff presented this item at the Congestion Management Program and Planning Committee on December 20, 2018. After a brief discussion on project metrics, the Committee recommended

placing this item on the Board's consent agenda for January 10, 2019.

Prepared By: Lorena Bernal-Vidal  
Memo No. 6761



Date: January 3, 2019  
 Current Meeting: January 10, 2019  
 Board Meeting: January 10, 2019

## BOARD MEMORANDUM

**TO:** Santa Clara Valley Transportation Authority  
 Board of Directors

**THROUGH:** General Manager, Nuria I. Fernandez

**FROM:** Director - Planning & Programming, Chris Augenstein

**SUBJECT:** Transit Service Changes - January 14, 2019

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### FOR INFORMATION ONLY

#### **BACKGROUND:**

VTA implements transit service changes quarterly in January, April, July, and October. Major service changes are typically planned for implementation in July to coincide with each fiscal year, while minor service changes are planned for each quarter. Major service changes must be submitted to the VTA Board of Directors for review and approval. For Title VI compliance purposes, all major service changes also require that VTA staff perform a Service Equity Analysis.

The following modifications are considered “major” service changes as adopted by the VTA Board of Directors:

- Establishment of a new transit line or service.
- Elimination of a transit line or service.
- Route change that impacts 25 percent or more of a line’s route miles.
- Span of service or frequency changes affecting 25 percent or more of a line’s revenue vehicle hours.
- Series of changes on a single route which are included in the annual transit service plan and cumulatively meet any of the above criteria.
- Proposed changes that are anticipated to be controversial with a particular community or interested parties based on public feedback.
- Systemwide change concurrently affecting five percent or more of the total system revenue hours.

Service change proposals that do not meet the criteria for major service changes are handled at the staff level and are still subject to an appropriate level of community review and comment.

## **DISCUSSION:**

In June 2017, the VTA Board of Directors approved the Next Network Transit Service Plan, for implementation coincident with the introduction of BART service at Milpitas and San Jose / Berryessa stations. In the interim, quarterly transit service changes, such as this one, focus on adjustments to VTA's current service to improve schedules and connections.

The following service changes will take effect on Monday, January 14, 2019:

### **Major Service Changes**

No major service changes.

### **Minor Service Changes**

1. **Light Rail 900 Purple Line, 901 Blue Line, and 902 Green Line:** weekday and weekend schedules will be revised to accommodate additional running time. Train delays have increased steadily due to increased traffic congestion and pedestrian activity on sections of First Street and Tasman Drive.
2. **Morgan Hill:** The timepoint at Main & Hale will be moved to Main & Monterey. Buses will remain on Main Street and no longer pull into an off-street bus stop at Main & Hale. This change will impact:

**Route 16 Morgan Hill Civic Center - Burnett Avenue**

**Route 68 Gilroy Transit Center - San Jose Diridon Transit Center**

3. **Downtown San Jose:** The timepoint at San Fernando & 1<sup>st</sup> will be moved to San Fernando & 2<sup>nd</sup>. This change will impact:

**Route 63 Almaden Expressway & Camden - San Jose State University**

**Route 64 Almaden Station - McKee & White**

**Route 65 Kooser & Blossom Hill - 13<sup>th</sup> & Hedding**

**Route 81 Moffett Field/Ames Center - San Jose State University**

**DASH Downtown Area Shuttle**

4. **Express 181 San Jose Diridon Transit Center - Warm Springs BART:** One additional weekday afternoon bus will be added to improve reliability and capacity. Weekday and weekend schedule changes will be made in January in advance of a BART schedule change that will take effect on February 11, 2019. There will be additional changes that will take effect on February 11 when BART changes their evening frequency to every 24 minutes (currently every 20 minutes).
5. **Many bus routes will have minor schedule changes to weekday, Saturday, and Sunday service** in order to improve running times, on-time performance, transfers, and operator layovers.
6. **Cost increases due to declining speeds.** As transit speeds continue to decline due to increased traffic congestion and pedestrian activity, additional transit vehicles must



occasionally be added in order to maintain service frequency. Two transit vehicles will be added this quarter:

- One additional light rail train will be added to Route 902 Green Line on weekends (necessary to maintain 30-minute service frequency). The additional train is required because of increased delays to trains due to traffic congestion (trains waiting at red lights) and pedestrian activity, particularly along Tasman Drive and North First Street.
- One additional Saturday bus will be added to the combination of Route 72 & 73 to maintain service frequency in light of declining speeds due to increased traffic congestion and buses waiting at red lights.

Subsequent service change memos will also include a discussion (including fiscal impact) of specific instances when buses or trains are added due to declining transit speeds. The continued decline in transit speeds and resulting cost increases point to the critical need to speed up transit, which is the subject of VTA's recently-initiated Fast Transit program.

#### **FISCAL IMPACT:**

The estimated annual cost of the additional buses and trains added to compensate for declining transit speeds due to increased traffic congestion and pedestrian activity is approximately \$185,000 per year. Appropriation for these expenditures is available in the Adopted FY19 VTA Transit Fund Operating Budget.

#### **STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

This item was reviewed as part of the Safety, Security, and Transit Planning and Operations (SSTPO) Committee's consent agenda on December 21, 2018. The Committee recommended placing this item on the Board's consent agenda for January 10, 2019.

Prepared By: Jay Tyree  
Memo No. 6620



Date: January 3, 2019  
 Current Meeting: January 10, 2019  
 Board Meeting: January 10, 2019

## BOARD MEMORANDUM

**TO:** Santa Clara Valley Transportation Authority  
 Board of Directors

**THROUGH:** General Manager, Nuria I. Fernandez

**FROM:** Chief Engineering & Program Delivery Officer, Carolyn M. Gonot

**SUBJECT:** General Engineering Services for VTA's BART Silicon Valley Phase II Extension

Policy-Related Action: Yes

Government Code Section 84308 Applies: Yes

## ACTION ITEM

### RECOMMENDATION:

Authorize the General Manager to execute a contract with Mott MacDonald/PGH Wong Engineering Joint Venture (MMW) in an amount up to \$125,000,000 to provide General Engineering services for the preliminary engineering phase of VTA's BART Silicon Valley Phase II Extension.

### BACKGROUND:

Beginning in 2002, VTA conducted planning, environmental, and engineering activities for the BART Silicon Valley (BSV) Program. In March 2012, the Federal Transit Administration (FTA) and VTA executed a Full Funding Grant Agreement (FFGA) for the Phase I Berryessa extension (SVBX) project. The SVBX project is currently under construction with revenue services anticipated in the fall of 2019.

Planning efforts for Phase II of the BSV program began in January 2014 with evaluation of alignment options, and environmental studies. On December 21, 2015, VTA submitted a request for entry into FTA's New Starts Project Development (NSPD) phase. FTA approved this request on March 3, 2016.

In November 2018, in close coordination with FTA, staff submitted VTA's formal Expression of Interest (EoI) to participate in the Federal Transit Administration (FTA) Expedited Project Delivery (EPD) Pilot Program. The submittal demonstrates VTA's qualifications to participate in the pilot program; and showcases, through innovation, planned transit-oriented joint development, public-private partnerships, value capture, and local funding commitments, why

the Phase II Extension is such a good fit for EPD. Although FTA has not finalized a project list for the EPD program, staff anticipates project evaluations and selections to be completed in the first quarter of 2019. If the Phase II Extension is included in the EPD pilot program, a formal application will be submitted in early 2020 that satisfies the program's requirements. VTA's progress in FTA's New Starts Project funding process is temporarily suspended while FTA evaluates the projects for its EPD program and would re-continue if the VTA's Phase II Extension does not proceed in the EPD program.

To complete VTA's EPD application the project design will be developed to approximately 30% complete. This will inform costs and schedule estimates needed to demonstrate the adequacy of VTA's management, financial, and implementation plans.

The intent established in the VTA-BART Comprehensive Agreement will be fulfilled with the completion of the Phase II extension project. To achieve this intent, VTA will need specialized engineering services for the BSV Program.

### **DISCUSSION:**

The FTA's EPD program will require VTA to complete sufficient engineering and design to assure a firm and reliable project definition, schedule, and cost estimate; and demonstrate an overall technical capacity and capability before entering into an FFGA. The recommended contract for General Engineering services support VTA's efforts to fulfill these requirements as well as ready the project for construction and provide technical support during construction. The scope of General Engineering services including the following:

***Preliminary Engineering:*** Prepare preliminary designs for all key elements of the project to a level that is approximately 30% complete. This will refine the project configuration and equipment arrangement; determine many of the outstanding questions of size, shape and location for project facilities; and evaluate principal construction methods. These determinations will support reliable cost and schedule development.

***Final Engineering:*** Prepare final plans, specifications and engineering estimates for bidding construction contracts. This phase follows the Preliminary Engineering phase and involves preparing the technical information to be included in the many construction contract documents VTA will use to complete the project. This phase of work will generally be conducted after VTA enters into a Full Funding Grant Agreement with FTA.

***Design Support During Construction:*** Provide on-call engineering services to advise VTA regarding design changes that may be needed during the construction phase of the project. These services include making design revisions, evaluating unexpected field conditions, and evaluating contractor change proposals among other construction phase services.

On July 2, 2018, VTA advertised a Request for Proposal (RFP S18088) for General Engineering Services. VTA sought proposals from firms with technical experience in the public transit capital program management; heavy rail tunnel infrastructure development; underground transit station design and operation; engineering management; and demonstrated successful experience in engineering projects similar to VTA's BART Silicon Valley Phase II Extension Project. On August 13, 2018, VTA received two qualifying proposals from the following firms.

1. AECOM Technical Services, Inc.
2. Mott MacDonald/PGH Wong Engineering Joint Venture

VTA composed a review panel consisting of two VTA Deputy Directors, one VTA Engineering Group Manager, one VTA Program Controls Manager, and one BART Assistant General Manager to evaluate the proposing firms. In addition to reviewing the written proposals, the review panel interviewed both teams twice. The first round of interviews focused on the prescribed proposal requirements. The second interviews were focused more specifically on tunnel and deep excavation design. After evaluating the written proposals and information obtained from the interviews, the review panel assigned the highest ranking to Mott MacDonald/PGH Wong Engineering Joint Venture as the most qualified to provide the services needed for the project.

The recommended contract will provide General Engineering services through December 2026, approximately coinciding with the start of revenue service on the completed extension. However the recommended contract amount reflects services only through December 2020, which is intended to support VTA's engineering needs through receipt of a Full Funding Grant Agreement from FTA. At the end of this period, VTA staff will request additional contracting authority to increase the total contract value as needed to complete Final Engineering and provide Design Support During Construction.

The Mott MacDonald/PGH Wong Engineering Joint Venture team includes sub-consultants and the relevant company names and details are included in Attachment A.

### **ALTERNATIVES:**

The Board of Directors can elect to reject the staff recommendation and direct staff to issue a subsequent and/or different Request for Proposals. However, deferring this action would significantly impair VTA's ability to timely complete and submit its FTA New Starts funding application.

### **FISCAL IMPACT:**

This action will authorize up to \$125,000,000 for General Engineering services to support VTA's BART Silicon Valley Phase II Extension through December 2020. Appropriation for this contract is available in the FY19 Adopted 2000 Measure A Transit Improvement Program Fund Capital Budget. This contract is funded by a combination of 2000 Measure A funds, 2016 Measure B funds and prospective and anticipated FTA New Starts funds.

### **DISADVANTAGED BUSINESS ENTERPRISE (DBE) AND SMALL BUSINESS ENTERPRISE (SBE) PARTICIPATION:**

Based on the identifiable subcontracting opportunities, a DBE goal of 15.45% and an aspirational SBE goal of 30% was established for this contract. Mott MacDonald/PGH Wong Engineering Joint Venture demonstrated 15.55% DBE and 21.80% SBE participation for the initial task order as defined by the Request for Proposal. Mott MacDonald/PGH Wong Engineering Joint Venture has committed to achieving the established goals for DBE and SBE over the full duration of this contract.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Administration & Finance Committee reviewed this item at their December 20, 2018 meeting and had a brief discussion about the type of services that will be provided under this contract. The Committee did not have enough votes to formally recommend approval to the VTA Board of Directors due to a recusal. The Committee placed this item on the Board's regular agenda for January 10, 2019.

Prepared by: Dennis Ratcliffe, Deputy Director  
Memo No. 6585

**ATTACHMENTS:**

- MMW Attachment A - Memo No. 6585 (PDF)

## Attachment A

-  
**Mott MacDonald/PGH Wong Engineering, Inc. (MMW) Joint Venture**  
**Proposed Subconsultants**

<b>Company Name/Address/Phone</b>	<b>Contact Name/Email</b>	<b>Type of Service</b>
<b>Alliance Engineering Consult., Inc.</b> 4701 Patrick Henry Dr. #10, Santa Clara, CA 95054 (408) 970-9316	Ken Ngai <a href="mailto:ken@aec-engineers.com">ken@aec-engineers.com</a>	Mechanical/Electrical/Plumbing
<b>Anil Verma Associates, Inc.</b> 1970 Broadway, #668, Oakland, CA 94612 (510) 834-4118	Anil Verma <a href="mailto:anilv@anilverma.com">anilv@anilverma.com</a>	Architectural Design
<b>Arora Engineers, Inc.</b> 6920 Santa Teresa Blvd., #208, San Jose, CA 95113 (650) 488-7504	Adam Oliver <a href="mailto:aoliver@aroraengineers.com">aoliver@aroraengineers.com</a>	Electrical Engineering
<b>ATS Consulting</b> 215 N. Marengo Ave., #100, Pasadena, CA 91101 (626) 710-4400	Hugh Saurenman <a href="mailto:hsaurenman@atsconsulting.com">hsaurenman@atsconsulting.com</a>	Noise/Vibration Analysis and Reporting
<b>Biggs Cardosa Associates, Inc.</b> 865 The Alameda, San Jose, CA 95126 (408) 296-5515	Steve Biggs <a href="mailto:sbiggs@BiggsCardosa.com">sbiggs@BiggsCardosa.com</a>	Structural Reviews/ Structural Support
<b>Cal Engineering &amp; Geology, Inc.</b> 6455 Almaden Exy, #100, San Jose, CA 95120 (408) 440-4542	Dan Paluso <a href="mailto:dpaluso@caleng.com">dpaluso@caleng.com</a>	Geotechnical Services
<b>Circlepoint</b> 46 S. First Street, San José, CA 95113 (408) 715-1515	Audrey Zagazeta <a href="mailto:a.zagazeta@circlepoint.com">a.zagazeta@circlepoint.com</a>	Environmental
<b>Corrpro Systems</b> 20991 Cabot Blvd., Hayward, CA 94545 (510) 244-9445	Linda Rodrigues <a href="mailto:lr Rodrigues@aegion.com">lr Rodrigues@aegion.com</a>	Corrosion Control/ Corrosion Protection
<b>Cooper Pugeda Mgmt. Inc.</b> 65 McCoppin St., San Francisco, CA 94103 (415) 543-6515	Ismael Pugeda <a href="mailto:cpmip@cpmservices.com">cpmip@cpmservices.com</a>	Project Controls/ Scheduling/Quality Assurance
<b>Fehr &amp; Peers</b> 160 W. Santa Clara St. #675, San Jose 95113 408-278-1700	Matt Haynes <a href="mailto:m.haynes@fehrandpeers.com">m.haynes@fehrandpeers.com</a>	Traffic Operations
<b>FMG Architects</b> 330 15th St., Oakland, CA 94612 (510) 465-8700	Charissa Frank <a href="mailto:cfrank@fmgarchitects.com">cfrank@fmgarchitects.com</a>	Architectural Design and Support Services
<b>Foster + Partners</b> 1000 Sansome St, #240, San Francisco, CA 94111 (628) 895-0200	Peter Sokoloff <a href="mailto:psokoloff@FosterandPartners.com">psokoloff@FosterandPartners.com</a>	Architecture
<b>FW Associates</b> 68 12 <sup>th</sup> St., #300, San Francisco, CA 94103 (415) 861-0286	Ed Wong <a href="mailto:ewong@fwa-inc.com">ewong@fwa-inc.com</a>	Electrical Engineering
<b>GeoPentech, Inc.</b> 5251 California Ave, # 210, Irvine, CA 92617 (714) 796-9100	Rambod Hadidi <a href="mailto:rambod_hadidi@geopentech.com">rambod_hadidi@geopentech.com</a>	Geotechnical Services
<b>HMH Engineers</b> PO Box 611510, San Jose, CA 95161 (408) 487-2200	Bill Wagner <a href="mailto:bwagner@hmh-engineers.com">bwagner@hmh-engineers.com</a>	Utilities Design/ Eng. Support; Civil Eng./ Project Surveys
<b>Josephine's Professional Staffing, Inc.</b> 2158 Ringwood Ave., San Jose, CA 95131 (408) 943-0111	Josephine Hughes <a href="mailto:josephine@jps-inc.com">josephine@jps-inc.com</a>	Administrative Support

Mott MacDonald/PGH Wong Engineering, Inc. (MMW) Joint Venture  
Proposed Subconsultants

Company Name/Address/Phone	Contact Name/Email	Type of Service
<b>Merrill Morris Partners</b> 100 Filbert St., Oakland CA 94607 (510) 428-4006	Cathy Merrill <a href="mailto:cmerrill@merrill-morris.com">cmerrill@merrill-morris.com</a>	Landscape
<b>Robin Chiang &amp; Company</b> 245 5th St., #104, San Francisco CA 94103 (415) 995-9870	Robin Chiang, AIA <a href="mailto:rchiang@designbythebay.com">rchiang@designbythebay.com</a>	Architectural Design and Support Services
<b>Silverman &amp; Light</b> 1201 Park Ave. # 100, Emeryville, CA 94608 (510) 655-1200	Chris Silverman <a href="mailto:chris@silvermanlight.com">chris@silvermanlight.com</a>	Lighting design and/or Electrical Engineering (No M&P)
<b>SC Solutions (SCS)</b> 1261 Oakmead Parkway, Sunnyvale, CA 94085 (408) 616-228	Alex Krimotat <a href="mailto:alex@scsolutions.com">alex@scsolutions.com</a>	3D Dynamic Soil Structure Interaction Analysis
<b>SOHA Engineers</b> 1330 Broadway, #436, Oakland, CA 94612 (510) 444 5577	Stephen Lau <a href="mailto:slau@soha.com">slau@soha.com</a>	Station Structures
<b>STV, Inc. (STV)</b> 1999 S. Bascom Ave., #709, Campbell, CA 95008 (408) 879-2381	David Borger <a href="mailto:david.borger@stvinc.com">david.borger@stvinc.com</a>	Yards & Shops
<b>TEC-Cuatro, S.A. (TEC-4)</b> Lepant, 350, 3º, 08025 Barcelona, Spain Tel.: +34 93 202 21 65	Jaume Llongueras Mestres <a href="mailto:jllongueras@tec-4.es">jllongueras@tec-4.es</a>	Line 9 Technical Advisor
<b>Thornton Tomasetti, Inc.</b> 19200 Stevens Creek Blvd., #100, Cupertino 95017 (650) 230-0210	Russ Cussen <a href="mailto:rcussen@thorntontomasetti.com">rcussen@thorntontomasetti.com</a>	Preliminary Hazards Analysis and Treat/Vulnerability Analysis
<b>Transportation Decision Systems</b> 199 First Street, #324, Los Altos, CA 94022 (650) 949-1101	Michael Tashker <a href="mailto:TashkerM@transdecsys.com">TashkerM@transdecsys.com</a>	Ontrack Dynamic Train Simulation; Ontrack Simulation Support For TEPAS Load Flow Analysis
<b>Walker Consultants</b> 601 California St, #820, San Francisco, CA 94108 (415) 830-3175	Justin M. Chang <a href="mailto:jchang@walkerconsultants.com">jchang@walkerconsultants.com</a>	Parking Garages
<b>Y&amp;C Transportation Consultants, Inc.</b> 3250 Ramos Circle, Sacramento, CA 95827 (916) 366-8000	Daniel Yau <a href="mailto:DYau@YCTransportation.com">DYau@YCTransportation.com</a>	Traffic Engineering

Prime Contractor:

**Mott MacDonald/PGH Wong Engineering, Inc. (MMW) Joint Venture**

2077 Gateway Place, Ste. 500  
San Jose, CA 95110

Attn: Chris Metzger; 408-876-6039; [Chris.metzger@mottmac.com](mailto:Chris.metzger@mottmac.com)  
Clifford Wong; 415-566-0800; [Cliff@pghwong.com](mailto:Cliff@pghwong.com)



Date: January 3, 2019  
 Current Meeting: January 10, 2019  
 Board Meeting: January 10, 2019

## BOARD MEMORANDUM

**TO:** Santa Clara Valley Transportation Authority  
 Board of Directors

**THROUGH:** General Manager, Nuria I. Fernandez

**FROM:** Director - Planning & Programming, Chris Augenstein

**SUBJECT:** Proposal for 2019 New Transit Service Plan

Policy-Related Action: Yes

Government Code Section 84308 Applies: No

## ACTION ITEM

### RECOMMENDATION:

Direct staff to conduct outreach on the proposed 2019 New Transit Service Plan, presented per the Board's direction to develop and implement a New Transit Service Plan.

### BACKGROUND:

This is a staff proposal for a 2019 New Transit Service Plan, per the Board of Director's direction as recommended by the Ad Hoc Financial Stability Committee at the Board's December 2018 meeting.

Following an intense two-year planning effort in collaboration with Jarrett Walker + Associates, the community, and transit stakeholders, the VTA Board of Directors adopted the Next Network transit service plan in May 2017, for implementation coincident with the start of BART service to Milpitas and Berryessa. As adopted, the Next Network plan comprised 1,601,000 annual bus hours and 192,000 annual rail hours of service, with an 83% ridership and 17% coverage mix. Since adoption, VTA's existing service network (in place and largely unchanged since 2008) remains in effect until the introduction of BART service when the Next Network transit service will be introduced.

To help address VTA's structural deficit and improve its long-term financial stability, in December 2018 the Board of Directors adopted the Ad Hoc Financial Stability Committee's recommendations. Included in these recommendations was direction to develop a 2019 New Transit Service Plan that would replace the original Next Network plan at a lower service level and with a higher ridership focus, in order to achieve a \$14.7M annual operating cost savings.



Per VTA's Transit Service Guidelines and the Title VI Major Service Change policy, any major service change must be developed as part of a comprehensive service plan development process, which must include outreach/engagement with the community, an analysis of ADA paratransit impacts, a CEQA environmental analysis, and a Title VI service equity analysis. Accordingly, the necessary first step of this process is for staff to develop and present this network proposal for Board and community consideration.

## **DISCUSSION:**

At its December 2018 meeting, the VTA Board of Directors directed staff to develop a new transit service plan, based on the original Next Network, but with several changes. The proposed service plan presented here generally meets all three of the Board's parameters for the new plan:

1. **Reduce the service level to approximate what is offered today, 1.52M annual hours of bus service and 156K annual hours of rail service, to achieve a \$14.7M reduction in annual operating costs.** *The proposed plan would achieve a net \$14.7M reduction in annual operating costs, however the plan divides the cuts between bus and rail service to preserve BART connections, ridership, and efficiency.*
2. **Adjust the network's ridership/coverage balance to 90% ridership and 10% coverage.** *The proposed plan would achieve a 90/10 ridership/coverage balance.*
3. **Protect service in South County.** *All local bus service as adopted in the original Next Network plan is maintained in South County with no reductions. Route 68, which is South County's "backbone" transit route into San Jose, is improved significantly (resulting from the shift to a 90/10 network). Express bus service to South County would be reduced, however, as part of coverage reductions in the entire Express Bus program.*

**The original Next Network transit service plan was used as the baseline for this proposal, and as such, the proposed plan is presented by prescribing changes as compared to the original service plan.** While service cuts are always difficult because the loss of transit service impacts real riders, staff aimed to focus cuts on the least productive services in the network (routes with the fewest boardings per hour of service) to minimize the impact to riders and improve the proposal's systemwide ridership. Accordingly, the proposed plan minimizes cuts to VTA's Next Network light rail system plan, as it represents the foundation of VTA's ridership-oriented service. To follow the direction to move to a 90/10 network, the proposal focuses most of the service cuts to coverage services throughout the Local and Express route network. The most significant major changes are also illustrated on the map in Attachment A. Attachment B lists the municipalities impacted by each change.

## **Service Reductions**

The proposed service plan includes 61 reductions in service as compared to the original Next Network plan. All the reductions are to coverage service (to limit ridership impacts). Each change in service is detailed below; the most significant major changes are highlighted in bold.

### **Purple Line (Almaden)**

1. **Discontinue Purple Line rail service (Almaden spur)**
2. **Replace Purple Line rail service with a new bus route that will stop at all three stations (Ohlone/Chynoweth, Oakridge, Almaden) at 30-minute frequency, on the**

**same days and generally the same hours as the Purple Line**

Blue Line (Alum Rock – Santa Teresa)

- 3. Shorten to end at Baypointe Station instead of Alum Rock Station; stations east of Baypointe would be served by the Orange Line (Mountain View – Alum Rock)**

All Light Rail Lines

4. Change weekend frequency to every 20 minutes on all lines (to provide better connections with BART's 20-minute weekend train frequency)

Rapid 523 (Berryessa – Lockheed Martin)

5. End Saturday service at Sunnyvale Transit Center instead of Lockheed Martin after 8:00 PM  
6. End Sunday service at Sunnyvale Transit Center instead of Lockheed Martin after 7:30 PM

Route 20 (Milpitas BART – Sunnyvale Transit Center)

7. End weekday service at 8:30 PM instead of 10:00 PM

Route 21 (Stanford Shopping Center – Santa Clara Transit Center)

8. End weekday service at 9:30 PM instead of 10:00 PM

Route 22 (Palo Alto – Eastridge)

- 9. Discontinue overnight service (1:00 AM to 4:00 AM)**

Route 27 (Winchester Station – Kaiser San Jose)

10. Start weekday service at 6:00 AM instead of 5:30 AM  
11. End weekday service at 9:00 PM instead of 10:00 PM  
12. Reduce Saturday frequency to every 40 minutes from every 30 minutes  
13. End Saturday service at 8:00 PM instead of 9:00 PM  
14. End Sunday service at 7:30 PM instead of 8:00 PM

Route 31 (Evergreen Valley College – Eastridge)

- 15. Discontinue Sunday service**

16. Start Saturday service at 8:30 AM instead of 7:30 AM

Route 40 (Foothill College – Mountain View Transit Center)

17. Start Saturday service at 8:00 AM instead of 7:00 AM

Route 44/47 (Milpitas BART – McCarthy Ranch)

18. Start weekday service at 6:00 AM instead of 5:30 AM  
19. End weekday service at 9:00 PM instead of 10:00 PM  
20. Reduce Saturday frequency to every 40 minutes from 30  
21. Reduce Sunday frequency to every 60 minutes from 30  
22. Start Saturday service at 8:00 AM instead of 7:00 AM  
23. End Saturday service at 8:00 PM instead of 9:00 PM  
24. End Sunday service at 7:00 PM instead of 8:00 PM

Route 52 (Foothill College – Mountain View Transit Center)

25. End weekday service at 9:00 PM instead of 10:00 PM

Route 53 (Sunnyvale Transit Center – Santa Clara Transit Center)

26. Start weekday service at 6:30 AM instead of 5:30 AM

- 27. Discontinue Saturday service**

- 28. Eliminate deviation to Stevens Creek (stay on Homestead)**

Route 56 (Lockheed Martin – Tamien Station)

- 29. Eliminate deviation to downtown Sunnyvale (stay on Fair Oaks)**

30. Start Saturday service at 7:00 AM instead of 6:30 AM

31. Start Sunday service at 8:00 AM instead of 7:30 AM

Route 57 (Old Ironsides Station – West Valley College)

- 32. End weekday service at 11:00 PM instead of 12:00 midnight

Route 59 (Valley Fair – Baypointe Station)

- 33. Start weekday service at 6:00 AM instead of 5:30 AM
- 34. Reduce Saturday frequency to every 60 minutes from 30
- 35. Start Saturday service at 8:00 AM instead of 7:00 AM
- 36. End Saturday service at 8:00 PM instead of 10:00 PM
- 37. Start Sunday service at 8:00 AM instead of 7:30 AM

Route 61 (Sierra & Piedmont – Good Samaritan Hospital)

- 38. End weekday service at 11:00 PM instead of 12:00 midnight
- 39. End Saturday service at 10:00 PM instead of 11:00 PM

Route 63 (San Jose State – Kooser & Blossom Hill)

- 40. End weekday service at 9:00 PM instead of 10:00 PM

Route 65 (San Jose State – Kooser & Blossom Hill)**41. Discontinue route**Route 71 (Milpitas BART – Capitol Station)

- 42. Start Saturday service at 7:00 AM instead of 6:30 AM

Route 72 (Downtown San Jose – Senter & Monterey via McLaughlin)

- 43. Reduce weekday frequency to every 30 minutes from every 20 between 8:00 PM and 9:00 PM
- 44. Reduce Saturday frequency to every 30 minutes from every 20 between 7:00 PM and 9:00 PM
- 45. Reduce Sunday frequency to every 60 minutes from every 30 between 8:00 PM and 9:00 PM

Route 73 (Downtown San Jose – Senter & Monterey via Senter)

- 46. Reduce weekday frequency to every 30 minutes from every 20 between 8:00 PM and 9:00 PM
- 47. Reduce Saturday frequency to every 30 minutes from every 20 between 7:00 PM and 9:00 PM

Route 77 (Milpitas BART – Eastridge)

- 48. End weekday service at 11:00 PM instead of 12:00 midnight
- 49. End Saturday service at 11:00 PM instead of 12:00 midnight
- 50. End Sunday service at 10:00 PM instead of 11:00 PM

Route 83 (Ohlone/Chynoweth Station – Almaden & McKean)**51. Discontinue route**Express 101 (Camden & Highway 85 – Stanford Research Park)**52. Discontinue route**Express 102 (South San Jose – Stanford Research Park)**53. Eliminate 2 of 7 daily trips in each direction**Express 103 (Eastridge – Stanford Research Park)**54. Eliminate 1 of 4 daily trips in each direction**Express 121 (South County – Lockheed Martin)**55. Eliminate 3 of 9 daily trips in each direction**Express 122 (South San Jose – Lockheed Martin)**56. Discontinue route**Express 168 (South County – San Jose Diridon Station)**57. Eliminate 2 of 7 daily trips in each direction**

Express 182 (Palo Alto – IBM/Bailey Ave)

**58. Discontinue route**

Express 185 (South County – Mountain View)

**59. Discontinue route**

Route 251 (St. Francis High School – Mountain View Transit Center)

**60. Discontinue school-oriented route**

Route 255 (Fremont High School – Lawrence & Tasman)

**61. Discontinue school-oriented route** (regular Route 55 trips would remain)

Route 266 (Santa Teresa High School – Bernal & Via Serena)

**62. Discontinue school-oriented route**

### **Service Improvements**

Since the proposed plan aims to achieve a 90/10 ridership/coverage balance as compared to the original Next Network plan's 83/17 balance, the proposal also includes additional investments in the Frequent Network, VTA's ridership-oriented network of frequent routes that are designed for serving and attracting high ridership. The proposed service plan includes 6 improvements to routes in the Frequent Network as compared to the original Next Network plan. Each improvement is detailed below.

Rapid 500 (Berryessa BART – Diridon Station)

- 1. Improve weekday frequency to every 7.5 minutes all day (average) from every 10-15 minutes**

Route 23 (De Anza College – Alum Rock Station)

- 2. Improve weekday and weekend service frequency between 7:00 PM and 11:00 PM**

Route 26 (West Valley College – Eastridge)

- 3. Improve weekday service frequency between Curtner Station and Westgate to every 15 minutes from 30, extending the all-day Frequent segment of the route west beyond Curtner Station**
- 4. Improve weekend service frequency between Curtner Station and Westgate to every 20 minutes from every 30**

Route 68 (San Jose Diridon Station – Gilroy Transit Center)

- 5. Improve weekday midday service frequency between Santa Teresa Station and Gilroy to every 15 minutes from 30, which would make the entire route from San Jose to Gilroy frequent all day**

Rapid 522 (Palo Alto – Eastridge)

- 6. Improve early morning and evening frequency to every 15 minutes from every 20, daily**

### **Service Levels**

The proposed service plan would divide the service cuts between bus and rail to achieve the Board's goal of a net annual \$14.7M savings versus the original plan. The Ad Hoc Financial Stability Committee recommendation was to focus more of the cuts on the light rail network; however, such extreme cuts to the light rail network would have been contrary to the direction to create a more ridership-oriented network (since VTA light rail carries far more riders per hour of service than VTA bus). Therefore, the revised plan as proposed focuses the cuts on coverage

service throughout the bus network. As Table 1 shows, the proposal includes 1.49M annual hours of bus service and 172K annual hours of rail service.

**Table 1: Summary of Proposed Plan Service Level**

	Original Next Network Plan	Ad Hoc Committee Recommendation	<b>Proposed Plan</b>	% Reduction from Original Plan
Annual Hours (Bus)	1,601,000	1,520,000	<b>1,490,000</b>	– 6.9%
Annual Hours (Rail)	192,000	156,000	<b>172,000</b>	– 10.4%

### **Ridership Impact**

The reduction in service levels will have a negative impact on VTA transit ridership, as well as BART ridership in Santa Clara County. At the same time, the transition to a 90/10 ridership/coverage network through additional investments in the Frequent Network will have a positive impact on ridership. Table 2 provides a planning-level estimate of the proposal's net change in ridership as compared to the original Next Network plan.

**Table 2: Estimate of Ridership Impacts**

	<u>Annual Boardings</u>
Current Ridership (Dec. '17 – Nov. '18) for reference	36,141,014
Original Next Network VTA Ridership	40,372,000
<b>Impact of Light Rail Reductions</b>	<b>– 566,000</b>
<b>Impact of Bus Reductions</b>	<b>– 607,000</b>
<b>Impact of Bus Improvements</b>	<b>+ 662,000</b>
<b>Net Impact</b>	<b>– 511,000</b> (– 1.3% from original plan)
Proposed Plan VTA Ridership	39,407,000

In addition to the impact on VTA transit ridership, the proposed plan would also impact BART ridership at both stations in Santa Clara County due to fewer VTA transit connections, particularly at Milpitas Station. For example, the longstanding plan to provide Blue Line and Orange Line service at Milpitas Station (service every 7.5 minutes) would be cut in half to just the Orange Line (service every 15 minutes). Quantifying the proposal's BART ridership impact would require significant further analysis not possible in the timeframe of this memorandum.

The revised service levels and VTA ridership impacts discussed above are anticipated to result in a \$14.7M net annual savings versus the cost of the original Next Network plan (a 4% reduction).

### **Outreach and Next Steps**

Following the January VTA's Board of Directors meeting, staff will immediately begin an intensive two-month community outreach effort to gather feedback on the proposal, as dictated by VTA's Transit Service Guidelines and Title VI Major Service Change policy. Community and stakeholder feedback will be used to revise the plan for the final version that will be presented to the Board of Directors for adoption in the spring.

To complete the process and have sufficient time to prepare for and deploy the revised network in time for day one of BART service, the process will need to move quickly and there is little room for delay in the schedule:

- **December 2018:** Board directs staff to develop new service plan
- **January 2019:** Staff presents new service plan proposal to Board
- **January 2019 to February 2019:** Staff conducts community outreach, ADA paratransit analysis, CEQA analysis, and draft Title VI service equity analysis
- **March 2019:** Staff revises plan based on community and stakeholder input
- **April 2019:** Staff presents final service plan to VTA Board Committees
- **May 2019:** Staff presents final service plan to VTA Board of Directors for adoption
- **May 2019 to September 2019:** Staff conducts implementation activities (prepares schedules, revises customer information, fabricates and installs new bus stop signage, and a host of other activities to implement the new network on day one of BART service)

Staff will provide updates to the Board of Directors throughout the spring as staff conduct outreach, analysis, and develops the final plan. The final plan to be presented for the Board's adoption in May will include service details, analysis, and maps.

### **Related Efforts**

**Fast Transit Program.** Alongside this effort to revise the transit service plan, staff is actively ramping up efforts to speed up VTA buses and trains, which are suffering from a long-term gradual decline in average speeds due to a variety of factors. Since the cost of VTA transit service is directly related to the speed of buses and trains, slower speeds are effectively a service cut because they result in higher costs to deliver the same service. Alarming, VTA's speeds have declined 20% over the last 30 years, resulting in a 20% increase in operating costs to maintain the same miles of service, and that trend has accelerated significantly in recent years.

To illustrate the potential impact of faster transit, a speed increase on VTA's Frequent Network of just 1 mile-per-hour would reduce annual operating costs by well over \$15M, which would eliminate the need to make any of the cuts as proposed in this plan. Staff are actively studying all sources of delay to VTA buses and trains and will be working with the VTA Board and our municipal partners to implement policies and actions that put transit first. Accordingly, staff are exploring cost-effective strategies that other transit properties have implemented to great success in speeding up transit, including transit signal priority, removing and consolidating bus stops, all-door boarding, and fare policies that reduce the delays related to cash fare collection.

**Express Bus Study.** VTA staff in late 2018 began a comprehensive study of VTA's nine-route Express bus program. Following a VTA Committee and Board report on the program's poor performance in spring 2018, staff have begun an effort to conduct a thorough analysis of each route, collaborate with stakeholders on new ideas for commute services, and develop a new service plan that will better meet the needs of commuters as well as VTA's performance standards. While this 2019 New Transit Service Plan proposal would reduce the Express bus program's total service level by half, staff will continue the study on the remainder and make recommendations with the remaining resources (likely late 2019 or early 2020).

## **ALTERNATIVES:**

Alternatively, the Board could reject the proposal and elect to proceed with a different transit network plan altogether. One alternative could be implemented without any further outreach or analysis and could be in place on day one of BART service:

1. The Board could elect to abandon the direction to revise the transit service plan, in which case staff would implement the original Next Network transit service plan as adopted in 2017.

However, implementing the service levels in the original Next Network transit service plan would not achieve the desired \$14.7M and would seriously jeopardize VTA's long-term financial stability.

Aside from the original Next Network plan or the revised plan as proposed in this memo, any other network plan would require development, subsequent analysis, and a full Title VI outreach and community engagement process. *Unfortunately, there may not be sufficient time to complete the necessary tasks in time for day one of BART service, meaning the new network may not be ready and VTA would continue to operate today's network after BART service begins.* Although not recommended by staff because it is likely the network would not be ready for day one of BART service, the Board could elect to:

2. Direct staff to develop a new transit service plan based more strictly on the Ad Hoc Financial Stability Committee's original recommendation to focus the cuts on the light rail network (i.e. a light rail network without the new Orange Line). Staff would present such a plan to the Board in February and proceed along a similar timeline. However, due to the delay, it may be a challenge for staff to implement the network in time for day one of BART service.
3. Direct staff to develop a new transit service plan based on a new set of criteria. Staff would present the new plan to the Board in February. The delay would push the schedule out and the network would not be ready for implementation until November 2018 at the earliest.

## **FISCAL IMPACT:**

There is minimal direct fiscal impact from directing staff to conduct outreach on the proposed Next Network service plan revision. However, if the proposed plan revision is implemented, the updated service levels and VTA ridership impacts discussed above are anticipated to result in annual net savings of \$14.7M versus the cost of the original Next Network plan.

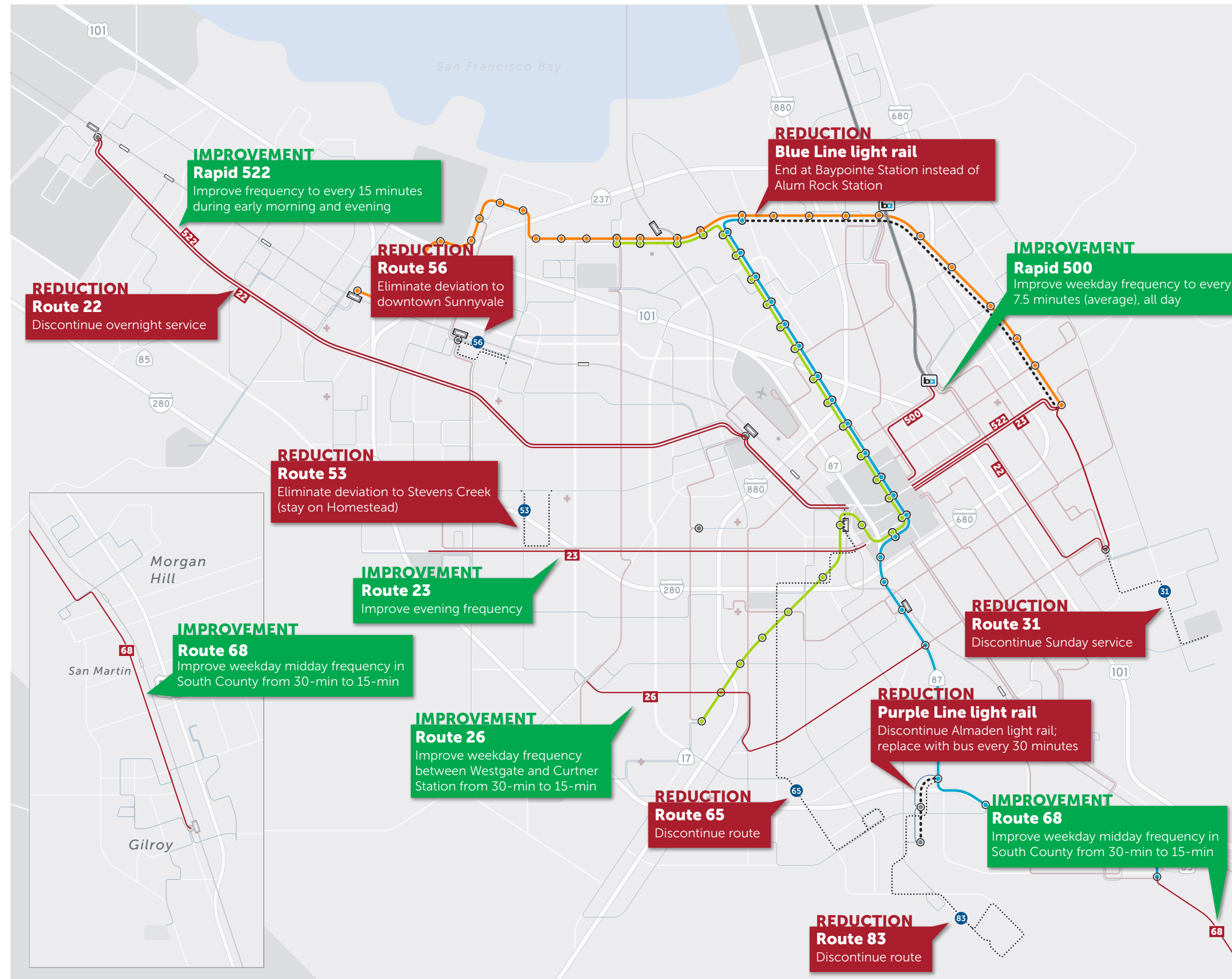
Prepared by: Jay Tyree  
Memo No. 6824

## **ATTACHMENTS:**

- Attachment A - Next Network Revised Plan Map (PDF)
- Attachment B -- List of Changes by City 1-3-19 (PDF)

## Major Changes in the 2019 New Transit Service Plan

This page shows the major **IMPROVEMENTS** and **REDUCTIONS** as compared to the original Next Network plan



Express Bus changes not shown on map:

**REDUCTION**

**Express 101** Camden & 85 – Palo Alto  
Discontinue route

**REDUCTION**

**Express 102** South San Jose – Palo Alto  
Discontinue 2 unproductive trips each direction (currently 7 trips each direction)

**REDUCTION**

**Express 103** Eastridge – Palo Alto  
Discontinue 1 unproductive trip each direction (currently 4 trips each direction)

**REDUCTION**

**Express 121** South County – Moffett Park  
Discontinue 3 unproductive trips each direction (currently 9 trips each direction)

**REDUCTION**

**Express 122** South San Jose – Moffett Park  
Discontinue route

**REDUCTION**

**Express 168** South County – San Jose  
Discontinue 2 unproductive trips each direction (currently 7 trips each direction)

**REDUCTION**

**Express 182** Palo Alto – IBM/Bailey Ave  
Discontinue route

**REDUCTION**

**Express 185** South County – Mountain View  
Discontinue route



Change Number and Description	Annual	Municipalities Impacted by Change															
	Hours	Cam	Cup	Gil	LA	LAH	LG	Mil	MS	MH	MV	PA	SJ	SC	Sar	Sun	
RAIL REDUCTIONS																	
<u>Purple Line (Almaden)</u>																	
1. Discontinue Purple Line Almaden rail service	-6,170												X				
2. Replace Purple Line rail service with a new bus route that will stop at all three stations at 30-minute frequency, on the same days and generally the same hours as the Purple Line	5,800												X				
<u>Blue Line (Alum Rock – Santa Teresa)</u>																	
3. Shorten to end at Baypointe Station instead of Alum Rock Station; stations east of Baypointe would be served by the Orange Line (Mountain View – Alum Rock) only	-13,562							X					X				
<u>All Light Rail Lines</u>		X						X			X		X	X		X	
4. Change weekend frequency to every 20 minutes on all lines (to provide better connections with BART’s 20-minute weekend train frequency)	n/a																
BUS REDUCTIONS																	
<u>Rapid 523 (Berryessa – Lockheed Martin)</u>																	
5. End Saturday service at Sunnyvale Transit Center instead of Lockheed Martin after 8:00 PM	-89															X	
6. End Sunday service at Sunnyvale Transit Center instead of Lockheed Martin after 7:30 PM	-110															X	
<u>Route 20 (Milpitas BART – Sunnyvale Transit Center)</u>																	
7. End weekday service at 8:30 PM instead of 10:00 PM	-489							X					X	X		X	
<u>Route 21 (Stanford Shopping Center – Santa Clara Transit Center)</u>																	
8. End weekday service at 9:30 PM instead of 10:00 PM	-990										X	X		X		X	
<u>Route 22 (Palo Alto – Eastridge)</u>																	
9. Discontinue overnight service (1:00 AM to 4:00 AM)	-3,789				X						X	X	X	X		X	
<u>Route 27 (Winchester Station – Kaiser San Jose)</u>																	
10. Start weekday service at 6:00 AM instead of 5:30 AM	-144	X					X		X				X				
11. End weekday service at 9:00 PM instead of 10:00 PM	-587	X					X		X				X				
12. Reduce Saturday frequency to every 40 minutes from every 30 minutes	-416	X					X		X				X				
13. End Saturday service at 8:00 PM instead of 9:00 PM	-307	X					X		X				X				
14. End Sunday service at 7:30 PM instead of 8:00 PM	-168	X					X		X				X				
<u>Route 31 (Evergreen Valley College – Eastridge)</u>																	
15. Discontinue Sunday service	-478												X				
16. Start Saturday service at 8:30 AM instead of 7:30 AM	-49												X				
<u>Route 40 (Foothill College – Mountain View Transit Center)</u>																	
17. Start Saturday service at 8:00 AM instead of 7:00 AM	-63				X	X					X						
<u>Route 44/47 (Milpitas BART – McCarthy Ranch)</u>																	
18. Start weekday service at 6:00 AM instead of 5:30 AM	-561							X									
19. End weekday service at 9:00 PM instead of 10:00 PM	-510							X									
20. Reduce Saturday frequency to every 40 minutes from 30	-546							X									
21. Reduce Sunday frequency to every 60 minutes from 30	-598							X									
22. Start Saturday service at 8:00 AM instead of 7:00 AM	-110							X									
23. End Saturday service at 8:00 PM instead of 9:00 PM	-111							X									
24. End Sunday service at 7:00 PM instead of 8:00 PM	-116							X									
<u>Route 52 (Foothill College – Mountain View Transit Center)</u>																	
25. End weekday service at 9:00 PM instead of 10:00 PM	-238				X	X					X						
<u>Route 53 (Sunnyvale Transit Center – Santa Clara Transit Center)</u>																	
26. Start weekday service at 6:30 AM instead of 5:30 AM	-179		X											X		X	
27. Discontinue Saturday service	-498		X											X		X	
28. Eliminate deviation to Stevens Creek (stay on Homestead)	-1,403		X													X	
<u>Route 56 (Lockheed Martin – Tamien Station)</u>																	
29. Eliminate deviation to downtown Sunnyvale (stay on Fair Oaks)	-2,405															X	
30. Start Saturday service at 7:00 AM instead of 6:30 AM	-137	X	X										X		X	X	
31. Start Sunday service at 8:00 AM instead of 7:30 AM	-205	X	X										X		X	X	
<u>Route 57 (Old Ironsides Station – West Valley College)</u>																	
32. End weekday service at 11:00 PM instead of 12:00 midnight	-485												X	X	X		
<u>Route 59 (Valley Fair – Baypointe Station)</u>																	
33. Start weekday service at 6:00 AM instead of 5:30 AM	-540												X	X			
34. Reduce Saturday frequency to every 60 minutes from 30	-598												X	X			
35. Start Saturday service at 8:00 AM instead of 7:00 AM	-140												X	X			
36. End Saturday service at 8:00 PM instead of 10:00 PM	-189												X	X			
37. Start Sunday service at 8:00 AM instead of 7:30 AM	-139												X	X			
<u>Route 61 (Sierra &amp; Piedmont – Good Samaritan Hospital)</u>																	
38. End weekday service at 11:00 PM instead of 12:00 midnight	-485	X					X						X				
39. End Saturday service at 10:00 PM instead of 11:00 PM	-99	X					X						X				
<u>Route 63 (San Jose State – Kooser &amp; Blossom Hill)</u>																	
40. End weekday service at 9:00 PM instead of 10:00 PM	-518												X				
<u>Route 65 (San Jose State – Kooser &amp; Blossom Hill)</u>																	
41. Discontinue route	-7,017	X											X				
<u>Route 71 (Milpitas BART – Capitol Station)</u>																	
42. Start Saturday service at 7:00 AM instead of 6:30 AM	-120							X					X				
<u>Route 72 (Downtown San Jose – Senter &amp; Monterey via McLaughlin)</u>																	
43. Reduce weekday frequency to every 30 minutes from every 20 between 8:00 PM and 9:00 PM	-510												X				
44. Reduce Saturday frequency to every 30 minutes from every 20 between 7:00 PM and 9:00 PM	-208												X				
45. Reduce Sunday frequency to every 60 minutes from every 30 between 8:00 PM and 9:00 PM	-122												X				
<u>Route 73 (Downtown San Jose – Senter &amp; Monterey via Senter)</u>																	
46. Reduce weekday frequency to every 30 minutes from every 20 between 8:00 PM and 9:00 PM	-510												X				
47. Reduce Saturday frequency to every 30 minutes from every 20 between 7:00 PM and 9:00 PM	-208												X				
<u>Route 77 (Milpitas BART – Eastridge)</u>																	
48. End weekday service at 11:00 PM instead of 12:00 midnight	-510							X					X				
49. End Saturday service at 11:00 PM instead of 12:00 midnight	-104							X					X				
50. End Sunday service at 10:00 PM instead of 11:00 PM	-116							X					X				
<u>Route 83 (Ohlone/Chynoweth Station – Almaden &amp; McKean)</u>																	
51. Discontinue route	-3,383												X				

(continued on next page)

	Change Number and Description	Annual Hours	Municipalities Impacted by Change															
			Cam	Cup	Gil	LA	LAH	LG	Mil	MS	MH	MV	PA	SJ	SC	Sar	Sun	
BUS REDUCTIONS (CONTINUED)	<u>Express 101 (Camden &amp; Highway 85 – Stanford Research Park)</u>																	
	52. Discontinue route	-2,295	X	X									X	X				
	<u>Express 102 (South San Jose – Stanford Research Park)</u>																	
	53. Eliminate 2 of 7 daily trips in each direction	-2,242											X	X				
	<u>Express 103 (Eastridge – Stanford Research Park)</u>																	
	54. Eliminate 1 of 4 daily trips in each direction	-1,075											X	X				
	<u>Express 121 (South County – Lockheed Martin)</u>																	
	55. Eliminate 3 of 9 daily trips in each direction	-4,178			X					X					X		X	
	<u>Express 122 (South San Jose – Lockheed Martin)</u>																	
	56. Discontinue route	-1,020												X			X	
	<u>Express 168 (South County – San Jose Diridon Station)</u>																	
	57. Eliminate 2 of 7 daily trips in each direction	-2,406			X					X				X				
	<u>Express 182 (Palo Alto – IBM/Bailey Ave)</u>																	
	58. Discontinue route	-897		X									X	X				
	<u>Express 185 (South County – Mountain View)</u>																	
	59. Discontinue route	-5,223			X					X	X							
	<u>Route 251 (St. Francis High School – Mountain View Transit Center)</u>																	
	60. Discontinue route	-144										X						
	<u>Route 255 (Fremont High School – Lawrence &amp; Tasman)</u>																	
	61. Discontinue route (regular Route 55 trips would remain)	-457															X	
	<u>Route 266 (Santa Teresa High School – Bernal &amp; Via Serena)</u>																	
	62. Discontinue route	-211												X				
	<u>Various</u>																	
		Miscellaneous minor reductions in trips (not listed individually)	-3,369															
BUS IMPROVEMENTS	<u>Rapid 500 (Berryessa BART – Diridon Station)</u>																	
	1. Improve weekday frequency to every 7.5 minutes all day (average) from every 10-15 minutes	7,887												X				
	<u>Route 23 (De Anza College – Alum Rock Station)</u>																	
	2. Improve weekday and weekend service frequency between 7:00 PM and 11:00 PM	2,312		X										X	X			
	<u>Route 26 (West Valley College – Eastridge)</u>																	
	3. Improve weekday frequency between Curtner Station and Westgate to every 15 minutes from 30, extending the all-day Frequent segment of the route west beyond Curtner Station	13,552	X											X		X		
	4. Improve weekend service frequency between Curtner Station and Westgate to every 20 from 30	n/a	X											X		X		
	<u>Route 68 (San Jose Diridon Station – Gilroy Transit Center)</u>																	
	5. Improve weekday midday service frequency between Santa Teresa Station and Gilroy to every 15 minutes from 30, which would make the entire route to Gilroy frequent all day	5,614			X					X				X				
	<u>Rapid 522 (Palo Alto – Eastridge)</u>																	
	6. Improve early morning and evening frequency to every 15 minutes from every 20, daily	4,169				X					X	X	X	X	X		X	

# 2019 New Transit Service Plan

*Draft Proposal*

*VTA Board of Directors  
January 2019*

# Background: Next Network Plan and Today's Plan

Early 2016	Transit Choices report and the ridership-coverage tradeoff
Summer 2016	Community outreach on ridership-coverage alternatives
November 2016	Board direction to develop 85/15 network
January 2017	Draft plan released (85/15)
Early 2017	Community outreach on draft plan
April 2017	Final plan released
<b>May 2017</b>	<b>Board adoption of Final Next Network plan (83/17)</b>
November 2018	Ad Hoc Financial Stability recommended lower service level
December 2018	Board adopted committee's service level recommendation
<b>January 2019</b>	<b>Staff presents Draft 2019 New Transit Service Plan to Board</b>

# 2019 New Transit Service Plan is a revision of Next Network Plan

- Intensive community outreach (10,000+ points of input)
- Frequent Network of bus and rail routes
- Less service in low ridership areas and more service in high ridership areas
- Many frequent bus + rail connections to BART
- More homes and jobs near frequent routes
- Improved weekend service

**All of these Next Network fundamentals still apply to this revised plan**

## 2019 New Plan incorporates Ad Hoc Recommendations

- 1** Reduce service level by \$15M annually
- 2** Shift to 90-10 ridership-coverage network
- 3** Protect service in South County

# Annual Service Levels

## Current Service

**1.52 M**

bus hours

**156,000**

rail hours

**70/30**

ridership/coverage

## Next Network

**1.60 M**

bus hours

**192,000**

rail hours

**83/17**

ridership/coverage

## 2019 New Plan

**1.49 M**

bus hours

**172,000**

rail hours

**90/10**

ridership/coverage

# The Draft 2019 New Transit Service Plan

- ✓ Reductions spread between bus + rail
- ✓ Reductions focused on coverage (low ridership) service carrying fewest riders per hour
- ✓ Frequent Network core routes remain intact
- ✓ Frequent Network service improvements



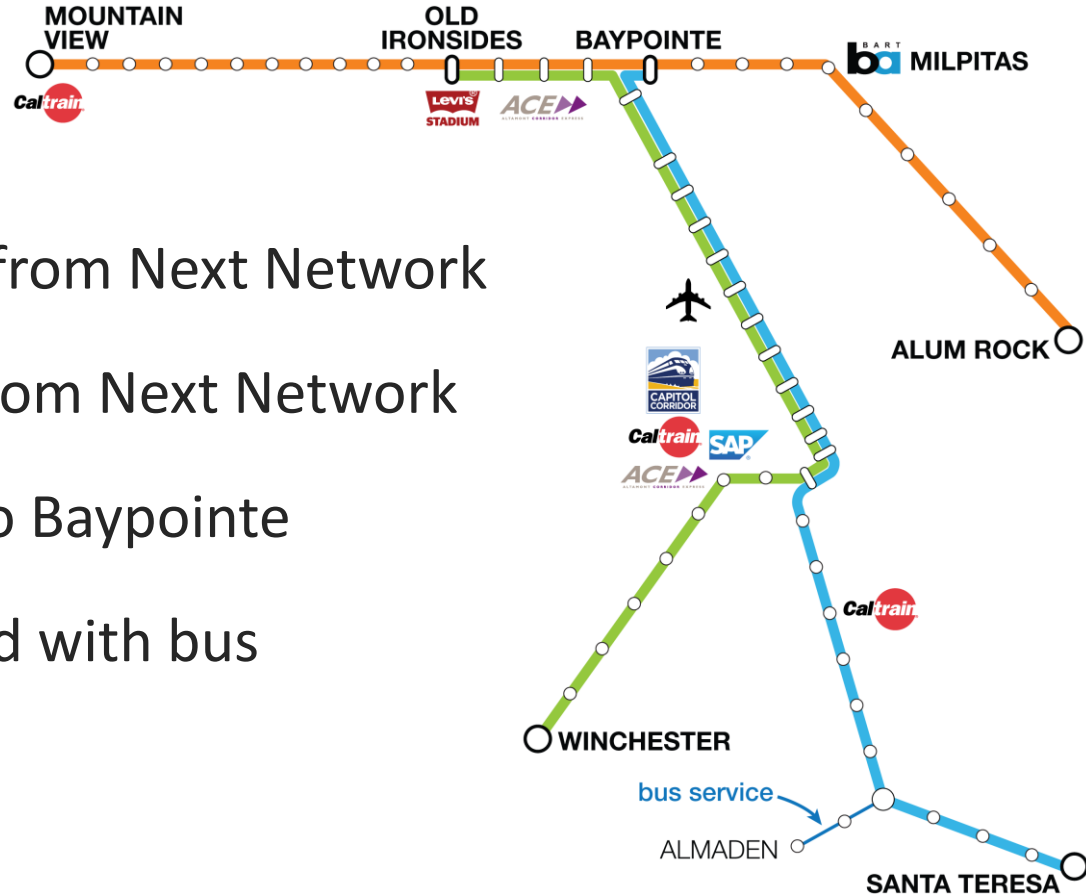
# Draft 2019 Proposed Light Rail Service

Orange Line retained from Next Network

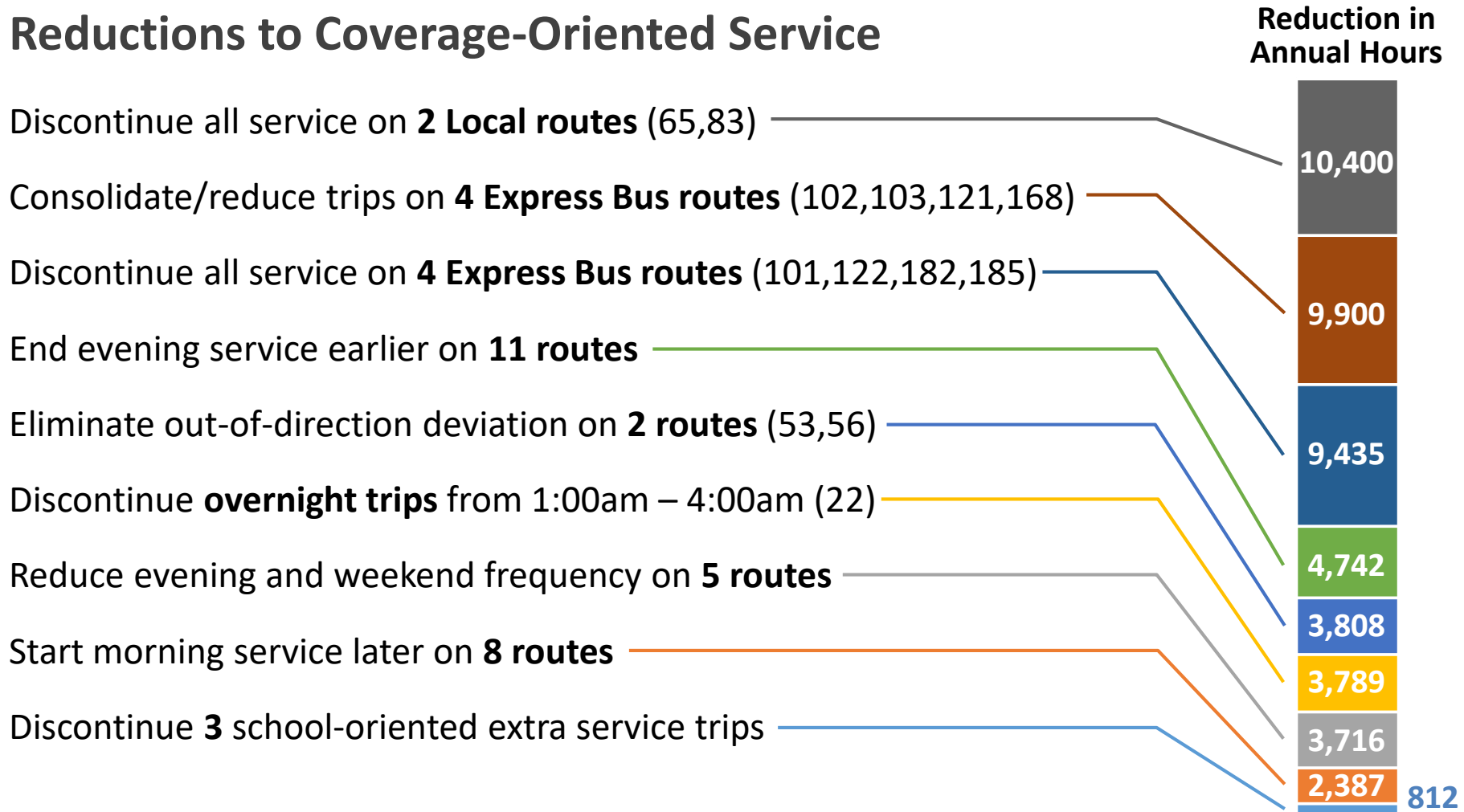
Green Line retained from Next Network

Blue Line shortened to Baypointe

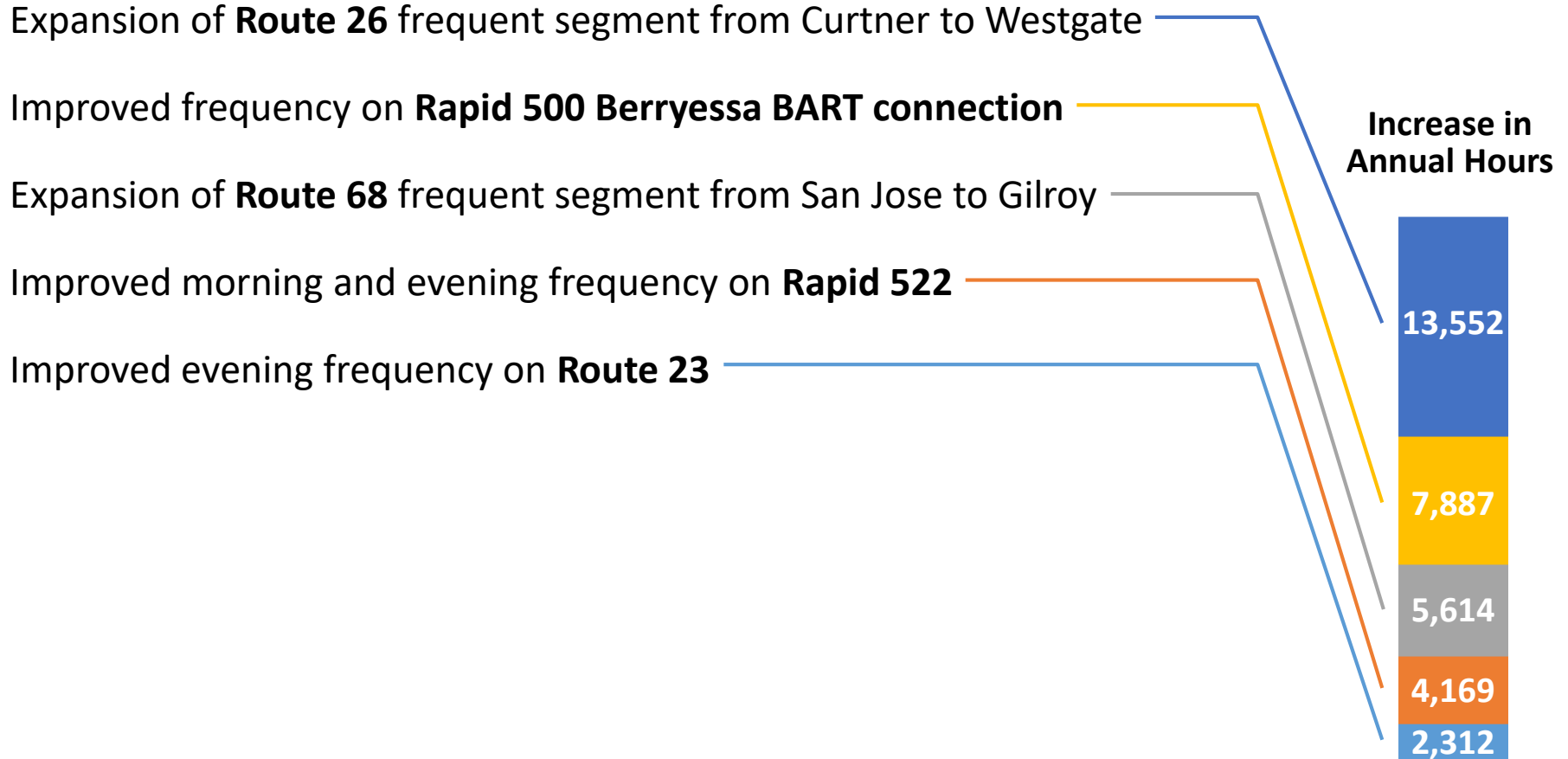
Almaden Line replaced with bus



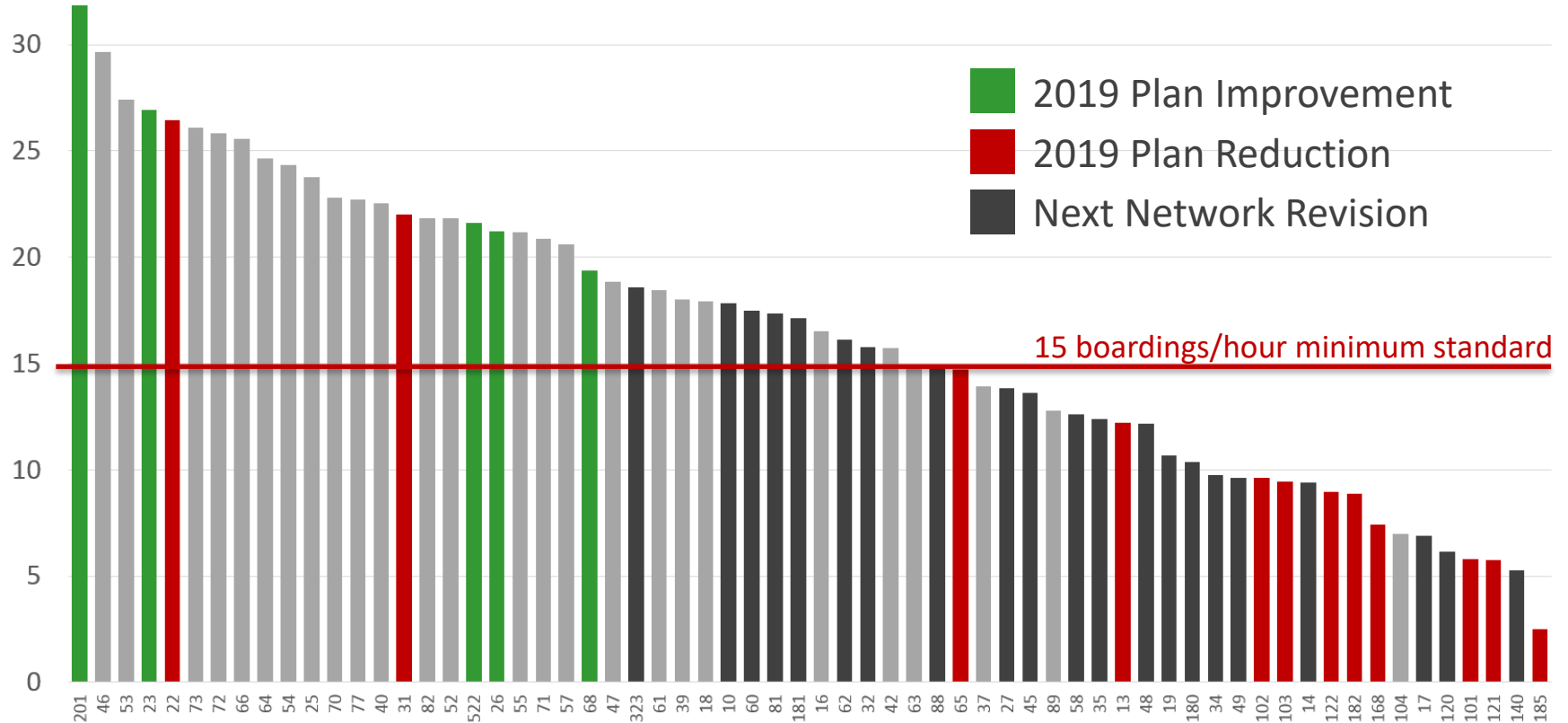
# Reductions to Coverage-Oriented Service



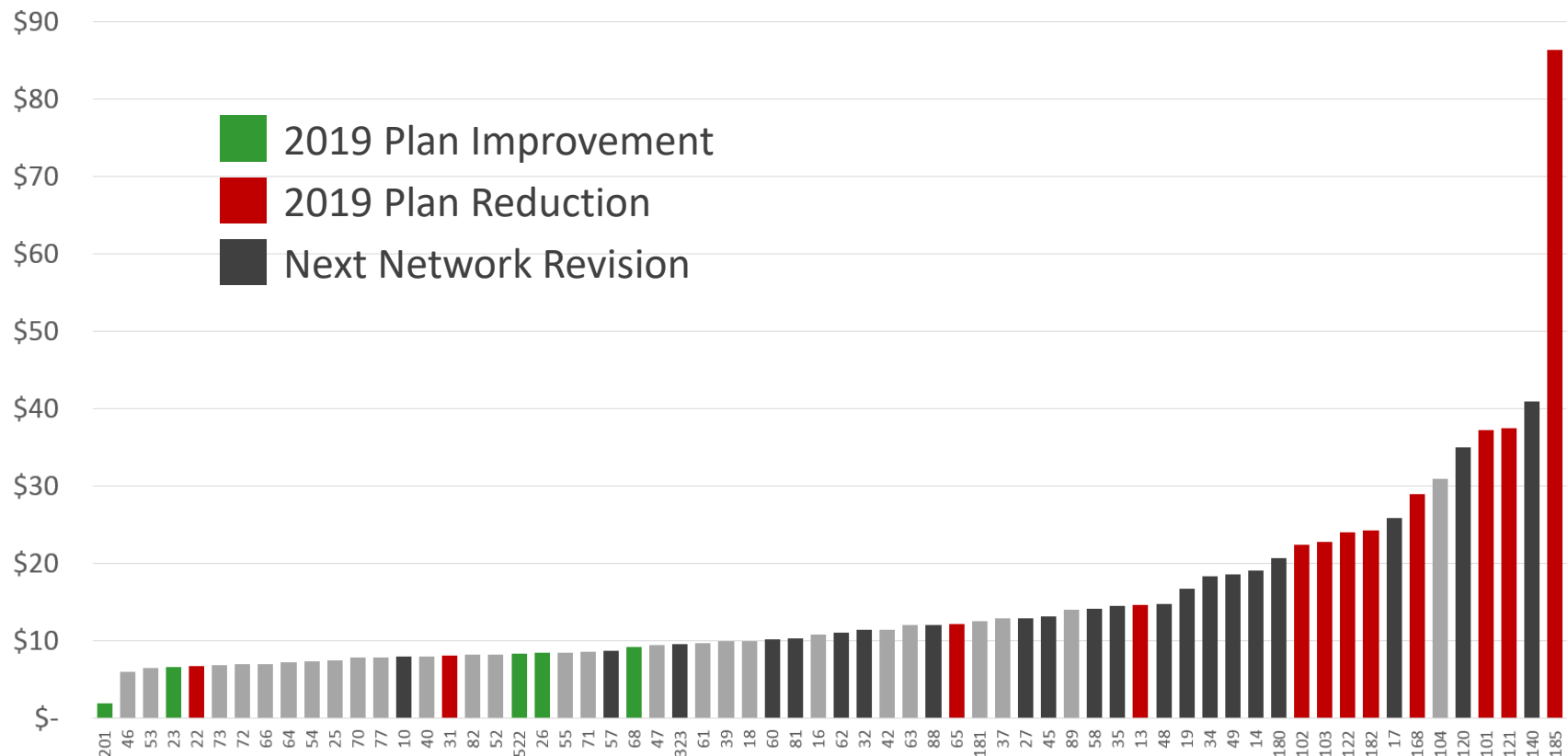
# Improvements to Ridership-Oriented Service



# Boardings per Hour of Current Bus Routes



# Cost Per Boarding of Current Bus Riders



## Projected Cost and Ridership

**4%**

lower cost than Next Network Plan

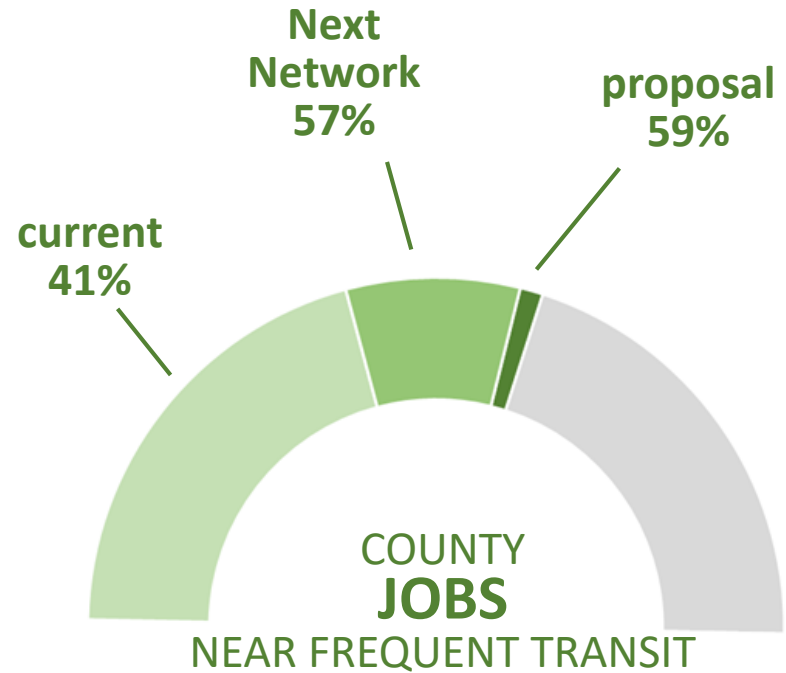
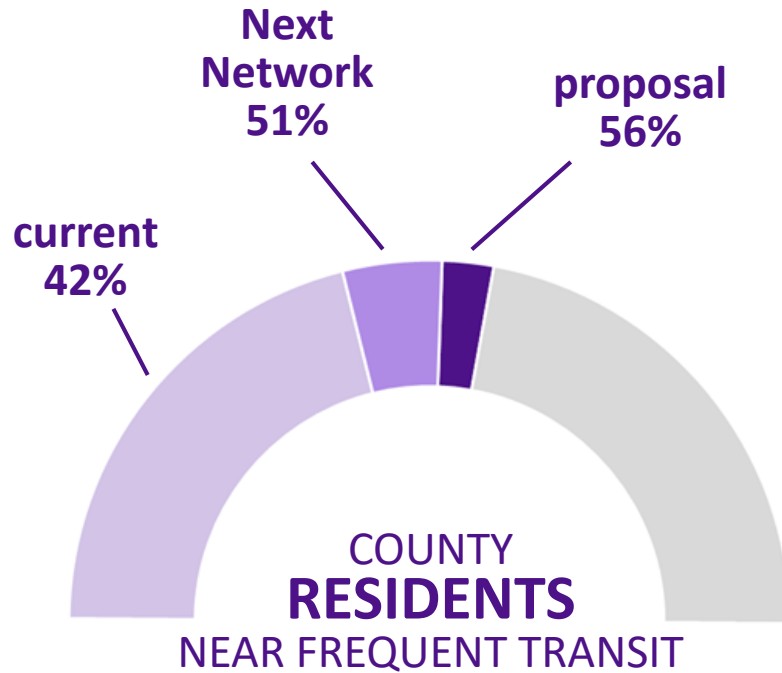
**1%**

less boardings than Next Network Plan

**7-9%**

more boardings than Current Plan

# More residents and jobs near frequent transit




## Other Impacts to be Analyzed

- Impact to *VTA Access* ADA paratransit customers
- Impact to Title VI low-income and minority customers

***Title VI and paratransit analyses to be conducted by March***



# Next Steps

<b>Today</b>	<b>Staff presents draft plan to Board</b>
January	Community outreach
February	Community outreach
March	Revise plan, complete Title VI + paratransit analyses
<b>April</b>	<b>Final plan to Advisory and Standing Committees</b>
<b>May</b>	<b>Final plan to Board</b>
June	 Implementation activities (scheduling, manufacturing signage, preparing and printing passenger materials, operator training, etc.)
July	
August	
September	
<b>October</b>	<b>New service ready for day one of BART service</b>

## Community Engagement

- 6 Community meetings
- Targeted meetings with impacted stakeholders
- Dedicated website for detailed information
- Online video presentation
- Printed materials on buses + trains
- Email blasts, blog posts, VTA website features

***ACTION TODAY: staff requests Board approval to proceed and conduct outreach on the proposal***





Date: January 10, 2019  
 Current Meeting: January 10, 2019  
 Board Meeting: January 10, 2019

## BOARD MEMORANDUM

**TO:** Santa Clara Valley Transportation Authority  
 Board of Directors

**FROM:** Board Chairperson, Teresa O'Neill

**SUBJECT:** 2019 Appointments to Board Standing Committees, Joint Powers Boards, Policy Advisory Boards, and Ad Hoc Committees

Policy-Related Action: No

Government Code Section 84308 Applies: No

## ACTION ITEM

### RECOMMENDATION:

Approve appointments to Board Standing Committees, Joint Powers Boards, Policy Advisory Boards, and Ad Hoc Committees for 2019.

### BACKGROUND:

The VTA Administrative Code specifies five Board standing committees:

- 1) Administration and Finance (A&F)
- 2) Congestion Management Program and Planning (CMPP)
- 3) Safety, Security, and Transit Planning and Operations (SSTPO)
- 4) Capital Program Committee (CPC)
- 5) Governance and Audit (G&A)

The Administrative Code further specifies that at its first meeting in January, the Board of Directors approves the members and chairpersons of all Board standing committees based on recommendations for these positions provided by the Board Chairperson. The term of appointment is one year, coinciding with the calendar year. Only directors, not alternates or ex-officio members, are eligible for appointment to standing committees. However, Board alternate members are eligible for VTA appointment to joint powers boards (JPBs), policy advisory boards (PABs), and ad hoc committees.

PABs are established by the Board of Directors for each major transit and highway corridor under study by VTA. They provide input, perspective and recommendations to the VTA Board of Directors and administration. The purpose of the PABs is to ensure that the local jurisdictions most affected by major transportation capital improvement projects are involved and have a voice in guiding the planning, development and design of those projects. The Board establishes each PAB with a defined purpose, and once that purpose has been fulfilled it is the Board's purview to retire the PAB from service.

## **DISCUSSION:**

Submitted for consideration are recommended appointments to the indicated committees:

- ***Board Standing Committees***

- Administration and Finance (A&F)**

- Larry Carr, Chair

- Sam Liccardo

- Teresa O'Neill

- TBD

- Congestion Management Program and Planning (CMPP)**

- Raul Peralez, Chair

- Johnny Khamis

- John McAlister

- Rob Rennie

- Safety, Security, and Transit Planning and Operations (SSTPO)**

- Bob Nuñez, Chair

- Cindy Chavez

- Lan Diep

- Charles "Chappie" Jones

- Capital Program Committee (CPC)**

- Larry Carr, Chair

- Cindy Chavez

- Charles "Chappie" Jones

- Sam Liccardo

- Bob Nunez

- Rob Rennie

- Governance & Audit (G&A)**

- Teresa O'Neill

- Chair

- Cindy Chavez

- Vice Chair

- Larry Carr

- A&F

- Bob Nuñez

- SSTPO

- Raul Peralez

- CMPP

- ***Joint Powers Boards (JPBs)***

- Peninsula Corridor (Caltrain) Joint Powers Board

- Jeannie Bruins

- Cindy Chavez

- Dev Davis

- Capitol Corridor Joint Powers Board

- Teresa O'Neill

- Raul Peralez

- I-680 Sunol SMART Carpool Lane Joint Powers Board

- Lan Diep

- Santa Clara Valley Habitat Plan Joint Powers Board

- Ann Calnan

- Lani Lee Ho, Alternate

- ***Policy Advisory Boards (PABs)***

- County Expressways Policy Advisory Committee

- Johnny Khamis

- Teresa O'Neill

- Diridon Station Policy Advisory Board

- Cindy Chavez

- Eastridge to BART Regional Connector Policy Advisory Board

- David Cortese

- Sylvia Arenas

- Mobility Partnership

- Larry Carr

- Peter Leroe-Muñoz

- San Jose, Vacant

- Silicon Valley Regional Interoperability Authority (SVRIA)

- Larry Carr

- ***Other***

- SVRT/WSX Policy Advisory Board

- Sam Liccardo

- TBD

- VTa Committee for Transportation Mobility & Accessibility (ex-officio member)

- Cindy Chavez (Board chairperson or his/her designee serves as representative)

- Ad Hoc Committees

- \*will be appointed by the Board Chair as needed

The appointments will take effect immediately following Board approval.

**FISCAL IMPACT:**

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

Prepared by: Jim Lawson, Director of Government Affairs & Executive Policy Advisor  
Memo No. 6845

# Agenda Item #8.1

## General Manager's Report

Speaker: Nuria I. Fernandez



# 2019 College Football Playoff National Championship



# 2019 College Football Playoff National Championship

## Game Day Ridership:

Light Rail 12,944

Bus 886

**System 13,830**

## Unscheduled Operator Absences:

1/7/2019	Cerone	Chaboya	North	Total from all 3 bus divisions	Average Monday	Compared to 1/8/18
Unscheduled absences	28	21	33	82	26-32	38



# 2019 College Football Playoff National Championship



**Jamie Burke**

@JamieBurke5

Replying to @VTA @ClemsonFB @AlabamaFTBL  
Taking the @VTA light rail from Mountain View, and the on-site staff was super helpful and friendly. 10/10 would recommend.

12:09pm · 7 Jan 2019 · Twitter Lite

# 2019 College Football Playoff National Championship



“Safety, Integrity, Quality, Sustainability, Diversity, and Accountability” are stated in your “Core Values”. I can say unequivocally that your values shined. As a customer, the narrative that spoke best for VTA was “Care and Pride”. — *Ronald Chico, Visitor and LA Metro Operator of 27 years*



# 2019 College Football Playoff National Championship



“Just wanted to commend all the folks at VTA for having an easy to use website, app and a special arrangement for the game, ... it was great to see how clear and enjoyable you folks at VTA made the transit experience for a bay area local and first time VTA rider like me. Kudos and thanks for your awesome effort!”  
*anonymous email*

## GOVERNMENT AFFAIRS REPORT

January 10, 2019

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### **FEDERAL**

**Congress Returns to Washington, and a Partial Government Shutdown:** As the holidays approached, the House and Senate approved a Continuing Resolution to extend the seven outstanding appropriations bills until December 21, giving Congress more time to resolve differences with the Administration over additional funding for the construction of extensions of the wall on the country's southern border. The other five FY 2019 appropriations bills had previously been signed into law on September 21, 2018. Unfortunately, the new deadline passed with Congress and the administration in a stalemate, leaving parts of the federal government including transportation, shut down.

On the first day of the 116<sup>th</sup> Congress, the new House of Representatives passed H.R. 21, the "Consolidated Appropriations Act, 2019" combining six of the appropriations bills and funding all but the Department of Homeland Security through September 30- the end of the current federal fiscal year. The House also passed H.J. Res. 1, "Making Further Continuing Appropriations for the Department of Homeland Security for Fiscal Year 2019", which provides funding for the department at current levels until February 8, 2019. The White House immediately issued a statement threatening to veto these bills, leaving them dead on arrival in the Senate. House leadership has since responded by taking up individual spending bills on a daily basis to pressure the Senate to vote on measures to reopen the government.

The shutdown has delayed the processing of a small number of federal grants coming to VTA, including \$845,000 for an autonomous vehicle pilot project at the Veterans Administration hospital in Palo Alto, \$3,560,000 for the Montague Expressway Pedestrian Over Crossing at Milpitas BART Station, and \$9,465,290 in FY 2018 federal formula grants to fund light rail state-of-good-repair projects.

VTA will submit for FY 2019 federal formula grants in the summer, so the distribution of FY 2019 formula funding would be impacted if the current partial shutdown extends for a significantly longer period.

As part of House leadership's strategy to secure Senate approvals of the outstanding appropriations bills, the lower chamber adopted versions of the bills that were identical to the Senate's originally approved spending levels. The move eliminates the need to establish conference committees to work out differences between the final spending bills and increases the pressure on the Senate to approve them. Instead of a conference committee, the appropriations bills would simply be sent to President Trump for his signature.

Therefore, the FY 2019 Transportation Housing and Urban Development appropriations bills include funding levels:

- Department of Transportation: \$86.6 billion

- Federal Transit Administration: \$13.51 billion
- Transit Formula Grants: \$9.94 billion
- Capital Investment Grants: \$2.56 billion
- BUILD (formerly TIGER) Grants: \$1 billion
- Federal Highway Administration (FHWA): \$49.3 billion

**House Leadership Takes Shape:** On January 3, Nancy Pelosi (D-CA) made history as the first woman to twice be elected Speaker of the House, and the first member of Congress in sixty years to assume to position a second time after losing it. The next day, the leadership of the House of Representatives was finalized as the Democratic Steering Committee made selections for committee chairs. Key Committee Chairs are:

- Appropriations Committee Chair Nita Lowey (D-NY)
- Homeland Security Committee Chair Bennie Thompson (D-MS)
- Transportation and Infrastructure Committee Chair Peter DeFazio (D-OR)
- Ways and Means Committee Chair Richard Neal (D-MA)

In the House Appropriations Committee, Rep. Kay Granger (R-TX) succeeds the retired Rodney Frelinghuysen (R-NJ) as Ranking Minority Member. On the House Transportation and Infrastructure Committee, Rep. Sam Graves (R-MO), the Chair of the Highways and Transit Subcommittee, becomes the Ranking Minority Member. Committee assignments and the designation of subcommittee chairs will take place over the next two weeks.

Republicans retained control of the Senate, leaving no leadership changes on the Senate Committee on Appropriations, with Richard Shelby (R-AL) remaining chair and Patrick Leahy (D-VT) as ranking member. On the Senate Commerce, Science and Transportation Committee, Roger Wicker (R-MS) takes over the chairperson's position from John Thune (R-SD).

## **STATE**

**Newsom Administration Begins:** Gavin Newsom was sworn in by California Supreme Court Chief Justice Tani Gorre Cantil-Sakauye on January 7. In his inaugural address, Governor Newsom focused on addressing wildfires and other environmental challenges, housing issues and ensuring economic opportunity for all Californians. Combining these issues into his overarching theme, the Governor declared,

“Now more than ever, we Californians know how much a house matters – as so many of our neighbors have lost theirs. Together, let us build a house stronger than the coming storms, yet open to the world. A house that provides shelter to all who need it and sanctuary to all who seek it -- where opportunity abounds for all who will work for it.”

Following his inauguration, Governor Newsom released his first proposed state budget on January 10, the state's constitutional deadline. The proposed budget continues the previous administration's focus on fiscal responsibility, allocating \$4 billion to eliminate all outstanding budgetary debt and deferrals, \$4.8 billion to bring the state's "Rainy Day" Fund to its highest amount ever -more than \$15 billion this year- and \$4.8 billion to pay down unfunded retirement

liabilities. \$200 million would be dedicated to improving the state's firefighting capabilities, including new fire engines, helicopters, air tankers, and technology and data analytics that will support the development of more effective strategies to suppress wildfires. A one-time infusion of \$1.3 billion would support the construction of new housing to address the state's affordability crisis and existing state tax credits would be expanded to further develop low and moderate-income housing. \$80 billion is proposed for K-12 and community colleges and \$1.4 billion would support increased enrollment, improved time to degree and a tuition freeze at state colleges and universities.

While transit and transportation did not figure prominently in the priorities outlined in Newsom's first address as governor, the budget reflects the funding amounts for transportation that were established by Senate Bill 1 (SB 1) in 2017. Of the \$4.8 billion in new SB 1 funding, \$1.2 billion is available for local road repairs, with another \$1.2 billion for the repair and maintenance of the state highway system. Some additional funding items include:

- \$400 million for the repair and maintain the state's bridges and culverts
- \$307 million is available to improve trade corridors
- \$250 million is available to increase throughput on congested commute corridors
- \$200 million for Local Partnership projects
- \$100 million for projects in the Active Transportation Program
- \$25 million for expansion of freeway service patrols, and \$25 million in local planning grants

Local transit operations will be supported with \$458 million and \$386 million will be dedicated to capital improvements for transit, commuter, and intercity rail. Later this year, the Administration plans to release a Five-Year Infrastructure Plan that will identify priorities for investments in the state's infrastructure. In the coming year, local agencies like VTA, will join the new Administration and Legislature in the effort to maintain the state's commitment to fulfilling the promise of SB 1.

**Gubernatorial Appointment:** Prior to his swearing in, Governor Newsom announced that Ronda Paschal will remain a deputy legislative secretary in the new Administration. Paschal has served as deputy legislative secretary in the Office of Governor Brown since 2017. Prior to that appointment, she served as deputy secretary for legislation at the California State Transportation Agency and as deputy secretary for legislation at the California Business, Transportation and Housing Agency. She served as a deputy secretary of state in the California Secretary of State's Office, a legislative aide to State Senator Joe Dunn, an associate consultant for State Senator Tom Hayden and the California State Senate Committee on Natural Resources.

## **REGIONAL**

**Metropolitan Transportation Commission:** On Wednesday, December 19, 2018, the Commission voted 14-3 to allow Chair Jake MacKenzie to sign the CASA Compact. This agreement would serve as the basis for the region's legislative advocacy on housing and affordability issues in the next year. Following the release of the Draft Plan Bay Area 2040, MTC convened the Committee to House the Bay Area (CASA) to build a regional political



consensus around increasing housing production at all levels of affordability, preserving existing affordable housing, and protecting vulnerable populations from housing instability and displacement. One element of the Compact that is already being seriously debated in the Legislature is the potential to establish minimum zoning for housing near transit. The goal would be to increase housing density and the development of local communities in ways that encourage other modes of travel and reduce traffic congestion. The ABAG Executive Board is expected to vote on authorizing Board President David Rabbitt to sign the Compact at its meeting in January.

### **Attachment A**

**FY 2019 Legislative Session:** The Legislature reconvened on January 7 and it will take up a number of legislative proposals to address the state's housing affordability crisis in the new legislative session.

**AB 11 (Chiu) Community Redevelopment Law of 2019.** Current law dissolved redevelopment agencies as of February 1, 2012 and designates successor agencies to the dissolved agencies. This bill, the Community Redevelopment Law of 2019, would authorize a city or county, or two or more cities acting jointly, to propose the formation of an affordable housing and infrastructure agency by adoption of a resolution of intention that meets specified requirements, including that the resolution of intention include a passthrough provision and an override passthrough provision.

**SB 5 (Beall) Local-State Sustainable Investment Incentive Program.** This bill would establish the Local-State Sustainable Investment Incentive Program, which would be administered by the Sustainable Investment Incentive Committee. The bill would authorize a city, county, city and county, joint powers agency, enhanced infrastructure financing district, affordable housing authority, community revitalization and investment authority or transit village development district to apply to the Sustainable Investment Incentive Committee to participate in the program and would authorize the committee to approve or deny applications for projects meeting specific criteria.

**SB 15 (Portantino) Redevelopment.** The Community Redevelopment Law authorized the establishment of redevelopment agencies in communities to address the effects of blight, as defined. Current law dissolved redevelopment agencies as of February 1, 2012, and provides for the designation of successor agencies to wind down the affairs of the dissolved redevelopment agencies. This is a spot bill that would state the intent of the Legislature to enact legislation relating to redevelopment. At this time, this bill does not contain any further information about what provisions the author intends to add. However, it reflects the interest on the part of some legislators to take a second look at redevelopment law.

**SB 4 (McGuire) Housing.** Under current law, various agencies administer programs to preserve and expand safe and affordable housing opportunities and promote sound community growth. This bill would state the intent of the Legislature to enact legislation that would limit restrictive local land use policies and legislation that would encourage increased housing development near transit and job centers, in a manner that ensures that every jurisdiction contributes its fair share to a housing solution, while acknowledging relevant differences among communities.

**SB 6 (Beall) Housing production.** Under current law, various agencies administer programs to preserve and expand safe and affordable housing opportunities and promote sound community growth throughout the state. This bill would state the intent of the Legislature to enact legislation that would help encourage housing production throughout the state, including streamlining approval processes, identifying sufficient and adequate sites for housing construction, and penalizing local planning that restricts housing production.

**SB 50 (Wiener) Planning and zoning: housing development: equitable communities incentive.** This bill would require a city, county, or city and county to grant upon request an equitable communities incentive when a development proponent seeks and agrees to construct a residential development that satisfies specified criteria, including, among other things, that the residential development is either a job-rich housing project or a transit-rich housing project; the site does not contain, or has not contained, housing occupied by tenants or accommodations withdrawn from rent or lease in accordance with specified law within specified time periods; and the residential development complies with specified additional requirements under existing law.

**SB 25 (Caballero) California Environmental Quality Act: qualified opportunity zones.** SB 25 would establish procedures for the administrative and judicial review of the environmental review and approvals granted for projects located in qualified opportunity zones that are funded, in whole or in part, by qualified opportunity funds, or by the cap-and-trade (Affordable Housing and Sustainable Communities) funding allocated by the Strategic Growth Council.

**ACA 1 (Aguiar-Curry) Local government financing: affordable housing and public infrastructure: voter approval.** The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, or city and county to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.

**SCA 1 (Allen) Public housing projects.** The California Constitution prohibits the development, construction, or acquisition of a low rent housing project, as defined, in any manner by any state public body until a majority of the qualified electors of the city, town, or county in which the development, construction, or acquisition of the low-rent housing project is proposed approve the project by voting in favor at an election, as specified. This measure would repeal these provisions.

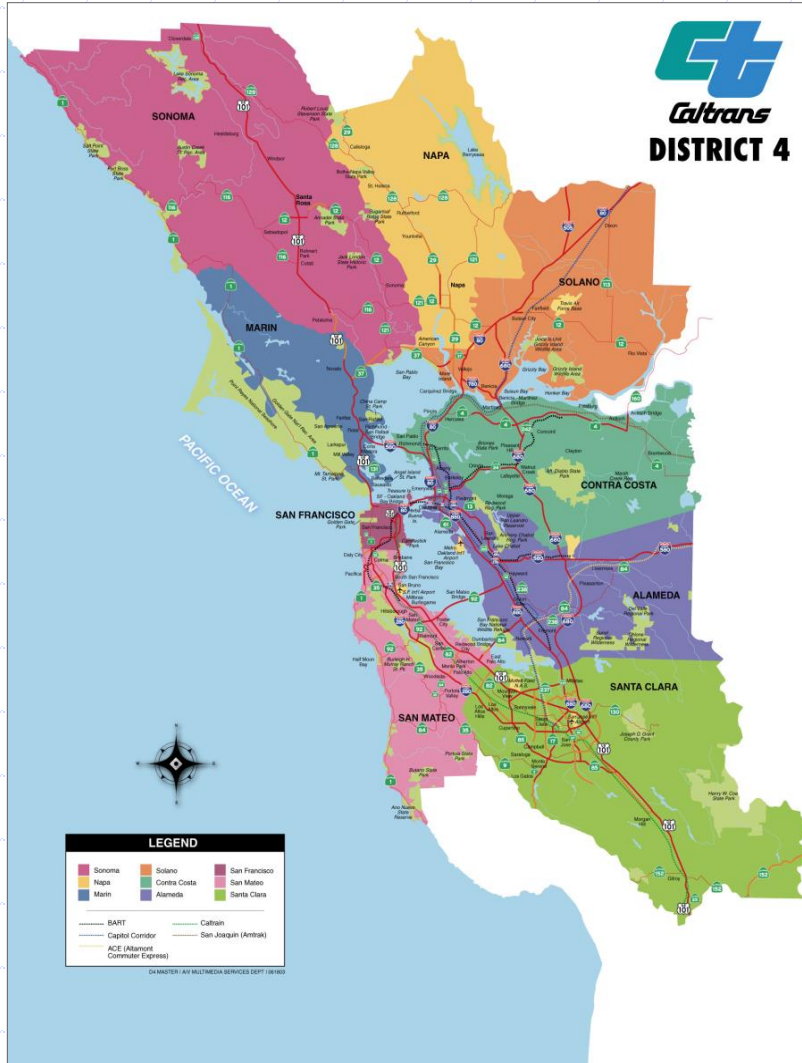
# CALTRANS DISTRICT 4



**VTA Board of Directors  
January 10, 2019**

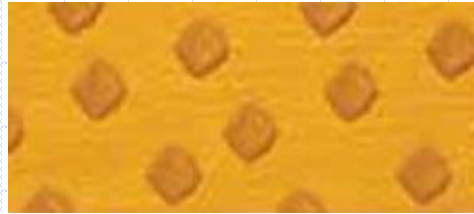


# District 4



- Encompasses the 9 counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Solano, Sonoma, and Santa Clara.
- Over 3,000 positions with an annual operating budget of over \$560 million.
- Manages over 6,500 lane miles on over 770 centerline miles of conventional highways and 690 centerline miles of freeways, including 494 miles of managed lanes (HOV and Express Lanes).
- 130 Construction contracts value of \$1.2B in current FY18/19.
- Operates seven toll bridges: Antioch, Benicia, Carquinez, Richmond-San Rafael, San Mateo-Hayward, San Francisco-Oakland, and Dumbarton.

# Safety: 6-Inch Striping & Type XI Sign Panels



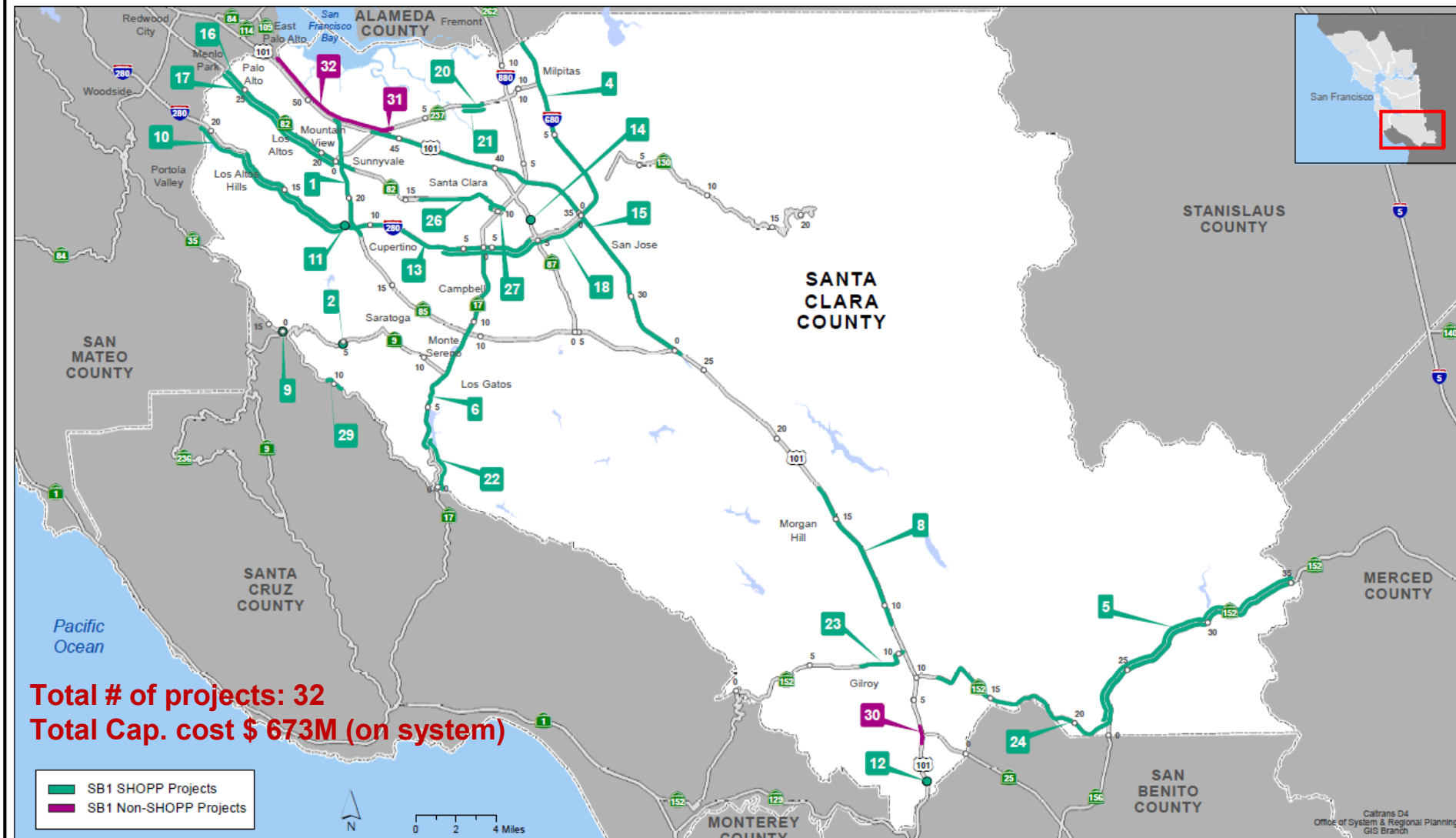


# Senate Bill 1 – Santa Clara County



## District 4 Senate Bill 1 (SB1) Projects - Santa Clara County

January 2019





# Partnering with Santa Clara County

- **Projects in Construction:**
  - SCL 101 Express Lanes Phase 3 (SB1)
  - SR 237 Express Lane Phase 2
  - US 101/SR237/Mathilda AVE (SB1)
  - SR 280/880/Stevenson CRK Landscape
- **Projects in Environmental Phase:**
  - US 101 /Mabury RD Improvement
  - US101/ Zanker RD Improvement
  - SR 280/Wolfe RD Interchange
  - SR 280/Winchester BLVD Improvement Project
- **Projects in Design Phase:**
  - US101/25 Interchange Improvement (SB1)
  - SR 152 Pavement Rehab. (First ST, Gilroy)
- **Regional Express Lanes Coordination**





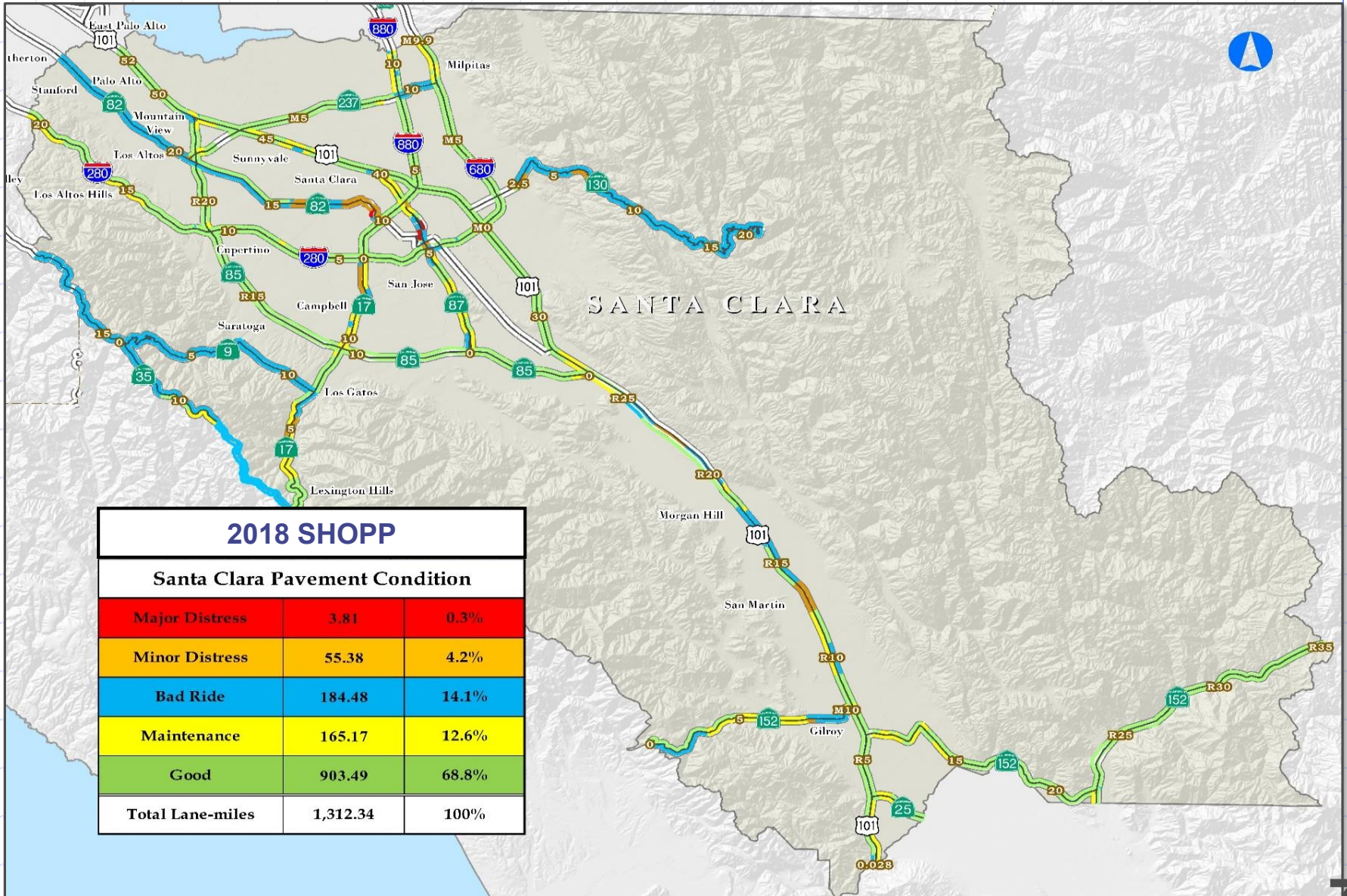
# Partnering Litter and Homeless

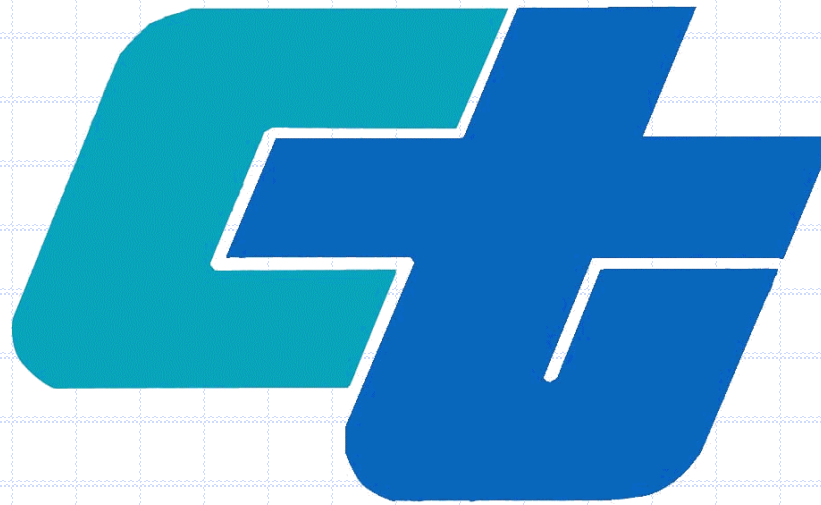
## PROJECT DESCRIPTION

- The project is located on Route 17, 101 and 280, 680, and 880 in the City of San Jose in Santa Clara County.
- Scope : Remove litter, debris, biological & chemical Hazardous waste, clear vegetation, trim and remove trees, construct hardened fencing, landscaping & hardscaping, repair drainage, and other Hwy facilities.
- Cost estimate \$10.6M
- Estimated Completion Date March 2019



# Asset Management Pavement Condition





***Caltrans***

**TONY TAVARES**

**District 4 Director**

**(510) 286-5900**

**Questions & Answers**





Date: January 3, 2019  
 Current Meeting: January 10, 2019  
 Board Meeting: January 10, 2019

## BOARD MEMORANDUM

**TO:** Santa Clara Valley Transportation Authority  
 Board of Directors

**THROUGH:** General Manager, Nuria I. Fernandez

**FROM:** Chief Engineering & Program Delivery Officer, Carolyn M. Gonot

**SUBJECT:** Silicon Valley Rapid Transit (SVRT) Program Update

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### FOR INFORMATION ONLY

#### **Silicon Valley Berryessa Extension Project**

As previously reported, BART passenger service on the Berryessa Extension Project has been delayed due to various circumstances, including the need to replace communications equipment that was not compliant with contract specifications. All materials needed to replace this equipment have been received and verified, and at the time of this writing, installation was expected to be complete by the end of December 2018.

As previously reported, a November 2018 workshop with VTA, BART, and FTA was conducted to review the schedule to revenue service based on remaining identified risks. Mitigations to these risks are already being implemented, and based on this continued progress, staff anticipates being able to establish a revised revenue service date forecast during the first quarter of 2019.

#### **Phase II Extension Activities**

##### *Field Activities*

Utility and geotechnical investigations began at the end of September 2018, and will continue to take place in early 2019 in areas where stations, the Newhall Maintenance Facility, and ventilation facilities are planned to be located.

Utility investigations determine the locations of existing utilities, such as water, power, communications and sewer lines. For utility investigations, truck-mounted high-powered vacuums remove soil around each utility to verify precise locations, which in most cases are located less than six feet below the surface. Once located, survey teams record the exact locations of the utilities and crews then backfill the hole and replace the pavement.

Geotechnical data is required to further develop design plans for the stations and tunnel. Truck-mounted drill rigs drill small diameter holes (about the size of a soda can) up to 150 feet deep to extract soil and groundwater samples which are tested for engineering properties, including moisture content, direct shear strength, dry density, and compaction. As field activities continue, VTA continues to engage stakeholders, residents, and businesses through meetings, door-to-door outreach, distribution of notices, and social media.

*General Engineering Consultant Request for Proposals*

The procurement process for the General Engineering consultant (GEC) continued throughout December. Negotiations have been completed and the staff recommendation for award of contract is included on the January 2019 Board of Directors meeting agenda as an action item.

Prepared By: Kevin Kurimoto, Sr. Management Analyst  
Memo No. 6270

# BART Silicon Valley Program Update

VTA Board of Directors Meeting

January 2019



# Phase I Update

# Berryessa Project Update

## Communication Equipment

- Replacement equipment has been installed – Complete

## FTA Risk Workshops

- Some risks from November Workshop have been mitigated
- Next FTA workshop – at end of January

## Station Systems

- Emergency Ventilation
- Fire Alarm/SCADA
- Automatic Fare Collection

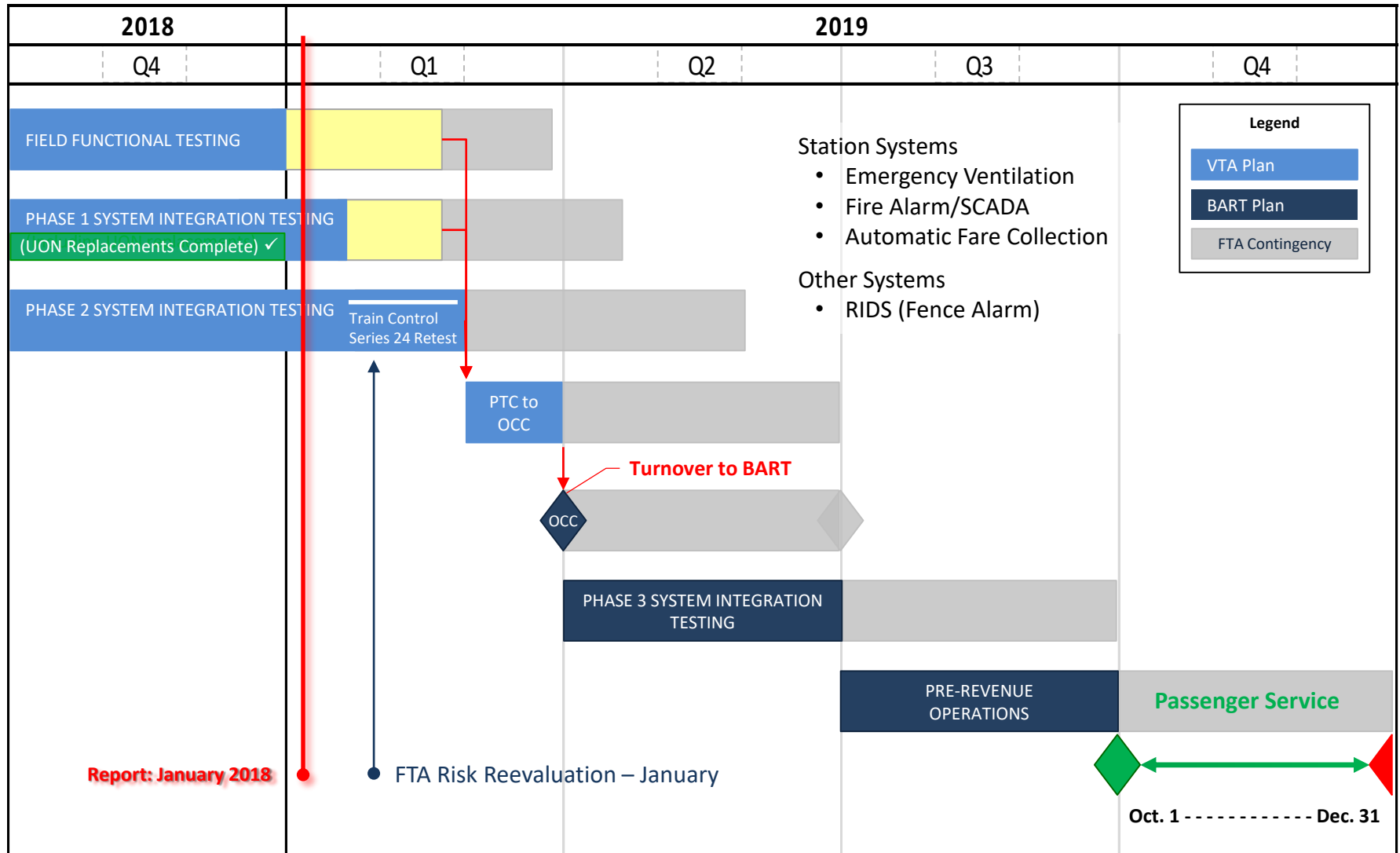
## Other Systems

- RIDS (Fence Alarms)





# Berryessa Extension Project Schedule



# Phase II Update



*Solutions that move you*

# VTA's BART Silicon Valley Program

## Phase II Extension – Current Activities

- VTA and BART finalizing tunnel concept
- General Engineering Contractor selection
- Pursuit of Federal funding underway to complete funding plan
- Joint development strategies being explored
- Field investigations underway
- Development of Design Criteria being completed



# Field Investigations Overview

- The first visible field work on VTA's BART Phase II Project started in September 2018, although major construction is not expected to begin on the project until early 2020
- Geotechnical and utility data is required to further develop design plans for stations and tunnel
- Short-term, intermittent lane closures are required at various sites



Truck-mounted drill rig in the field.

# Utility Investigations

## Equipment:

- Truck-mounted high-powered vacuum removes soil around each utility
  - Crews carefully remove soil to verify the precise location of underground utilities such as water, power, communications and sewer lines.
- Survey teams record the exact location of the utilities
- Crews then backfill the hole and replace the pavement



Truck-mounted high-powered vacuum.



# Geotechnical Investigations

## Equipment:

- Truck-mounted drill rig
  - Small diameter holes are drilled (about the size of a soda can) up to 150 feet deep to extract soil and groundwater samples for laboratory testing
- Cone penetration test (CPT) truck
  - Additional data is collected by pushing a 1.4" cone through the ground at a rate of 4 feet per minute, measuring resistance at the tip to correlate drill samples



Cone penetration test truck.



Soil extracted from a truck-mounted drill rig.

# How the Field Investigation Data is Used

- Soil samples are transported to a lab where they are tested for engineering properties including moisture content, shear strength, dry density, compaction, etc.
- Results of the data assist engineers when designing foundations and other structural elements of the future tunnel and stations



# VTA's BART Silicon Valley Program

Project Uses of Funds (In Millions YOE dollars)

Use	Amount
Capital Costs	\$4,781
Unallocated Contingency	\$ 500
Financing Costs*	\$ 300
<b>Total</b>	<b>\$5,581</b>

\* Financing costs estimated to be expended during the period of a Full funding Grant Agreement.

Preliminary Sources of Funds (In Millions of YOE dollars)

Source	Amount	Percentage
2000 Measure A	\$1,000	18%
2016 Measure B	\$1,500	27%
Local Measures Revenues to Fund Financing and Escalation Costs	\$ 400	7%
Regional Measure 3	\$ 375	7%
Transit and Intercity Rail Capital Program	\$ 750	13%
Traffic Congestion Relief Program	\$ 161	3%
FTA Expedited Project Delivery Pilot Program	\$1,395	25%
<b>Total</b>	<b>\$5,581</b>	<b>100%</b>



# VTA's BART Silicon Valley Program

## Phase II Extension – Planning Schedule



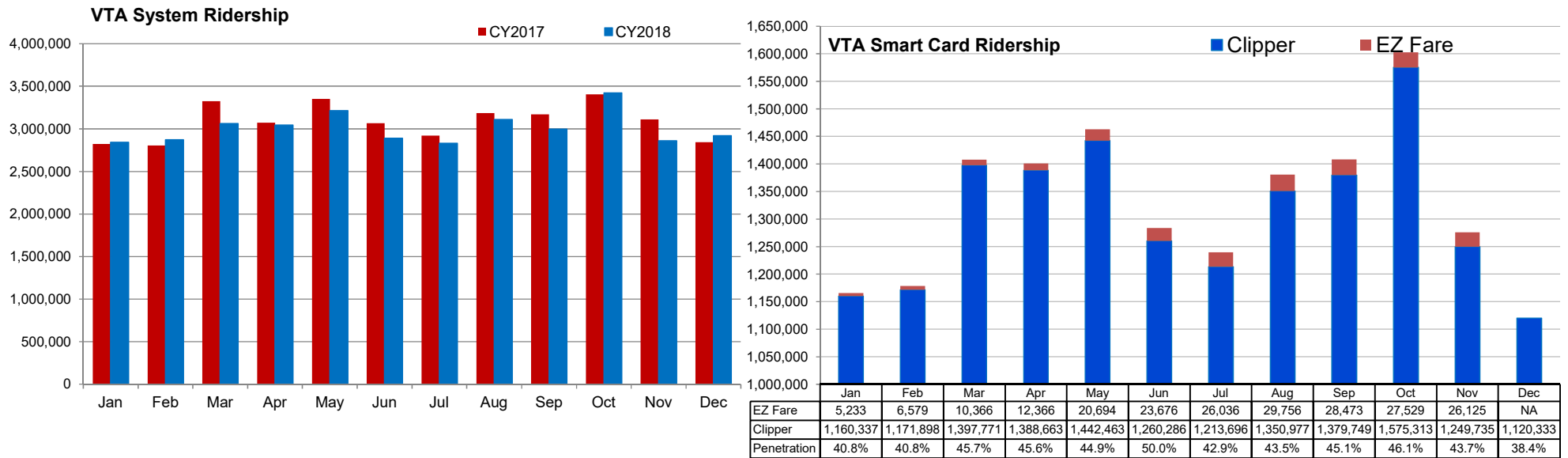
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# Questions?



**Valley Transportation Authority**  
**PRELIMINARY Ridership- Dec-2018**

Ridership		Monthly				Year-to-Date (calendar)				Prior month	
		Dec-2018	Dec-2017	Difference	Percent Change	Current (Jan' 18-Dec' 18)	Prior (Jan' 17-Dec' 17)	Difference	Percent Change	Nov-2018	Percent Change
	Bus	2,226,770	2,175,323	51,447	2.4%	27,507,878	28,424,293	-916,415	-3.2%	2,181,045	2.1%
	Light Rail	691,471	667,393	24,078	3.6%	8,539,918	8,659,796	-119,878	-1.4%	677,016	2.1%
	System	2,918,241	2,842,716	75,525	2.7%	36,047,796	37,084,089	-1,036,293	-2.8%	2,858,061	2.1%



Valley Transportation Authority

PRELIMINARY Key Performance Indicators (KPI) - Dec-2018

		Monthly				Year-to-Date (calendar)				
		Dec-2018	Dec-2017	Difference	Percent Change	Current (Jan' 18-Dec' 18)	Prior (Jan' 17-Dec' 17)	Difference	Percent Change	2018 Goal
Key Performance Indicators	% of Scheduled Service Operated									
	Bus	99.58%	99.52%	0.06%	0.1%	99.68%	99.63%	0.05%	0.1%	>= 99.50%
	Light Rail	99.98%	99.94%	0.04%	0.0%	99.97%	99.96%	0.01%	0.0%	>= 99.90%
	Service Recovery									
	Bus	61 mins	57 mins	4 mins	7.0%	53 mins	53 mins	0 mins	0.0%	<= 50 mins
	Light Rail	60 mins	30 mins	30 mins	100.0%	25 mins	25 mins	0 mins	0.0%	<= 29 mins
	Miles Between Mechanical Failure									
	Bus	9,663	12,669	-3,006	-23.7%	11,439	11,427	12	0.1%	>= 8,000
	Light Rail	31,545	37,187	-5,642	-15.2%	28,467	27,039	1,428	5.3%	>= 25,000
	Chargeable Accidents per 100k miles									
	Bus	0.97	1.22	-0.25	-20.5%	0.78	1.03	-0.25	-24.3%	<= 1.00
	Light Rail	0.00	0.00	0.00	n/a	0.13	0.05	0.08	160.0%	<= 0.05
	On-time performance									
	Bus	85.0%	84.6%	0.4%	0.5%	86.5%	86.2%	0.3%	0.3%	>= 92.5%
	Light Rail	80.4%	81.4%	-1.0%	-1.2%	84.3%	83.6%	0.7%	0.8%	>= 95.0%
	Absenteeism									
	Transportation	12.6%	11.5%	1.1%	9.6%	11.0%	10.3%	0.7%	6.8%	<= 10.0%
	Maintenance	9.7%	5.1%	4.6%	90.2%	7.8%	5.8%	2.0%	34.5%	<= 8.0%

# December 2018 Public Safety Data

8.1

## Enforcement – Sheriff Transit Patrol

Events	November 2018	December 2018	Year-to-Date
Total Incident Reports	131	121	1,591
Misdemeanors	64	71	767
Felonies	37	34	503
Other	30	16	321
Serious/Violent Offenses	7	8	100
Mental Health Commitments	15	10	131
Alcohol/Drug-Related	46	46	583
Arrests	76	56	919
Misdemeanor Cite and Release	10	6	249
Light Rail Cases	59	62	752

## VTA Fare Inspectors

	November 2018	December 2018
Total Passengers Checked	47,144	69,260
Total Citations	152	171



*Solutions that move you*



## Capital Program Committee

Friday, November 30, 2018

### MINUTES

#### CALL TO ORDER

The Regular Meeting of the Capital Program Committee (CPC) was called to order at 12:04 p.m. by Chairperson Larry Carr in Conference Room B-106, 3331 North First Street, San José, California.

#### 1. ROLL CALL

Attendee Name	Title	Status
Larry Carr	Chairperson	Present
Cindy Chavez	Member	Present
David Cortese	Alternate Member	N/A
Dev Davis	Alternate Member	Absent
Daniel Harney	Alternate Member	N/A
Glenn Hendricks	Alternate Member	N/A
Chappie Jones	Member	Present
Bob Nuñez	Vice Chairperson	Present
Raul Peralez	Member	Absent
Rob Rennie	Alternate Member	Present
Savita Vaidhyanathan	Member	Absent

A quorum was present.

#### 2. PUBLIC PRESENTATIONS

Roland Lebrun, Interested Citizen, commented on the following: 1) Caltrain; and 2) high speed rail.

#### 3. ORDERS OF THE DAY

There were no Orders of the Day.

#### CONSENT AGENDA

#### 4. Regular Meeting Minutes of June 28, 2018

M/S/C (Jones/Rennie) to approve the Regular Meeting Minutes of June 28, 2018.

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

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS] – Agenda Item #4</b>
<b>MOVER:</b>	Chappie Jones, Member
<b>SECONDER:</b>	Rob Rennie, Alternate Member
<b>AYES:</b>	Carr, Chavez, Jones, Nuñez, Rennie
<b>NOES:</b>	None
<b>ABSENT:</b>	Perez

## REGULAR AGENDA

### 5. Current Capital Budget Development Process

Carol Lawson, Fiscal Resources Manager, provided a presentation, entitled “Current Capital Budget Development Process”, highlighting the following: 1) FY20 & FY21 Capital Budget Development Schedule; 2) Project Evaluation Criteria; 3) Additional Prioritization Parameters; and 4) Current Prioritization.

Discussion ensued on the following: 1) capital projects and their impact on the operating budget; and 2) five and 10 year forecasts as part of the biennial budget process.

Members of the Committee asked that future presentations include more graphics.

#### Public Comment

Mr. Lebrun commented on the following: 1) expressed concern about a staff driven process; and 2) electronic advertising.

Blair Beekman, Interested Citizen, commented on accountability with technology.

**On order of Chairperson Carr**, and there being no objection, the Committee received a presentation on the current capital budget development process.

### 6. VTa Planning Activities

Chris Augenstein, Director of Planning & Programming, introduced Jim Unites, Deputy Director of Transit Planning & Capital Development; Scott Haywood, Transportation Planning Manager; Carolyn Gonot, Chief Engineering & Program Delivery Officer; and Marcella Rensi, Deputy Director of Programming and Construction Management, who provided a presentation entitled “VTa Planning Activities,” highlighting the following: 1) VTa Planning: One Purpose, Three Linked Efforts; 2) Transit Planning: Our Overall Charge; 3) Transit Planning: Design and Improve Service; 4) Transit Planning: Plan for the Future; 5) Transit Planning: Develop Policies; 6) Transit Planning: Work with Other Agencies; 7) Transportation Planning; 8) Recent Transportation Planning Activities; 9) Highway Project Delivery Process; 10) Highway Program Activities; 11) Potential Fund Sources; and 12) Active Highway Projects.

#### Public Comment

Mr. Beekman commented on surveillance technology on projects.

Mr. Lebrun commented on transit planning.

Members of the Committee suggested that this presentation be part of the new Board Member orientation.

**On order of Chairperson Carr**, and there being no objection, the Committee received information on VTA Planning activities.

## **7. Proposed Enhanced VTA Capital Program Process**

Stephen Flynn, Senior Policy Analyst – Programming and Construction Management and Staff Liaison, provided a presentation, entitled “Enhanced Capital Program: Designing VTA’s Future by Charting the Course,” highlighting the following: 1) Key Topics; 2) Capital Program Committee (CPC) Mission; 3) Recommended CPC Roles/Responsibilities; 4) Proposed CPC Meeting Schedule; 5) Proposed Enhanced Capital Program; 6) Current VTA Capital Program; 7) Enhanced Capital Program; 8) Implementation; 9) Resourced for Enhanced Capital Program; 10) Key Proposed Capital Program Enhancements; 11) Proposed Capital Program Workflow; 12) VTA Capital Plan; 13) Potential Items for CPC Consideration/Guidance; and 14) Next Steps in Process.

Members of the Committee requested that the proposed meeting schedule be sent to the Committee, including a workshop meeting in March, 2019.

### **Public Comment**

Doug Muirhead, Interested Citizen, commented on providing information to the public in a timely manner.

Mr. Lebrun commented on San Francisco Municipal Transportation Agency (MUNI).

**On order of Chairperson Carr**, and there being no objection, the Committee received a presentation and provided input on continued development of VTA’s Enhanced Capital Program process.

## **OTHER ITEMS**

### **8. Items of Concern and Referral to Administration**

- Business Interruption Fund Study for BART Phase II

Member Chavez reviewed the memorandum she and Member Peralez provided and noted their requests to staff regarding a Business Interruption Fund Study for BART Phase II. She requested a report from staff at the January, 2019 Board of Directors Meeting.

Members of the Committee expressed their support for the Business Interruption Fund emphasizing the need for preventative and mitigation measures.

### **Public Comment**

David Tran, Member Peralez’s office, read a statement from Member Peralez which highlighted the collaboration between local government and the San José



Downtown Association and expressed excitement to keep the collaboration going through the project.

Members of the Public expressed support for the Business Interruption Fund:

- Jeff Arrillaga, Interested Citizen;
- Scott Nies, San José Downtown Association; and
- Mimi Hernandez, Interested Citizen.

Mr. Beekman expressed concern about gentrification and technology uses.

Mr. Lebrun commented on engineering of underground stations.

#### **9. Review Committee Work Plan**

Mr. Flynn reviewed the Committee Work Plan.

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

#### **10. Committee Staff Report**

Mr. Flynn noted there was a status update on 2016 Measure B at the Committee Members' places.

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

#### **11. Chairperson's Report**

Chairperson Carr provided a brief report reviewing the purpose of the Committee.

#### **Public Comment**

Mr. Beekman thanked Member Chavez for her ideas of openness and accountability.

#### **12. Determine Consent Agenda for the December 6, 2018 Board of Directors Meeting**

##### **CONSENT:**

None.

##### **REGULAR:**

None.

#### **13. ANNOUNCEMENTS**

There were no Announcements.

**14. ADJOURNMENT**

**On order of Chairperson Carr**, and there being no objection, the meeting was adjourned at 1:57 p.m.

Respectfully submitted,

Thalia Young, Board Assistant  
VTA Office of the Board Secretary



## Governance and Audit Committee

Thursday, December 6, 2018

### MINUTES

#### CALL TO ORDER

The Regular Meeting of the Governance and Audit Committee (“Committee”) was called to order at 4:01 p.m. by Chairperson Liccardo in the Isaac Newton Senter Auditorium, County Government Center, 70 West Hedding, San Jose, California.

#### 1. ROLL CALL

Attendee Name	Title	Status
Cindy Chavez	Member	Present
Johnny Khamis	Member	Present
Sam Liccardo	Chairperson	Present
Teresa O'Neill	Vice Chairperson	Present

A quorum was present.

#### 2. PUBLIC PRESENTATIONS

There were no Public Presentations.

Member Khamis arrived at the meeting at 4:02 p.m. and took his seat.

#### 3. ORDERS OF THE DAY

There were no Orders of the Day.

#### CONSENT AGENDA

#### 4. Regular Meeting Minutes of November 1, 2018

M/S/C (Chavez/Khamis) to approve the Regular Meeting Minutes of November 1, 2018.

#### 5. Ratification of Reappointment to Bicycle & Pedestrian Advisory Committee

M/S/C (Chavez/Khamis) to ratify the reappointment to the Bicycle & Pedestrian Advisory Committee of Herman Wadler, representing the County of Santa Clara, for the two-year term ending June 30, 2020.

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

## 6. **VTA Ethics Hotline Program Quarterly Report**

M/S/C (Chavez/Khamis) to review and receive the VTA Ethics Hotline Program Quarterly Report.

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS] – Consent Agenda Items #4-6</b>
<b>MOVER:</b>	Cindy Chavez, Board Member
<b>SECONDER:</b>	Johnny Khamis, Board Member
<b>AYES:</b>	Chavez, Khamis, Liccardo, O'Neill
<b>ABSENT:</b>	None

## **REGULAR AGENDA**

### 7. **Audit Status Report**

Meeta Podar, Audit Program Manager, provided the staff report and a presentation entitled “Audit Status Report,” highlighting: 1) Background; 2) Audit Status Report, and; 3) Status of Audit Observations as of November 2013 to September 2018.

Members of the Committee and staff discussed the following: 1) monitoring process for implementation and completion of recommendations; 2) prioritization, and; 3) forecasting.

Member Chavez suggested the following: 1) staff continue using the current color arrangement for prioritization, and; 2) providing a status update to the Governance and Audit Committee on outstanding financial items would help the Board prioritize results cross audit.

**On order of Chairperson Liccardo** and there being no objection, the Committee reviewed and received the Audit Status Report as of September 30, 2018.

### 8. **Status Update on Inventory Management and Costing Assessment Mitigation Actions Implementation**

Thor Vue, Manager of Procurement, Contracts & Materials Management (PCMM) provided the staff report and a presentation entitled “Auditor General Report 2017-05 Inventory Management and Costing Assessment,” highlighting: 1) Observation Summary; 2) Inventory Management: Strategic Organizational Oversight and Analysis; 3) Parts Planning, Replenishment, and Inventory Optimization; 4) Perpetual Inventory Records and Warehouse Logistics; 5) Component Rebuilds and Labor Costing Methodology; 6) Safeguarding of Assets and Segregation of Duties, and; 7) Maintenance Work Orders and Monitoring.

**On order of Chairperson Liccardo** and there being no objection, the Committee reviewed and received a status update on Inventory Management and Costing Assessment Mitigation Actions Implementation.

**9. Review Status of Internal Audit Work Plan**

Mr. Corey Saunders, Auditor General, provided a status update of the Internal Audit Work Plan.

Members of the Committee and staff briefly discussed the BART Invoice Review process.

**On order of Chairperson Liccardo** and there being no objection, the Committee reviewed and received the Auditor General's Status of Internal Audit Work Plan.

**OTHER ITEMS**

**10. Items of Concern and Referral to Administration**

There were no Items of Concern and Referral to Administration.

**11. Review Committee Work Plan**

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

**12. Committee Staff Report**

There was no Committee Staff Report.

**13. Chairperson's Report**

There was no Chairperson's Report.

**14. Determine Items for the Consent Agenda for Future Board of Directors' Meetings**

**CONSENT:**

**Agenda Item #7.,** Review and receive the Audit Status Report as of September 30, 2018.

**REGULAR:** None

**15. ANNOUNCEMENTS**

Chairperson Liccardo noted the next Governance and Audit Committee meeting will be February 7, 2019.

16. **ADJOURN**

**On order of Chairperson Liccardo** and there being no objection, the Committee was adjourned 4:30 p.m.

Respectfully submitted,

Anita McGraw, Board Assistant  
VTA Office of the Board Secretary



## Congestion Management Program & Planning Committee

Thursday, December 20, 2018

### MINUTES

#### CALL TO ORDER

The Regular Meeting of the Congestion Management Program & Planning Committee (CMPP) was called to order at 10:00 a.m. by Chairperson Khamis in Conference Room B-106, 3331 North First Street, San José, California.

#### 1. ROLL CALL

Attendee Name	Title	Status
Dev Davis	Alternate Member	N/A
Johnny Khamis	Chairperson	Present
John McAlister	Member	Present
Howard Miller	Alternate Member	Present
Raul Peralez	Vice Chairperson	Present
Rob Rennie	Member	Absent

\* Alternates do not serve unless participating as a Member.

**A quorum was present.**

#### 2. PUBLIC PRESENTATIONS

Roland Lebrun, Interested Citizen, noted his observation of a technical issue with Clipper card readers on some buses and expressed concern on how it may affect bus on-time performance or revenue collection.

Bruce McHenry, Interested Citizen, offered a suggestion about coordination of an alternative transit option through a comprehensive mobile app.

Vice Chairperson Peralez arrived at the meeting and took his seat at 10:05 a.m.

#### 3. ORDERS OF THE DAY

There were no Orders of the Day.

## CONSENT AGENDA

### 4. Regular Meeting Minutes of November 15, 2018

M/S/C (Peralez/McAlister) to approve the Regular Meeting Minutes of November 15, 2018.

### 5. Sunol Smart Carpool Lane Second Amended and Restated JPA

M/S/C (Peralez/McAlister) to recommend that the VTA Board of Directors authorize the General Manager to enter into a Second Amended and Restated Joint Powers Agreement with Alameda County Transportation Commission in connection with the operations of the I-680 Express Lane.

### 6. Vehicle Registration Fee (VRF) Annual Report

M/S/C (Peralez/McAlister) to review the status of ongoing Santa Clara County Vehicle Registration Fee (VRF) activity.

### 7. 2018 TFCA Project Status Report

M/S/C (Peralez/McAlister) to review the status of ongoing Santa Clara County Transportation Fund for Clean Air (TFCA) projects.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS] – Consent Agenda Items #4 - #7</b>
<b>MOVER:</b>	Raul Peralez, Vice Chairperson
<b>SECONDER:</b>	John McAlister, Member
<b>AYES:</b>	Khamis, McAlister, Miller (Alt.), Peralez
<b>NOES:</b>	None
<b>ABSENT:</b>	None

## REGULAR AGENDA

### 8. Local Program Reserve (LPR) Funding Advance to develop a Vehicle Miles Traveled (VMT) Estimation Tool and Additional funds for the SR 152/SR 156 Interchange Close Out

Marcella Rensi, Deputy Director of Programming & Congestion Management, provided an overview of the staff report.

M/S/C (Miller/Peralez) to recommend that VTA Board of Directors program \$150,000 of Local Program Reserve (LPR) funds to provide the local share of the development of a Vehicle Miles Traveled (VMT) Estimation Tool, to be repaid with a one-time surcharge on Congestion Management Program (CMP) Member Agency fees in Fiscal Year 2020. Also, allocate \$12,684.19 of LPR funds to close out the SR152/SR156 Interchange project.

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



**RESULT:** APPROVED [UNANIMOUS] – Agenda Item #8  
**MOVER:** Howard Miller, Alternate Member  
**SECONDER:** Raul Perez, Vice Chairperson  
**AYES:** Khamis, McAlister, Miller (Alt.), Perez  
**NOES:** None  
**ABSENT:** None

## 9. **MTA Highway Program Cooperative Agreement**

Gene Gonzalo, Engineering Group Manager – Capital Program, provided an overview of the staff report.

**M/S/C (Perez/McAlister)** to recommend that MTA Board of Directors authorize the General Manager to execute Cooperative Agreements with:

1. California Department of Transportation (Caltrans);
2. Cities and Towns of Santa Clara County and the County of Santa Clara; and
3. State and regional agencies such as the California Highway Patrol (CHP) and Metropolitan Transportation Commission (MTC)

for planning, environmental, design, right of way, and construction phases of roadway projects.

**RESULT:** APPROVED [UNANIMOUS] – Agenda Item #9  
**MOVER:** Raul Perez, Vice Chairperson  
**SECONDER:** John McAlister, Member  
**AYES:** Khamis, McAlister, Miller (Alt.), Perez  
**NOES:** None  
**ABSENT:** None

## 10. **Transit Ridership Trends Review -- Fall 2018**

Jay Tyree, Senior Transportation Planner, provided a presentation on transit ridership, highlighting: 1) overview of MTA ridership trends; 2) service level impacts to ridership; 3) peer ridership trends; 4) overview of improvements to four routes since implementation in January 2018; 5) factors contributing to ridership decline; and 6) overview of MTA efforts to increase ridership.

### **Public Comment**

Mr. Lebrun offered the following suggestions: 1) analyze express bus performance; 2) evaluate boardings on the Alum Rock-Santa Teresa line; and 3) conduct an audit of various passenger counting systems to assess possible discrepancies.

Mr. McHenry provided a suggestion regarding a ridesharing app and integration with public transit.

Members of the Committee provided the following comments: 1) suggested to include additional factors contributing to ridership decline in the staff report; 2) suggested clarification on transit network redesign effort in Houston, TX; 3) requested comparative ridership data on the Alum Rock-Santa Teresa line; 4) explore more innovative ways of delivering transit information such as a comprehensive transportation app; 5) leverage authority on infrastructure and assets, such as signal prioritization and maximizing freeway capacity; 6) expressed support for transit signal priority; and 7) suggested West Valley College as a pilot location for commuter shuttle parking.

Members of the Committee and staff discussed efforts and factors that influence transit efficiency. Staff noted land use decisions and policies that prioritize transit should yield marked improvements in transit appeal and performance.

Nuria I. Fernandez, General Manager and CEO, introduced Gary Miskell, Chief Information Officer, who provided a brief overview of efforts related to the improvement of current transit apps and the development of a comprehensive transportation app.

**On order of Chairperson Khamis**, and there being no objection, the Committee received information on Transit Ridership Trends - Fall 2018.

#### **11. Transit Sustainability Project Update**

Lorena Bernal-Vidal, Transportation Planner, provided an overview of the staff report.

Chairperson Khamis expressed concern that changing project metrics does not necessarily address factors behind decline in performance outcomes.

**On order of Chairperson Khamis**, and there being no objection, the Committee received a report on VTA's Transit Sustainability Project progress.

#### **12. Lifeline Transportation Program and Mobility Assistance Program**

Suet Nguyen, Senior Management Analyst, provided an overview of the (MAP) programs, noting: 1) program goals; 2) how unmet transportation needs are addressed; 3) communities served and demographics; 4) service projections; 5) overview of program components and implementation plan; and 6) overview of program budget.

##### **Public Comment**

Mr. Lebrun suggested the administration and analysis of the customer satisfaction survey should be done by an independent third party.

**On order of Chairperson Khamis**, and there being no objection, the Committee received information on Lifeline Transportation Program and the Mobility Assistance Program.

### **OTHER ITEMS**

#### **13. Items of Concern and Referral to Administration**

There were no Items of Concern and Referral to Administration.

**14. Committee Work Plan**

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

**15. Committee Staff Report**

Chris Augenstein, Director of Planning & Programming and Committee Staff Liaison, provided a brief report of activities in the following areas: 1) programming and grants; 2) bicycle and pedestrian program; and 3) highway/express lanes projects.

**16. Chairperson's Report**

There was no Chairperson's Report.

**17. Determine Consent Agenda for the January 10, 2019, Board of Directors Meeting**

**CONSENT:**

**Agenda Item #5.** Recommend that the VTA Board of Directors authorize the General Manager to enter into a Second Amended and Restated Joint Powers Agreement with Alameda County Transportation Commission in connection with the operations of the I-680 Express Lane.

**Agenda Item #6.** Review the status of ongoing Santa Clara County Vehicle Registration Fee (VRF) activity.

**Agenda Item #7.** Review the status of ongoing Santa Clara County Transportation Fund for Clean Air (TFCA) projects.

**Agenda Item #8.** Recommend that VTA Board of Directors program \$150,000 of Local Program Reserve (LPR) funds to provide the local share of the development of a Vehicle Miles Traveled (VMT) Estimation Tool, to be repaid with a one-time surcharge on Congestion Management Program (CMP) Member Agency fees in Fiscal Year 2020. Also, allocate \$12,684.19 of LPR funds to close out the SR152/SR156 Interchange project.

**Agenda Item #9.** Recommend that VTA Board of Directors authorize the General Manager to execute Cooperative Agreements with:

1. California Department of Transportation (Caltrans);
2. Cities and Towns of Santa Clara County and the County of Santa Clara; and
3. State and regional agencies such as the California Highway Patrol (CHP) and Metropolitan Transportation Commission (MTC)

for planning, environmental, design, right of way, and construction phases of roadway projects.

**REGULAR:**

**Agenda Item #10.** Receive information on Transit Ridership Trends - Fall 2018.

**Agenda Item #11.** Receive report on VTA's Transit Sustainability Project progress.

**18. ANNOUNCEMENTS**

Ms. Fernandez wished the Committee a wonderful and safe Holiday Season.

Chairperson Khamis expressed appreciation to the Committee for allowing him to serve as its chair for 2018.

**19. ADJOURN**

**On order of Chairperson Khamis**, and there being no objection, the meeting was adjourned at 11:37 a.m.

Respectfully submitted,

Michelle Oblena, Board Assistant  
VTA Office of the Board Secretary



## Administration & Finance Committee

Thursday, December 20, 2018

### MINUTES

#### CALL TO ORDER

The Regular Meeting of the Administration and Finance Committee (A&F) was called to order at 12:03 p.m. by Chairperson O'Neill in Conference Room B-106, VTA River Oaks Campus, 3331 North First Street, San José, California

#### 1. ROLL CALL

Attendee Name	Title	Status
Larry Carr	Member	Present
David Cortese	Alternate Member	Absent
Dev Davis	Alternate Member	NA
Daniel Harney	Alternate Member	NA
Sam Liccardo	Member	Present
Teresa O'Neill	Chairperson	Present
Ken Yeager	Member	Absent

**\* A quorum was not present and a Committee of the Whole was declared.**

#### 2. PUBLIC PRESENTATIONS:

Blair Beekman, Interested Citizen, made the following comments: 1) expressed concern about the increased law enforcement surrounding sporting events; and 2) noted he is pleased with the Diridon Station working group.

Roland Lebrun, Interested Citizen, made the following comments: 1) reported he disagreed with the previous speaker's comments; and 2) commented about the reboot time of Clipper machines on the buses.

Raj Srinath, Chief Financial Officer and Staff, explained that the bus operators are required to power down at the end of its route and noted that there have only been a handful of delays/mix-ups regarding the Clipper machine during the reboot process.

**The Agenda was taken out of order.**

## OTHER ITEMS

### 13. Committee Staff Report

Mr. Srinath provided an update on decisions made by the Supreme Court regarding online sales tax and the impacts it will soon have on VTA.

Member Carr arrived and took his seat at 12:11 p.m. and a quorum was established.

## REGULAR AGENDA

### 12. Transit Ridership Trends Review -- Fall 2018

Jay Tyree, Senior Transportation Planner, provided an overview of the staff report and provided a presentation, entitled “Transit Ridership Review,” highlighting the following: 1) Informational report on Transit Ridership; 2) “Ridership” = Boardings; 3) Transit Ridership is Seasonal; 4) The mix of Weekdays, Saturdays, and Sundays impacts ridership; 5) Average Weekday Boardings by Fiscal Year; 6) Average Weekday Boardings by Month (12-Month Rolling Average); 7) Service Level Impacts Ridership; 8) Average Weekday Boardings by Hour (12-Month Rolling Average); 9) 10-year VTA Bus Year-Over-Year Change in Weekday Boardings; 10) 10-year VTA Light Rail Year-Over-Year Change in Weekday Boardings; 11) 33 of 37 Bus Operators Carried Fewer Riders in 2017 than 2016; 12) 35 of 37 Bus Operators Carried Fewer Riders per Hour in 2017 than 2016; 13) January 2018 Service Improvements to Four Routes; 14) Route 72: Senter & Monterey - Downtown San Jose via McLaughlin; 15) Route 73: Senter & Monterey - Downtown San Jose via Senter; 16) Route 522: Rapid Palo Alto - Eastridge; 17) Route G: Green Line (Winchester - Mountain View); 18) Many Factors Contributing to Ridership Decline; 19) Next Network + Bay Area Rapid Transit (BART) Silicon Valley Phase 1; 20) Next Network Just a Start; 21) Redesigned Transit Information for Customers; 22) Better Performance Monitoring; 23) Better Express Bus Service; and 24) Faster Transit.

Members of the Committee and staff discussed the following: 1) speeds relative to traffic; 2) how economic growth affects ridership; 3) the impacts of Transportation Network Companies and scooters on public transit; 4) time is a major factor for the public transit riders and there is need for increased speed; 5) VTA staff tracking other transportation agencies and how VTA compares; 6) exercising caution when speaking about peer agencies; 7) Board Members assisting with streamlining the process for light rail to have signal priority; 8) BART reporting San Francisco is losing short trip riders to scooters; and 9) VTA riders are more transit dependent than riders of its peer agencies.

Nuria I Fernandez, General Manager/CEO, reported that VTA is always looking for ways to improve ridership. Ms. Fernandez further reported she welcomes any assistance Board Members may have with their jurisdictions in assisting with increased speed and signal priority.

### Public Comment

Mr. Beekman commented about express bus route 181 and ridership.

**On Order of Chairperson O'Neill** and there being no objection, the Committee received information on Transit Ridership Trends - Fall 2018.

### 3. **ORDERS OF THE DAY**

There were no Orders of the Day.

## **CONSENT AGENDA**

Member Liccardo requested the following be removed from the Consent Agenda and placed on the Regular Agenda: **Agenda Item #5. 5.** Amendment of Outfront Contract for SVBX Advertisement.

### 4. **Regular Meeting Minutes of October 18, 2018**

**M/S/C (Carr/Liccardo)** to approve the Regular Meeting Minutes of September 20, 2018.

### 5. **(Removed from the Consent Agenda and placed on the Regular Agenda.)**

Authorize the General Manager to execute an amendment to the contract with Outfront Media Group, LLC, to amend the scope of services to include the Berryessa/North San Jose Intermodal Transit Center and the Milpitas Intermodal Transit Center, and to increase the Minimum Annual Guarantee to reflect the additional advertising assets.

### 6. **Approve 2019 Legislative Program for the Santa Clara Valley Transportation Authority (VTA)**

**M/S/C (Carr/Liccardo)** to approve 2019 Legislative Program.

### 7. **Monthly Investment Report - October 2018**

**M/S/C (Carr/Liccardo)** to receive Monthly Investment Report for October 2018.

<b>RESULT:</b>	<b>APPROVED- Consent Agenda #4; #6-7</b>
<b>MOVER:</b>	Larry Carr, Vice Chairperson
<b>SECONDER:</b>	Sam Liccardo, Member
<b>AYES:</b>	Carr, Liccardo, O'Neill
<b>NOES:</b>	None
<b>ABSENT:</b>	Yeager

## **REGULAR AGENDA (continued)**

### 8. **Multifunction Devices & Managed Print Services**

Gary Miskell, Chief Information Officer provided an overview of the staff report.

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

**M/S/C (Liccardo/Carr)** to recommend that the VTA Board of Directors authorize the General Manager to negotiate and execute a contract with Ray Morgan Company (RMC) for Multifunction Device (print, copy, scan) services. The initial term of the contract will be five years with an option to extend the contract on an annual basis for two additional years. The cost of the initial five-year term is \$1,800,000, plus \$300,000 per year for two optional one-year periods, for a total of \$2,400,000.

<b>RESULT:</b>	<b>APPROVED- Agenda Item #8</b>
<b>MOVER:</b>	Larry Carr, Vice Chairperson
<b>SECONDER:</b>	Sam Liccardo, Member
<b>AYES:</b>	Carr, Liccardo, O'Neill
<b>NOES:</b>	None
<b>ABSENT:</b>	Yeager

Member Liccardo recused himself on Item #9 and left his seat at 12:45 p.m.; a Committee of Whole was declared.

#### **9. Closed Circuit Television on Light Rail Vehicles Contract Amendment**

Richard Bertalan, Technology Manager for Technology Support Services, provided an overview of the staff report.

##### **Public Comment**

Mr. Beekman made the following comments: 1) thanked staff for their work; and 2) noted closed circuit television is good for transparency.

Upon hearing a Committee Member's comments Mr. Bertalan noted the value and importance of the system.

**On Order of Chairperson O'Neill** and there being no objection, the Committee of the Whole forwarded to the VTA Board of Directors without a recommendation the authorization for the General Manager to: (1) execute a contract amendment with Allied Telesis for additional warranty, support and software customization services in support of the Closed Circuit Television (CCTV) system on Light Rail in an amount not to exceed \$1,525,647; (2) extend the contract term through six (6) years of Extended Warranty; and (3) increase the total contract value to an amount not to exceed \$9,163,044.

Member Liccardo returned to his seat at 12:56 p.m. and a quorum was established.

Member Liccardo recused himself from **Agenda Item #10.**, General Engineering Services for VTA's BART Silicon Valley Phase II Extension.

#### **10. General Engineering Services for VTA's BART Silicon Valley Phase II Extension**

Dennis Ratcliffe, Deputy Director, Deputy Director, provided an overview of the staff report.



Committee Members and staff discussed the following: 1) steps for expediting the grant process; 2) Capital Improvement Grants and the lengthy application process; 3) future opportunities for public/private partnerships as it relates to BART Phase II; and 4) the types services that Mott MacDonald/PGH Wong Engineering Joint Venture (MMW) would be providing.

**On Order of Chairperson O'Neill** and there being no objection, the Committee of the Whole forwarded to the VTA Board of Directors without a recommendation the authorization for the General Manager to execute a contract with Mott MacDonald/PGH Wong Engineering Joint Venture (MMW) in an amount up to \$125,000,000 to provide General Engineering services for the preliminary engineering phase of VTA's BART Silicon Valley Phase II Extension.

#### **11. US 101/SR 25 Interchange Improvement - Phase 1- Execute PS&E Services Contract**

Gene Gonzalo, Engineering Group Manager, provided an overview of the staff report.

**M/S/C (Liccardo/Carr)** to recommend that the VTA Board of Directors authorize the General Manager to negotiate and execute a cost plus fixed fee contract for the Final Design and Right-of-Way Engineering Services for the US 101/SR 25 Interchange Improvement Project - Phase 1 (Phase 1 Project).

Note: Due to the strict grant fund timing, this recommendation is preliminary. Staff will provide the recommended contractor and amount before the January 10, 2019 VTA Board meeting.

<b>RESULT:</b>	<b>APPROVED- Agenda Item #11</b>
<b>MOVER:</b>	Sam Liccardo, Member
<b>SECONDER:</b>	Larry Carr, Chairperson
<b>AYES:</b>	Carr, Liccardo, O'Neill
<b>NOES:</b>	None
<b>ABSENT:</b>	Yeager

### **CONSENT AGENDA (continued)**

#### **5. Amendment of Outfront Contract for SVBX Advertisement**

Upon inquiry of Committee Member Liccardo, VTA staff discussed the long term capital investment by Outfront that influenced VTA's decision to accept the proposed Minimum Annual Guarantee (MAG) and revenue share.

**M/S/C (Liccardo/Carr)** to recommend that the VTA Board of Directors authorize the General Manager to execute an amendment to the contract with Outfront Media Group, LLC, to amend the scope of services to include the Berryessa/North San Jose Intermodal Transit Center and the Milpitas Intermodal Transit Center, and to increase the Minimum Annual Guarantee to reflect the additional advertising assets.

<b>RESULT:</b>	<b>APPROVED- Agenda Item #5</b>
<b>MOVER:</b>	Sam Liccardo, Member
<b>SECONDER:</b>	Larry Carr, Chairperson
<b>AYES:</b>	Carr, Liccardo, O'Neill
<b>NOES:</b>	None
<b>ABSENT:</b>	Yeager

## **OTHER ITEMS (continued)**

### **11. Items of Concern and Referral to Administration**

There were no Items of Concern and Referral.

### **14. Chairperson's Report**

There was no Chairperson's Report.

### **15. Determine Consent Agenda for the November 1, 2018 Board of Directors Meeting**

#### **CONSENT:**

**Agenda Item #5.** Recommend that the VTA Board of Directors authorize the General Manager to execute an amendment to the contract with Outfront Media Group, LLC, to amend the scope of services to include the Berryessa/North San Jose Intermodal Transit Center and the Milpitas Intermodal Transit Center, and to increase the Minimum Annual Guarantee to reflect the additional advertising assets.

**Agenda Item #6.** Approve 2019 Legislative Program.

**Agenda Item #8.** -Recommend that the VTA Board of Directors authorize the General Manager to negotiate and execute a contract with Ray Morgan Company (RMC) for Multifunction Device (print, copy, scan) services. The initial term of the contract will be five years with an option to extend the contract on an annual basis for two additional years. The cost of the initial five-year term is \$1,800,000, plus \$300,000 per year for two optional one-year periods, for a total of \$2,400,000.

**Agenda Item #9.** Recommend that the VTA Board of Directors authorize the General Manager to: (1) execute a contract amendment with Allied Telesis for additional warranty, support and software customization services in support of the Closed Circuit Television (CCTV) system on Light Rail in an amount not to exceed \$1,525,647; (2) extend the contract term through six (6) years of Extended Warranty; and (3) increase the total contract value to an amount not to exceed \$9,163,044.

**Agenda Item #12.** Receive information on Transit Ridership Trends - Fall 2018.

**REGULAR:**

**Agenda Item #10.** Recommend that the VTA Board of Directors authorize the General Manager to execute a contract with Mott MacDonald/PGH Wong Engineering Joint Venture (MMW) in an amount up to \$125,000,000 to provide General Engineering services for the preliminary engineering phase of VTA's BART Silicon Valley Phase II Extension.

**Agenda Item #11.** Recommend that the VTA Board of Directors authorize the General Manager to negotiate and execute a cost plus fixed fee contract for the Final Design and Right-of-Way Engineering Services for the US 101/SR 25 Interchange Improvement Project - Phase 1 (Phase 1 Project).

Note: Due to the strict grant fund timing, this recommendation is preliminary. Staff will provide the recommended contractor and amount before the January 10, 2019 VTA Board meeting.

**16. ANNOUNCEMENTS**

Ms. Fernandez wished the Committee Happy Holidays.

**17. ADJOURNMENT**

**On order of Chairperson O'Neill** and there being no objection, the meeting adjourned at 1:13 p.m.

Respectfully submitted,

Theadora Abraham, Board Assistant  
VTA Office of the Board Secretary



## Safety, Security, and Transit Planning and Operations

Friday, December 21, 2018

### MINUTES

#### CALL TO ORDER

The Regular Meeting of the Safety, Security, and Transit Planning and Operations (SSTPO) Committee was called to order at 2:02 p.m. by Chairperson Chavez in Conference Room B-106, Santa Clara Valley Transportation Authority (VTA), 3331 North First Street, San José, California.

#### 1. ROLL CALL

Attendee Name	Title	Status
Cindy Chavez	Chairperson	Present
David Cortese	Alternate Member	N/A
Dev Davis	Alternate Member	N/A
Lan Diep	Member	Present
Glenn Hendricks	Alternate Member	N/A
Chappie Jones	Vice Chairperson	Present
Bob Nuñez	Member	Present

\*Alternates do not serve unless participating as a Member.

**A quorum was present.**

#### 2. PUBLIC PRESENTATIONS:

Dorian Lemarchand, Interested Citizen, inquired on the status of Next Network plan.

Blair Beekman, Interested Citizen, commented on the Downtown San Jose growth and the importance of working with the community.

#### 3. ORDERS OF THE DAY

There were no Orders of the Day.

#### CONSENT AGENDA

#### 4. Regular Meeting Minutes of November 16, 2018

##### Public Comment

Mr. Beekman commented on the Line 181 transition at Warm Springs.

M/S/C (Jones/Diep) to approve the Regular Meeting Minutes of November 21, 2018.

**5. Transit Service Changes - January 14, 2019**

M/S/C (Jones/Diep) to receive a report on the January 14, 2019 service changes.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS] – Consent Agenda Items #4 - #5</b>
<b>MOVER:</b>	Chappie Jones, Vice Chairperson
<b>SECONDER:</b>	Lan Diep, Member
<b>AYES:</b>	Chavez, Diep, Jones, Nuñez
<b>NOES:</b>	None
<b>ABSENT:</b>	None

**REGULAR AGENDA**

**6. Transit Ridership Trends Review -- Fall 2018**

Jay Tyree, Sr. Transportation Planner - Transit Planning, provided a presentation, entitled “Transit Ridership Review,” highlighting the following: 1) Informational report on Transit Ridership; 2) “Ridership” = Boardings; 3) Transit Ridership is Seasonal; 4) The mix of Weekdays, Saturdays, and Sundays impacts ridership; 5) Average Weekday Boardings by Fiscal Year; 6) Average Weekday Boardings by Month (12-Month Rolling Average); 7) Service Level Impacts Ridership; 8) Average Weekday Boardings by Hour (12-Month Rolling Average); 9) 10-year VTA Bus Year-Over-Year Change in Weekday Boardings; 10) 10-year VTA Light Rail Year-Over-Year Change in Weekday Boardings; 11) 33 of 37 Bus Operators Carried Fewer Riders in 2017 than 2016; 12) 35 of 37 Bus Operators Carried Fewer Riders per Hour in 2017 than 2016; 13) January 2018 Service Improvements to Four Routes; 14) Route 72: Senter & Monterey - Downtown San Jose via McLaughlin; 15) Route 73: Senter & Monterey - Downtown San Jose via Senter; 16) Route 522: Rapid Palo Alto - Eastridge; 17) Route G: Green Line (Winchester - Mountain View); 18) Many Factors Contributing to Ridership Decline; 19) Next Network + BART Silicon Valley Phase 1; 20) Next Network Just a Start; 21) Redesigning Transit Information for Customers; 22) Better Performance Monitoring; 23) Better Express Bus Service; and 24) Faster Transit.

The Committee discussed the following: 1) service changes related to ridership; 2) working with corporations to improve ridership; 3) mobility impaired users of our system; and 4) signal priority.

The Committee made the following requests: 1) look at how VTA helps the mobility impaired use the system and Access; and 2) bus rapid transit (BRT) cost.

**Public Comment**

Roland Lebrun, Interested Citizen, made the following comments: 1) increased ridership on the Winchester/Mountain View light rail line; and 2) ridership on Lines 180 and 181.

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

Mr. Beekman spoke on the following: 1) reducing BART fares; and 2) ridership trends.

**On order of Chairperson Chavez and there being no objection,** the Committee received information on Transit Ridership Trends - Fall 2018.

## **7. College Football Playoff Championship Game Update**

Steve Jovel, Assistant Superintendent - Operations, provided a presentation, highlighting the following: 1) AT&T Playoff Playlist; 2) Playoff Fan Central; 3) The Quad; and 4) Championship Tailgate.

The Committee discussed the following: 1) meeting transit needs; and 2) downtown traffic management.

### **Public Comment**

Mr. Beekman expressed concern about corporate money and security/law enforcement for a large event.

**On order of Chairperson Chavez and there being no objection,** the Committee received an update on the College Football National Championship Game.

## **8. Hybrid Bus Technology**

Heidi Samuels, Deputy Director, Transit Operations - Bus, provided a presentation, entitled "Hybrid Buses and Battery Overhaul," highlighting the following: 1) Series/Parallel Hybrid; 2) Hybrid Bus Maintenance Benefits and Considerations; 3) Allison Energy Storage System (ESS2); 4) Allison ESS Battery; 5) Make-or-Buy-Study Results; and 6) ESS Battery Pack Rebuild.

### **Public Comment**

Mr. Lebrun commented on the following: 1) regenerative braking; and 2) Tesla batteries.

The Committee made the following requests: 1) discuss at a future meeting VTA's efforts to lower emissions and how it fit in with the air quality standards effective in 2033; 2) suggested translating percentages to dollar amounts; and 3) provide presentations in advance of meetings when possible.

**On order of Chairperson Chavez and there being no objection,** the Committee received a presentation on Hybrid Bus Technology.

## **OTHER ITEMS**

## **9. November, 2018, Monthly Ridership and Fare Revenue Performance**

Lalitha Konanur, Operations Systems Supervisor, Reporting & Systems, provided the November 2018 ridership and fare revenue performance report.

### **Public Comment**

Mr. Lebrun requested a report for bus and light rail ridership be included in the packet for the January 2019 VTA Board of Directors meeting.

Mr. Beekman made the following comments: 1) ridership is a balance between bus and light rail; and 2) working together is possible.

**On order of Chairperson Chavez and there being no objection,** the Committee received a report on the November, 2018, Monthly Ridership and Fare Revenue Performance.

### **10. VTA's Safety and Security Programs**

Angelique Gaeta, Chief of Staff, noted VTA has responded to the California Public Utilities Commission (CPUC) triennial audit draft report and submitted resolutions for four of the recommendations. The CPUC has approved three of the submitted resolutions.

Ms. Gaeta provided a presentation, entitled "Light Rail Safety Enhancement Project Status Report," highlighting the following: 1) Transit Mall Railing; 2) Median Fencing Project; 3) Median Fencing Scope; 4) Typical Median Safety Enhancement; and 5) Median Fencing Schedule.

The Committee requested that staff resend the original presentation for the FAST program.

### **Public Comment**

Mr. Lebrun expressed concern with the following: 1) the yellow tactile area; and 2) the barrier extends the whole platform length.

Mr. Beekman made the following comments: 1) prefers the previous horizontal barrier design to vertical barriers; and 2) expressed concern with color CCTV.

**On order of Chairperson Chavez and there being no objection,** the Committee received a report on VTA's Safety and Security Programs.

### **11. Items of Concern and Referral to Administration**

There were no Items of Concern and Referral to Administration.

### **12. Committee Work Plan**

Ms. Gaeta reviewed the Committee Work Plan.

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

### **13. Committee Staff Report**

Ms. Gaeta noted that the Committee Staff Report is provided at Members' places and on the public table.

**14. Chairperson's Report**

There was no Chairperson's Report.

**15. Determine Consent Agenda for the January 10, 2019, Board of Directors Meeting**

**CONSENT:**

None.

**REGULAR:**

**Agenda Item #6.**, Receive Information on Transit Ridership Trends - Falls 2018.

**16. ANNOUNCEMENTS**

There were no Announcements.

**17. ADJOURNMENT**

**On order of Chairperson Chavez** and there being no objection, the meeting was adjourned at 3:37 p.m.

Respectfully submitted,

Thalia Young, Board Assistant  
VTA Office of the Board Secretary





## **TECHNICAL ADVISORY COMMITTEE**

Wednesday, December 12, 2018

### **NOTICE OF CANCELLATION**

**NOTICE IS HEREBY GIVEN** that the Santa Clara Valley Transportation Authority Technical Advisory Committee Meeting scheduled for Wednesday, December 12, 2018, 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 January 16, 2019, 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, December 12, 2018

**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, December 12, 2018, 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, January 16, 2019, 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, December 12, 2018

### **NOTICE OF CANCELLATION**

**NOTICE IS HEREBY GIVEN** that the Santa Clara Valley Transportation Authority Bicycle & Pedestrian Advisory Committee meeting scheduled for Wednesday, December 12, 2018, 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, January 16, 2019, 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, December 13, 2018

### **NOTICE OF CANCELLATION**

**NOTICE IS HEREBY GIVEN** that the Santa Clara Valley Transportation Authority Policy Advisory Committee meeting scheduled for Thursday, December 13, 2018, at 4:00 p.m. has been cancelled.

The next meeting of the Santa Clara Valley Transportation Authority Policy Advisory Committee is scheduled for January 17, 2019, 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



## State Route 85 Corridor Policy Advisory Board

Monday, December 10, 2018

### MINUTES

#### CALL TO ORDER

The Regular Meeting of the State Route 85 Corridor Policy Advisory Board (SR 85) was called to order at 10:01 a.m. by Chairperson McAlister in Community Hall, 10350 Torre Avenue, Cupertino, California.

#### 1. ROLL CALL

Attendee Name	Title	Representing	Status
Mary-Lynne Bernald	Alternate Member	City of Saratoga	Absent
Jeannie Bruins	Member	City of Los Altos	Present
Barry Chang	Alternate Member	City of Cupertino	Absent
Burton Craig	Alternate Member	City of Monte Sereno	Absent
Marcia Jensen	Alternate Member	City of Los Gatos	Absent
Sergio Jimenez	Member	City of San José	Present
Larry Klein	Member	City of Sunnyvale	Present
Susan Landry	Alternate Member	City of Campbell	Absent
Lynette Lee Eng	Alternate Member	City of Los Altos	Absent
John McAlister	Chairperson	City of Mountain View	Present
Russ Melton	Alternate Member	City of Sunnyvale	Absent
Howard Miller	Vice Chairperson	City of Saratoga	Present
Marico Sayoc	Member	City of Los Gatos	Present
Leonard Siegel	Alternate Member	City of Mountain View	Absent
Rod Sinks	Member	City of Cupertino	Present
Rowena Turner	Member	City of Monte Sereno	Absent
Rich Waterman	Member	City of Campbell	Present
<i>Vacant</i>	Alternate Member	City of San José	n/a
<i>Vacant</i>	Member	County of Santa Clara	n/a
<i>Vacant</i>	Alternate Member	County of Santa Clara	n/a
Bijan Sartipi	Ex-Officio Member	Caltrans	Absent
<i>Vacant</i>	Alt. Ex-Officio Member	Caltrans	n/a

**A quorum was present.**

#### 2. PUBLIC PRESENTATIONS

Roberta Holliman, Interested Citizen, expressed support for use of the median on State Route 85 (SR 85) for public transit, especially light rail.

Jim Stallman, Interested Citizen, expressed concern that the SR 85 High Occupancy Toll Lanes (HOT) design was not presented to the Committee before going to the Board of Directors (Board).

Nancie Fimbel, Interested Citizen, comment on the noise study on SR 85 and inquired about the results.

Member Jimenez took his seat at 10:08 a.m.

Connie Cunningham, Interested Citizen, suggested that Committee Members encourage their City Councils to include a standing agenda item to discuss traffic.

### **3. ORDERS OF THE DAY**

There were no Orders of the Day.

### **4. Committee Staff Report**

There was no Committee Staff Report.

## **CONSENT AGENDA**

### **5. Regular Meeting Minutes of February 26, 2018**

M/S/C (Bruins/Klein) to approve the Regular Meeting Minutes of February 26, 2018.

### **6. Regular Meeting Minutes of May 21, 2018**

M/S/C (Bruins/Klein) to approve the Regular Meeting Minutes of May 21, 2018.

<b>RESULT:</b>	<b>APPROVED – Agenda Items #5-6</b>
<b>MOVER:</b>	Jeannie Bruins, Member
<b>SECONDER:</b>	Larry Klein, Member
<b>AYES:</b>	Bruins, Jimenez, Klein, McAlister, Sayoc, Sinks, Waterman
<b>ABSENT:</b>	Miller, Turner

## **REGULAR AGENDA**

### **7. SR 85 Transit Guideway Study Status**

Adam Burger, Senior Transportation Planner, provided a presentation entitled, “SR 85 Transit Guideway Study: Study Status,” highlighting the following: 1) 2016 Measure B Lawsuit; 2) Pursuit of Alternate Funding – MTC Loan; 3) SR 85 Transit Guideway Study – Phase I; 4) SR 85 Transit Guideway Study – Phase II; and 5) SR 85 Transit Guideway Study – Phase III.

Members of the Committee discussed the following: 1) funding; and 2) working with local corporations.

Vice Chairperson Miller took his seat at 10:24 a.m.

### **Public Comment**

Ms. Cunningham inquired about the timeline for Phases I, II, and III of the study, including public outreach efforts.

Members of the Committee requested the following: 1) staff continue asking employers for information about their private shuttles and provide an update at future meetings; and 2) provide Committee Members with the questions that VTA staff asked corporations about shuttles.

**On order of Chairperson McAlister** and there being no objection, the Committee received a presentation on State Route 85 Transit Guideway Study Status.

## **8. Reversible Lanes Analysis**

Chairperson McAlister and Vice Chairperson Miller provided a statement to the Committee which read: “Develop a transit plan using existing right of way/median/shoulders that maximize ridership by maximizing speed, minimizing stops and delays, the measures serving the greatest number of likely riders based on big data analysis.”

Mr. Burger provided a presentation entitled, “SR 85 Transit Guideway Study: Reversible Lanes in Other Cities, Potential SR 85 Application,” highlighting the following: 1) SR 85 Unbalanced Commute Volumes; 2) Golden Gate Bridge; 3) Chicago Skyway; 4) Closed Access; 5) Open Access; 6) Interstate-15 San Diego; and 7) SR 85 Reversible Lanes Application.

Nick Saleh, Caltrans District 4 Division Chief, commented that regardless of how a traffic lane is used safety is the top priority, noting that there are other factors taken into consideration such as geometrics and access points.

The Committee held a discussion about transit only lanes and transit efficiency.

### **Public Comment**

Steven Levin, Interested Citizen, commented on the following: 1) SR 85 is used for end to end and shorter trips; and 2) the future of transit and cars, such as autonomous vehicles.

Member Waterman left the meeting at 11:11 a.m.

**On order of Chairperson McAlister** and there being no objection, the Committee received a presentation on reversible lanes in other cities and potential application to State Route 85.

## **9. Freeway-Based Bus Transit in Other Cities**

Mr. Burger provided a presentation entitled, “SR 85 Transit Guideway Study: Freeway-Based Bus Transit in Other Cities,” highlighting the following: 1) Silver Lines In-Line Station; 2) Harbor Gateway Station; 3) Interstate 405/28<sup>th</sup> Station; 4) Interstate 405

Onramp/Park-N-Ride Station; 5) Flatiron Flyer – Denver; 6) Table Mesa On-Ramp Station; 7) Bloomfield Side Station; and 8) Freeway Bus Service.

A brief discussion ensued noting that fewer stops means faster service.

**On order of Chairperson McAlister** and there being no objection, the Committee received a presentation on freeway-based bus transit in other cities.

**10. ANNOUNCEMENTS**

Chairperson McAlister attended the American Public Transportation Association (APTA) Conference for Transit Board Members in November, 2018 and encouraged Committee Members to attend this conference as well as other national conferences.

**11. ADJOURNMENT**

**On order of Chairperson McAlister** and there being no objection, the meeting was adjourned at 11:28 a.m.

Respectfully submitted,

Thalia Young, Board Assistant  
VTA Office of the Board Secretary



## Caltrain JPB Meeting Summary

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### Caltrain JPB Meeting Summary

At its January 10, 2019 meeting, the Caltrain JPB:

- Special Board Meeting held before Regular Board meeting to receive the quarterly update describing project activities and progress from October through December of 2018 on the Caltrain Business Plan. The quarterly update provided the Board an opportunity to ask questions about project activities and to provide feedback and direction on the Business Plan.
- Approved the selection of a new Caltrain Board Chair, Director Gillian Gillett (SF Board of Supervisors). David Pine (San Mateo County) was elected Vice Chair. Additionally, much appreciation from Staff and fellow board members was offered to outgoing Chair Jeannie Bruins.
- Approved the adoption of the 2019 Legislative Program. The 2019 Program is organized to guide Caltrain's actions and positions in support of three primary objectives:
  1. Maintain and enhance funding opportunities to support Caltrain's programs, projects, and services.
  2. Seek a regulatory environment that streamlines project delivery and maximizes Caltrain's ability to meet public transportation service demands.
  3. Reinforce and expand programs that build and incentivize public transportation ridership.
- Deferred until February 7, 2018 meeting a resolution of support for Caltrain's participation in the regional means-based fare pilot program. Board members raised numerous questions about the pilot and requested that staff return next month with more clarification. The Pilot Program is an effort led by staff from the Metropolitan Transportation Commission (MTC) and regional transit operators, the Pilot Program is anticipated to commence in fall 2019. Fiscal impact is still to be determined. MTC estimates that the gross fare revenue loss due to Caltrain's participation in the Pilot Program would be in the range of approximately \$400,000 to \$1,800,000 annually, depending on the level of program participation. However, MTC estimates that up to 50 percent of fare revenue losses would be offset by regional financial contributions to Caltrain; thus, the net revenue loss is estimated to be approximately \$200,000 to \$900,000 annually for Caltrain.
- Awarded contracts to Cooper Puga Management, Inc. of San Francisco, California and Jacobs Project Management Company of Oakland, California for an aggregate total not-to-exceed amount of \$34,660,000 to provide on-call Program Management Oversight services (PMO Services) for a five-year term at the negotiated rates specified in each contract.
- Deferred until February 7, 2018 an update on four interrelated planning and policy efforts that will collectively inform and guide the future use of JPB property. The four projects include the Caltrain Business Plan, the Caltrain Rail Corridor Use Policy (RCUP), the Caltrain Station Management Toolbox (Toolbox), and the Caltrain Transit-Oriented Development (TOD) Policy.

The Caltrain JPB will next meet on

February 7, 2019, at 10 a.m.

San Mateo County Transit District Administrative Building

Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070

## 2019 VTA Board of Directors Regular and Workshop Meetings

The Santa Clara Valley Transportation Authority (VTA)  
Board of Directors welcomes the public to the  
following meetings:

Thursday, January 10 (2 <sup>nd</sup> Thurs.)	5:30 p.m.	Regular Board Meeting**
Thursday, February 7	5:30 p.m.	Regular Board Meeting
<i>Friday, February 22</i>	<i>9:00 a.m.</i>	<i>Board Workshop Meeting**</i>
Thursday, March 7	5:30 p.m.	Regular Board Meeting
Thursday, April 4	5:30 p.m.	Regular Board Meeting
<i>Friday, April 19</i>	<i>9:00 a.m.</i>	<i>Board Workshop Meeting**</i>
Thursday, May 2	5:30 p.m.	Regular Board Meeting
Thursday, June 6	5:30 p.m.	Regular Board Meeting
Friday, June 21	9:00 a.m.	*Regular Board Meeting
Thursday, August 1	5:30 p.m.	Regular Board Meeting
Thursday, September 5	5:30 p.m.	Regular Board Meeting
<i>Friday, September 20</i>	<i>9:00 a.m.</i>	<i>Board Workshop Meeting**</i>
Thursday, October 3	5:30 p.m.	Regular Board Meeting
Thursday, November 7	5:30 p.m.	Regular Board Meeting
Thursday, December 5	5:30 p.m.	Regular Board Meeting

Unless noted otherwise, Regular Board and Workshop meetings will be held at:

Board of Supervisors' Chambers  
County Government Center  
70 W. Hedding Street, San Jose

\*\*to be held at VTA Auditorium  
3331 N First Street, San Jose

For additional information: Tel: (408) 321-2300  
TTY only: (408) 321-2330  
[www.vta.org](http://www.vta.org) or [www.facebook.org/scvta](https://www.facebook.org/scvta)



**\*To hear urgent items only.**

Sean Mulligan, VTA Board Meeting, January 10, 2019, Item 8.4.C



When Berryessa/North San José becomes a pass-through station in 2026 (or later), riders on the train will have less than 20 seconds (station dwell time, based on two-door BART trains) to figure out (and EXIT) that a sign that says:

**"Berryessa" actually means "Berryessa/North San José"**

Or

**"North San José" actually means "Berryessa/North San José"**

The following comparable sign is correct and consistent with BART's Facility Standards:



Sean Mulligan, VTA Board Meeting, January 10, 2019, Item 6.4



BAD Old name: Silicon Valley Rapid Transit Project Policy Advisory Board  
 GOOD New name: VTA/BART Design and Construction Management Oversight Board  
 (GOOD name requires update to VTA Administrative Code.)

### WHO

VTA (5 members): 2-4 VTA directors + remainder from SJ, Santa Clara or County  
 BART (5 members): 3 BART directors + two from Alameda County  
 Numerous competent ex-officio members who can serve 10 years (not near retirement)

### WHEN

GENERALLY: Monthly at fixed offset from monthly VTA Board meetings (first Thursday) and BART Board meetings (second and fourth Thursday of each month); SPECIFICALLY: e.g., second Wednesday of each month from 2-3 p.m.

### WHERE

San Jose City Hall and BART Headquarters; public attendance at both meetings possible

### WHAT

Example fixed recurring agenda to review

- 1) Schedule overview to completion (e.g., 2026)
- 2) Tasks completed since last month
- 3) Tasks to be completed next month
- 4) Presentations

### WHY

- 1) BART's Staff does not report to VTA, but to the BART General Manager and the BART Board
- 2) \$4.8 billion in cost, high risk for many reasons (tunneling and new train control)
- 3) Requires joint committee to which VTA General Manager and BART General Manager Report, as they figured out in November 2001.

### November 2001 VTA/BART Comprehensive Agreement, Recital Item H, page 2:

"VTA and BART acknowledge that the proposed SVRT Project must be planned, designed and constructed under the auspices of a joint BART/VTA policy body." (That is now more true than ever!)



## Problem

## Solution

Communications  
“Info when/where needed”



Apps,  
Info Tech

Emissions  
Efficient Use of Energy



Electric  
Vehicles

Efficient use of Labor  
Safety



Autonomous  
Vehicles

Efficient Use of Space  
(in dense cities)



Big Vehicles  
(Fixed Transit)

- Good Evening Chairperson O’Niell, Directors-
- I want you to know me.
- My name is Kathleen Podrasky.
- I’m a Public Communications Specialist II in VTA’s Community Outreach and Public Engagement Group.
- I am an SEIU Member and your constituent.
- August 29, 2011 was my first day at VTA.
- I’m a former Executive Director of a local nonprofit.
- I came to VTA to be part of a team and lead change of the perception of government entities, and actively engage the community in projects and programs that VTA delivers.
- I value the power that public transportation has in creating healthy communities.
- I give my all and I am good at what I do!
- I know my colleagues share my passion.
- I do not have family in Santa Clara County.
- I’m trying to build one, and I’m an applicant in the County’s Resource Family Program.
- I’m scrambling to find housing that will qualify me to be matched with a child (or children) that needs me.
- One paycheck, after taxes is \$2340.
- My rent on a 1 bedroom is \$2517. I haven’t found an acceptable 2 bedroom in this range yet.
- Since our last salary adjustment my rent has increased twice, a total of 7%.
- I have a Master’s in Public Administration, and a student loan to pay for it.
- My story isn’t unique.
- I share the month to month struggle with many of my colleagues.
- The 1.5% salary increase on the table is far below any acceptable cost of living increase we are deserving of.
- For me, it equates to a \$20.00 increase per paycheck.
- The love expressed for us at the last board meeting is nice, but it doesn’t pay the bills.
- VTA has amazing and committed talent.
- I, and my colleagues, deserve to be recognized, and awarded salaries that allow us to live in the very communities we serve and to live where we feel safe.
- We deserve salaries and benefits that are on par with our colleagues at other special districts, cities, and counties in the Bay Area.

- We are losing talent to those agencies because they provide salaries that better meet the needs to live here.
- We deserve a true cost of living increase, like the ones our managers, officers and directors have been receiving.
- We are asking you to see us, hear us, respect us, and know us as the people we are, not a number on a balance sheet.
- We should not have to beg for this!
- I urge you to consider our request to provide a true cost of living increase.
- Value us.
- If you have listened to me this far and not on your phone, Thank you! I appreciate that very much.
- You are welcome to meet with me – I'm upstairs in building B.
- I hope you will do the same with my colleagues.
- Good Night.