BOARD OF DIRECTORS MEETING

Thursday, November 5, 2015
5:00 PM

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

ADDENDUM TO AGENDA

9.3.X. Adopt a resolution finding and declaring and determining that (1) public interest and necessity demand the immediate expenditure of public money to contract for construction services for the completion of the westbound lanes of Alum Rock Avenue between U.S. 101 and Jackson Street in San José (westbound lanes) in the month of November to safeguard life, health, or property; (2) the high likelihood of substantial winter rains means a high likelihood of flooding and dangerous conditions in the westbound lanes constituting an emergency; (3) the emergency will not permit a delay resulting from a competitive solicitation for bids for construction services to finalize construction in the westbound lanes; and (4) the immediate contracting for such construction services is necessary to respond to the emergency; (5) authorizing and directing the General Manager or her designee to contract for the procurement of such construction services without the need for competitive bidding; and (6) directing the General Manager or her designee to report to the Board at its next regularly scheduled meeting on the status of the contracting authorized and directed herein and on whether an emergency continues to exist with respect to such contracted work.

Note: Motion must be approved by at least 4/5 of the Board (10 members).
BOARD OF DIRECTORS MEETING
Thursday, November 5, 2015
5:00 PM

NOTE CHANGE IN MEETING TIME

CLOSED SESSION WILL BEGIN AT 5:00 P.M. AND OPEN SESSION
WILL BEGIN IMMEDIATELY AFTER CLOSED SESSION.

Board of Supervisors’ Chambers
County Government Center
70 West Hedding Street
San Jose, CA 95110

AGENDA

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

- Persons wishing to address the Board of Directors on any item on the agenda or not on the agenda should complete a blue card located at the public information table and hand it to the Board Secretary staff prior to the meeting or before the item is heard.

- Speakers will be called to address the Board when their agenda item(s) arise during the meeting and are asked to limit their comments to 2 minutes. The amount of time allocated to speakers may vary at the Chairperson's discretion depending on the number of speakers and length of the agenda. If presenting handout materials, please provide 25 copies to the Board Secretary for distribution to the Board of Directors.

- The Consent Agenda items may be voted on in one motion at the beginning of the meeting under Orders of the Day. If you wish to discuss any of these items, please request the item be removed from the Consent Agenda by completing a blue card at the public information table and handing it to the Board Secretary staff prior to Orders of the Day, Agenda Item #3.
• **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 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.**

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

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

1.1. ROLL CALL

2. CLOSED SESSION

2.1. Recess to Closed Session

A. Anticipated Litigation - Conference with Legal Counsel
   Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of Section 54956.9.
   Number of Cases: 1

B. Anticipated Litigation - Conference with Legal Counsel
   Initiation of Litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9.
   Number of Cases: 1

C. Existing Litigation - Conference with Legal Counsel
   [Government Code Section 54956.9(a)]
   Name of Case: Rai v. Santa Clara Valley Transportation Authority
   (United States District Court, N.D. California, San Jose Division: CV-004344-PSG)

D. Public Employee Performance Evaluation
   [Government Code Section 54957]
   Title: General Counsel

2.2. Reconvene to Open Session

2.3. Closed Session Report

3. Orders of the Day - approve Consent Agenda (Item #8)

4. AWARDS AND COMMENDATION

4.1. ACTION ITEM - Adopt a Resolution of Appreciation for outgoing VTA Board Member Ash Kalra.

4.2. ACTION ITEM - Adopt a Retirement Commendation recognizing David Collura, Transportation Supervisor - Fare Inspection, for 35 years of service and Mark Evans, Information Services Representative, for 36 years of service.
5. PUBLIC COMMENT

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

6. PUBLIC HEARINGS

6.1. HEARING - NOTICE OF INTENTION TO ADOPT RESOLUTIONS OF NECESSITY

ACTION ITEM - Close Hearing and adopt Resolutions of Necessity determining that the public interest and necessity requires the acquisition of property interests from three properties owned by: (1) 221 Warren Avenue, LLC, a California limited liability company, located in Fremont, California; and (2) Tito L. de La Rosa or The heirs or devisees of Tito L. de la Rosa, located in Milpitas, California; and (3) Union Pacific Railroad Company, a Delaware corporation, located in San Jose, California, for the BART Silicon Valley Berryessa Extension (SVBX) Project.

Property ID/Assessor's Parcel Number/Owner

B2158 (APN 519-0950-014 & -015) owned by 221 Warren Avenue, LLC, a California limited liability company.

Property ID/Assessor's Parcel Number/Owner

B2220B (Vacated Industrial Way- No APN) owned by Tito L. de La Rosa or the heirs or devisees of Tito L. de la Rosa.

Property ID/Assessor's Parcel Number/Owner

B3000 (APN 254-02-014) owned by Union Pacific Railroad Company, a Delaware corporation.

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

7. REPORTS


7.3. General Manager Report. (Verbal Report)
7.3.A. Receive Government Affairs Update.

7.3.B. INFORMATION ITEM - Receive Silicon Valley Rapid Transit (SVRT) Program Update.

7.4. Chairperson's Report. (Verbal Report)

8. CONSENT AGENDA

8.1. Approve the Board of Directors Workshop Meeting Minutes of September 25, 2015.

8.2. Approve the Board of Directors Regular Meeting Minutes of October 1, 2015.

8.3. ACTION ITEM - Approve the appointments to the State Route 85 Corridor Policy Advisory Board.

8.4. ACTION ITEM - Authorize the General Manager to amend the construction contract with JJ Nguyen, Inc. from the existing Board authorized contract value of $509,155 to $689,155 for I-880/Coleman Interchange Landscaping in San Jose.

8.5. ACTION ITEM - Review and accept the Fiscal Year 2015 Statement of Revenues and Expenses for the period ending June 30, 2015.

8.6. ACTION ITEM - Approve the inclusion of two projects from the Town of Los Gatos and two projects from Caltrain to the List of Projects for Envision Silicon Valley.

8.7. ACTION ITEM - Adopt a resolution authorizing the General Manager to execute a funding agreement with the Metropolitan Transportation Commission (MTC) in order to receive Transportation Development Act (TDA) funds.

8.8. ACTION ITEM - Adopt the 2015 VTA Congestion Management Program (CMP).

8.9. ACTION ITEM - Program $502,000 in Vehicle Registration Fee (VRF) Countywide Matching funds for the Plans, Specifications, and Estimates and Right of Way phases of the soundwall project on I-680 between Capitol Expressway and Mueller Avenue in San Jose.

8.10. ACTION ITEM - Authorize General Manager to execute a Memorandum of Understanding with the Council of San Benito County Governments to formalize a partnership, referred to as the Mobility Partnership, to provide direction on the development of the SR 152 Trade Corridor and appoint three members from Santa Clara County to serve on the Mobility Partnership. (Deferred from the October 1, 2015, Board of Directors Meeting.)

8.11. ACTION ITEM - Approve the One Bay Area Grant (OBAG) Cycle 2 program structure.
8.12. ACTION ITEM - Review and receive the Auditor General's report on the BART Silicon Valley Comprehensive Agreement Assessment.

8.13. ACTION ITEM - Review and receive the Auditor General's report on the Third-Party Fare Reporting Process Assessment.

8.14. INFORMATION ITEM - Review the Legislative Update Matrix.

8.15. INFORMATION ITEM - Receive the Monthly Investment Report for August 2015.


8.17. INFORMATION ITEM - Receive a report on VTA's Technology Innovation Initiatives.

9. REGULAR AGENDA

Administration and Finance Committee

9.1. ACTION ITEM - Authorize the General Manager to execute a contract with O.C. Jones & Sons, Inc., the lowest responsible and responsive bidder, in the amount of $19,892,991 for the construction of Montague Expressway and South Milpitas Boulevard Improvements.

9.2. ACTION ITEM - Authorize the General Manager to execute a contract amendment with PGH Wong Engineering, Inc. (Wong) to provide additional construction management oversight services for the Silicon Valley Berryessa Extension Project in the amount of $17,500,000 thereby increasing the total agreement value from $27,000,000 to $44,500,000.

9.3. ACTION ITEM - Authorize the General Manager to establish a process for mitigating impacts to small businesses due to the construction interruption of the Alum Rock/Santa Clara Bus Rapid Transit Project and to negotiate and execute agreements necessary for that purpose. Augment the FY 2016 Santa Clara Valley Transportation Authority’s (VTA) Transit Fund Capital Budget by $1.5 million.

Transit Planning and Operations Committee

9.4. INFORMATION ITEM - Receive an update on Compressed Natural Gas (CNG) analysis. (Deferred from the October 1, 2015, Board of Directors Meeting.)

10. OTHER ITEMS

10.1. ITEMS OF CONCERN AND REFERRAL TO ADMINISTRATION

10.2. Reports from VTA Committees, Joint Powers Boards (JPB), and Regional Commissions
10.2.A. VTA Standing Committees

10.2.B. VTA Advisory Committees

10.2.C. VTA Policy Advisory Boards (PAB)

10.2.D. Joint Powers Boards and Regional Commissions

10.3. Announcements

11. ADJOURN
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 Ash Kalra

Whereas, Ash Kalra is leaving the VTA Board of Directors after more than six years of service representing the City of San José, having served as Vice Chair in 2013 and Chair in 2014; and

Whereas, He worked to improve public transit connections in the broader Bay Area and Northern California through his service on the Peninsula Corridor (Caltrain) Joint Powers Authority Board of Directors from 2009 to 2015, and as a member of the Capitol Corridor Joint Powers Authority Board of Directors from 2009 through 2010; and

Whereas, He worked to improve VTA operations while serving as a member of the Transit Planning and Operations Committee in 2009, as Chair of this committee in 2010, and as an ex-officio member of the Committee for Transit Accessibility in 2015; and

Whereas, He played a critical role in charting the future course of VTA through his service as the Co-Chair of the Levi’s Stadium Transit Program Committee in 2014, as a member of the Diridon Station Joint Policy Advisory Board, and as a member of the Ad Hoc Committee – Envision Silicon Valley in 2014 and 2015; and

Whereas, He was tireless in his efforts to improve the governance of VTA while serving on the Administration and Finance Committee between 2011 and 2015, including as Vice Chair in 2011 and 2012, and as Chair in 2013 and 2015; as a member of the Governance and Audit Committee in 2015; and as Chair of the VTA Board that selected the General Manager in 2013; and

Whereas, He demonstrated leadership in addressing environmental issues through his active participation in the development and implementation of the Santa Clara Valley Habitat Plan, as well as through his service on the Bay Area Air Quality Management District Board of Directors, where he served as Chair; and

Now therefore be it resolved, that the VTA Board of Directors hereby commends and expresses its sincere appreciation to Ash Kalra for his exemplary 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 fifth day of November, 2015.

______________________________
Perry Woodward, Chairperson
Santa Clara Valley Transportation Authority
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: Retirement Commendation

FOR INFORMATION ONLY

BACKGROUND:

David Collura, Badge #2054, has provided 35 years of distinguished public service with VTA.

Mark Evans, Badge #6109, has provided 36 years of distinguished public service with VTA.

DISCUSSION:

David “Dave” Collura, Badge #2054

Dave’s career began with the Santa Clara County Transit District in January of 1980 as a Coach Operator. Dave demonstrated a commitment to safety while he performed his duties, thereby receiving Eleven Years of Safe Driving Award in 1995. Dave was promoted to Light Rail Control Supervisor in 1996 and was appointed to Rail Activation Specialist in 2001 where he spent five years performing rail safety training and integrated testing for three light rail extensions. Dave authored the VTA Roadway Worker On-Track Safety Protection Plan, Integrated Testing Rule Book, and numerous Light Rail Standard Operating Procedures and served as the Chairperson of the Rail Rules and Procedures Committee, Rail Activation Oversight Committee, and Track Allocation Committee. Dave maintained various supervisory positions throughout the Operations Division and subsequently transferred to the Protective Services Department as Transportation Supervisor - Fare Inspection in 2008 where he was instrumental in the development of the Fare Inspector Tracking System and Recreational Vehicle Program. Dave will be remembered for his sense of humor, integrity, and fair and thoughtful management style and will be missed as he begins a new chapter in his life.

Congratulations to Dave Collura!

Mark Evans, Badge #6109
Mark’s career began with the Santa Clara County Transit District in April of 1979 as an Information Services Representative. Mark was an active member of the Employee Advisory Committee (EAC) for many years and became a co-chair in 2015, bringing in helpful insights to EAC throughout his tenure. Mark provided exemplary service to the public and was an instrumental member of the Youth Outreach Program, which provided thousands of presentations to educate many generations of Santa Clara County students on how to safely use public transportation. Mark was an avid train enthusiast, responding to all questions relating to light rail and other train services, therefore helping countless customers who needed assistance that reached beyond VTA. Mark demonstrated dedication to his duties in serving the public and shared his vast knowledge with his colleagues; thereby receiving numerous commendations that highlighted his expertise, enthusiasm, and professionalism. Mark was an asset to the Customer Service Department and to VTA and will be missed as he begins a new chapter in his life.

Congratulations to Mark Evans!

Prepared By: Business Services
Memo No. 5263
COMMENDATION
BY THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY
GIVING SPECIAL TRIBUTE, DUE HONOR, AND RECOGNITION TO
TRANSPORTATION SUPERVISOR – FARE INSPECTION
DAVID COLLURA

WHEREAS, David “Dave” Collura retired from the Santa Clara Valley Transportation Authority (VTA) on September 28, 2015, with 35 years of distinguished public service; and

WHEREAS, Dave Collura began his career with the Santa Clara County Transit District in January of 1980 as a Coach Operator. Dave demonstrated a commitment to safety while he performed his duties, thereby receiving Eleven Years of Safe Driving Award in 1995; and

WHEREAS, Dave Collura was promoted to Light Rail Control Supervisor in 1996 and was appointed to Rail Activation Specialist in 2001 where he spent five years performing rail safety training and integrated testing for three light rail extensions; and

WHEREAS, Dave Collura authored the VTA Roadway Worker On-Track Safety Protection Plan, Integrated Testing Rule Book, and numerous Light Rail Standard Operating Procedures and served as the Chairperson of the Rail Rules and Procedures Committee, Rail Activation Oversight Committee, and Track Allocation Committee; and

WHEREAS, Dave Collura maintained various supervisory positions throughout the Operations Division and subsequently transferred to the Protective Services Department as Transportation Supervisor – Fare Inspection in 2008 where he was instrumental in the development of the Fare Inspector Tracking System and Recreational Vehicle Program; and

WHEREAS, Dave Collura refined the comprehensive Fare Inspectors Training Program, including Customer Service, Defensive Tactics, and Penal Code 832, imparting his vast knowledge and expertise to his staff; and

WHEREAS, Dave Collura was recognized for saving customers’ lives and for his commitment to safety and was respected by all who knew and worked with him. Dave will be remembered for his sense of humor, integrity, and fair and thoughtful management style and will be missed as he begins a new chapter in his life.

THEREFORE, BE IT RESOLVED that the Santa Clara Valley Transportation Authority does hereby give special tribute, due honor, and recognition to David Collura for his valued and dedicated public service.

Signed on November 5, 2015.

Perry Woodward, Chairperson
Santa Clara Valley Transportation Authority

Nuria I. Fernandez, General Manager
Santa Clara Valley Transportation Authority
COMMENDATION
BY THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY
GIVING SPECIAL TRIBUTE, DUE HONOR, AND RECOGNITION TO
INFORMATION SERVICES REPRESENTATIVE
MARK EVANS

WHEREAS, Mark Evans retired from the Santa Clara Valley Transportation Authority (VTA) on September 1, 2015, with 36 years of distinguished public service; and

WHEREAS, Mark Evans, Badge #6109, began his career with the Santa Clara County Transit District in April of 1979 as an Information Services Representative; and

WHEREAS, Mark Evans was an active member of the Employee Advisory Committee (EAC) for many years and became a co-chair in 2015, bringing in helpful insights to EAC throughout his tenure; and

WHEREAS, Mark Evans provided exemplary service to the public and was an instrumental member of the Youth Outreach Program who provided thousands of presentations to educate many generations of Santa Clara County students on how to safely use public transportation; and

WHEREAS, Mark Evans was an avid train enthusiast, responding to all questions relating to light rail and other train services, therefore helping countless customers who needed assistance that reached beyond VTA; and

WHEREAS, Mark Evans demonstrated dedication to his duties in serving the public and shared his vast knowledge with his colleagues; thereby receiving numerous commendations that highlighted his expertise, enthusiasm, and professionalism; and

WHEREAS, Mark Evans was an asset to the Customer Service Department and to VTA and will be missed as he begins a new chapter in his life.

THEREFORE, BE IT RESOLVED that the Santa Clara Valley Transportation Authority does hereby give special tribute, due honor, and recognition to Mark Evans for his valued and dedicated public service.

Signed on November 5, 2015.

________________________________________
Perry Woodward, Chairperson
Santa Clara Valley Transportation Authority

________________________________________
Nuria I. Fernandez, General Manager
Santa Clara Valley Transportation Authority
BOARD MEMORANDUM

TO:      Santa Clara Valley Transportation Authority
         Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM:    Director of Engr. & Trans. Infrastructure Dev., Carolyn M. Gonot

SUBJECT: SVBX Resolution of Necessity

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

Resolution

ACTION ITEM

RECOMMENDATION:

Adopt three (3) Resolutions of Necessity determining that the public interest and necessity require the acquisition of three properties for the BART Silicon Valley Berryessa Extension (SVBX) Project.

BACKGROUND:

The BART Silicon Valley Program is an extension of the existing BART regional heavy rail system to Milpitas, San Jose and Santa Clara, which will be delivered through a phased approach. The first phase is the Silicon Valley Berryessa Extension (SVBX) Project, a 10-mile, two-station project, which will extend the existing BART system and provide service to the Cities of Milpitas and San Jose in Santa Clara County.

The SVBX Project will begin south of the future BART Warm Springs Station in Fremont and proceed on the WP Milpitas Corridor purchased by VTA from the Union Pacific Railroad in 2002, through Milpitas, and end in the Berryessa area of north San Jose at Las Plumas Avenue (See Project Map attached hereto.) The Project also includes the extension of South Milpitas Blvd from Montague Expressway to Capitol Avenue. (See South Milpitas Boulevard Extension Map attached hereto.) Engineering on the SVBX Project has advanced, and major utility relocations and full construction activities have begun.

Full and partial property acquisitions are required from approximately 100 property owners in order to construct the SVBX Project.
These acquisitions are being pursued in accordance with state and federal law, and diligent efforts are being made to acquire them through negotiated settlements. However, negotiated settlements may not be achievable in all instances and some of the acquisitions may need to be acquired through a timely condemnation process, particularly to ensure that the Project can stay on schedule.

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

**DISCUSSION:**

Among the approximately 100 property acquisitions required for the Project, staff is recommending that a Resolution of Necessity be adopted for the following properties, which are required to construct the portion of the SVBX Project:

1. 221 Warren Avenue, LLC (“Owner”) (B2158)

   This property is located at 221 Warren Avenue in the City of Fremont. The larger parcel consists of approximately 332,796 square feet, and is improved with an approximately 115,000 square foot industrial building. The property required to construct the Project consists of: (1) a 163 square foot ingress/egress easement (B2158-03); and (2) an 8,586 square foot ingress/egress easement (B2158-04) within an existing driveway from Warren Avenue to the corridor. The proposed ingress/egress easements are required to enable BART and utility owners to access their facilities within the corridor.

   The subject property was appraised, the appraisal was reviewed by a review appraiser, and VTA staff set just compensation. An offer based on the recommended appraisal was made on or about May 21, 2015. To date, negotiations with the Owner to acquire the easements have been unsuccessful even though the real estate team has diligently worked to acquire the easements through negotiated settlement with the property owner. The team will continue to work with the property owner to reach a negotiated settlement even after adoption of a Resolution of Necessity.

2. Tito L. de La Rosa or the heirs or devisees of Tito L. de la Rosa. (B2220B)

   This property is located within the former Industrial Avenue, which the City of Milpitas vacated in or around 1978. The subject parcel is landlocked, with Highway 237 to the north, a residential development to the east, VTA property to the south and the VTA rail corridor to the west. The property consists of a 350 square foot ingress/egress easement (B2220B-02), which, in combination with the acquisition of additional property, is necessary in order to provide BART and utility owners access to the corridor from Milpitas Boulevard.

   The subject property was appraised, the appraisal was reviewed by a review appraiser, and
VTA staff set just compensation. Based on an archived page of the book of deeds for the County of Santa Clara, Tito L. de la Rosa took title to the Subject Property on or about May 22, 1865 after making a winning bid at a land auction that occurred on or around October 29, 1864. After a reasonably diligent search, VTA was unable to locate the heirs or devisees of Tito L. de la Rosa, and therefore could not make an offer to the owner of record.

3. Union Pacific Railroad Company (“UP”) (B3000)

This property is located at 1533 Las Plumas Ave in the City of San Jose. The larger parcel consists of approximately 97,321 square feet. The property required to construct the Project consists of: (1) a 52,310 square foot partial fee interest (B3000-01) in order to construct the tail tracks and southern maintenance of way facilities for Hi-Rail vehicle access; (2) a 872 square foot storm drain easement interest (SDE) (B3000-03) to provide drainage from the corridor; and (3) a 1,819 square foot temporary construction easement interest (TCE) (B3000-02) to provide storage and to construct the retaining walls adjacent to the guideway (collectively the “Required Project Parcels”). The SDE is located within the same area as the TCE.

The subject property was appraised and reviewed by a review appraiser, and VTA staff set just compensation. The appraiser determined that the acquisition of the Partial Fee (B3000-01) will leave the 1,819 square feet located within the same area as the TCE in such size shape or condition as to be of little market value (the “Remnant Parcel”). Accordingly, on October 2, 2015, VTA staff offered to acquire the Partial Fee (B3000-01) and the Remnant Parcel (B3000-04) pursuant to California Code of Civil Procedure section 1240.410 et.seq., which provides that public agencies may acquire remainder property (or portion thereof) when it is left in such size, shape or condition as to be of little market value.

To date, negotiations with the owner to acquire the property have been unsuccessful even though the real estate team has diligently worked to acquire the property through negotiated settlement with the property owner. The team will continue to work with the property owner to reach a negotiated settlement even after adoption of a Resolution of Necessity.

VTA must take action to acquire the above-referenced properties through eminent domain proceedings in order to ensure the construction schedule remains intact.

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

1. The public interest and necessity require the proposed project;

2. The proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
3. The property described in the resolution is necessary for the proposed project; and

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

With respect to the property owned by Union Pacific Railroad, the Resolution of Necessity also must contain a declaration stating that VTA is authorized to acquire the Remnant Parcel pursuant to California Code of Civil Procedure section 1240.410 et.seq.

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

**ALTERNATIVES:**

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

**FISCAL IMPACT:**

Appropriation for the costs associated with acquisition of this property is included in the FY15 Adopted 2000 Measure A Transit Improvement Program Fund Capital Budget.

Prepared by: Kathy Bradley
Memo No. 5265
SVBX Property Acquisition Staff Report

INTRODUCTION

This staff report is submitted for review by the Board of Directors prior to the recommended adoption of a resolution of necessity for the acquisition of property for the BART Silicon Valley Berryessa Extension (SVBX) Project.

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

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

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

(Code of Civil Procedure Section 1245.230.)

Further, insofar as any of the property to be acquired has heretofore been dedicated to public use, the resolution of necessity will find that the acquisition of such property by VTA for the Project is for a more necessary public use to which the property has already been appropriated or is a compatible public use pursuant to Code of Civil Procedure Sections 1240.510 and 1240.610. This report provides data and information addressing each of these items. Section 1 generally describes the public use for which the property is to be taken and sets forth the statutory authority for VTA’s exercise of eminent domain. Sections 3, 4, and 5 provide facts pertinent to public interest and necessity (Finding #1) and the planning and location of the SVBX Project (Finding #2). Section 6 also contains a property data sheet and other material discussing the necessity for acquiring the specific property interest that is the subject of the resolutions of
necessity (Finding #3). Section 2 provides information concerning the offers made to the property owners pursuant to Government Code Section 7267.2 (Finding #4).

Additionally, for those parcels in which remainder property is being acquired in addition to the property required for the Project, the resolution of necessity will provide that the remnant property is being acquired pursuant to California Code of Civil Procedure section 1240.410 et.seq., in that the remainder property is left in such size, shape or condition as to be of little market value. Section 6 contains material relevant to this finding.

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

SECTION 1

GENERAL STATEMENT OF PUBLIC USE

The properties that are the subject of the recommended resolutions of necessity are to be acquired for the construction of the SVBX Project, a 10-mile, two-station, first phase of the 16-mile BART Silicon Valley Program.

STATUTORY AUTHORIZATION FOR EXERCISE OF EMINENT DOMAIN

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

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

In addition, the Eminent Domain Law, Code of Civil Procedure Sections 1230.010 et seq., gives entities authorized by statute the right to use eminent domain to acquire property for public use, and specifies the procedures for the exercise of that right.
SECTION 2

GOVERNMENT CODE OFFERS

The owner of the property that is the subject of the resolution was made an offer by VTA for the purchase of the property unless they could not be located with reasonable diligence as required by Government Code Section 7267.2. Sections 7267.2(a), (b) and (c) state that:

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

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

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

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

(2) The principal transactions, reproduction or replacement cost analysis, or capitalization analysis, supporting the determination of value.
If appropriate, the just compensation for the real property acquired and for damages to remaining real property shall be separately stated and shall include the calculations and narrative explanation supporting the compensation, including any offsetting benefits.

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

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

SECTION 3

SVBX PROJECT OVERVIEW, PURPOSE, AND NEED

Project Description

BART Silicon Valley is an extension of the existing BART regional heavy rail system to Milpitas, San Jose and Santa Clara. The 16-mile BART Silicon Valley Program will be delivered through a phased approach.

The Silicon Valley Berryessa Extension (SVBX) Project is a 10-mile, two-station, first phase of BART Silicon Valley. SVBX is being implemented in cooperation with the Federal Transit Administration’s (FTA) New Starts Program, and will be a fully operable extension of the existing BART system with service to the cities of Milpitas and San Jose in Santa Clara County.
This extension of the BART system will begin south of the future BART Warm Springs Station in Fremont and proceed on the WP Milpitas Corridor purchased by VTA from the Union Pacific Railroad in 2002, through Milpitas, and end in the Berryessa area of north San Jose at Las Plumas Avenue. Engineering on the project is advancing, construction activities have commenced.

The two SVBX stations will feature:

- Parking structures
- Bus transit centers
- Bike and pedestrian connections
- Convenient access to BART System:
  - Half-mile walk for nearly 30,000 residents
  - Less than 12-minute bike ride for 260,000
  - 15-minutes via public transit or automobiles for more than 1,007,000 local residents

**Purpose of the Project**

The project is intended to achieve the following objectives:

- Improve public transit service and increase ridership in this severely, and ever-increasing, congested corridor by providing expanded transit capacity and faster, convenient access to and from major Santa Clara County employment and activity centers for corridor residents and residents from throughout the Bay Area and portions of the Central Valley of California.

- Enhance regional connectivity by expanding and interconnecting BART rapid transit service with VTA light rail, Amtrak, ACE, Caltrain, and VTA bus services in Santa Clara County; improve intermodal transit hubs where rail, bus, auto, bicycle and pedestrian links meet.

- Expand transportation solutions that will be instrumental in maintaining the economic vitality and continuing development of Silicon Valley.

- Improve mobility options to employment, education, medical, and retail centers for corridor residents, in particular low-income, youth, elderly, disabled, and ethnic minority populations.
- Improve regional air quality by reducing auto emissions.

- Support local and regional land use plans and facilitate corridor cities’ efforts to direct business and residential investments in transit oriented development. More efficient growth and sustainable development patterns are necessary to reduce
impacts to the local and global environmental, such as adverse climate change.

Improved transit in the BART Silicon Valley Corridor is consistent with the goals established in prior corridor studies and responds to the long-range Valley Transportation Plan 2035 (VTP 2035), adopted by VTA in January 2009. The primary goal of the long-range plan is to provide transportation facilities and services that support and enhance Santa Clara County’s high quality of life and vibrant economy.

Need for the Project

The SVBX Project is critical to improving mobility between the East Bay and South Bay regions of the San Francisco Bay Area, as well as between eastern Santa Clara County and San Francisco. The project corridor, including the 1-880 and 1-680 freeways, is already very congested, with roadway conditions projected to steadily worsen as Santa Clara County and the greater Bay Area continue to grow. Travelers on the roadway network experience excessive delays currently and can expect delays on the typical weekday to increase in the absence of the proposed improvements.

SVBX is the initial segment of a planned BART extension to downtown San Jose and Santa Clara. The full extension will complete a major link in a regional high-speed, high capacity transit network that will circle lower San Francisco Bay. Regional connectivity is important to the future of Silicon Valley, the high-technology and venture capital center of the nation and a major provider of biotechnology products and services.

BART is the only modal alternative that produces a better balance between transit and auto modes; significantly facilitates transit-oriented development; and moves large numbers of commuters and discretionary travelers alike quickly and reliably. Other transportation improvement alternatives to the proposed project are not adequate for addressing current and future needs. Transportation system management/baseline improvements in the form of expanded express bus services and preferential treatments for transit do not reduce travel time delays significantly. Although increased higher density, mixed-use developments around light rail stations would increase the viability of a light rail option, it is oriented to intra-county travel. Frequent station stops and at-grade running tend to slow travel speeds, and train capacity will become constrained by the maximum allowable three-car train consists. Existing commuter rail services in the corridor are also capacity constrained due to the limited service frequencies that remain when sharing trackage with freight trains. No other transit modes can match the regional connectivity provided by a BART extension and therefore they perform poorly in accommodating the rapid growth of regional travel in the San Francisco Bay Area.
SECTION 4

PROJECT PLANNING AND IMPLEMENTATION

Alternatives Analysis

A BART extension was selected as the Locally Preferred Alternative (LPA) following completion of the Major Investment Study (MIS)/Alternatives Analysis (MIS/AA) in November 2001. The study evaluated 11 alternatives for the Silicon Valley Rapid Transit Corridor, representing various modes of travel including express bus, bus rapid transit, commuter rail, diesel and electric light rail, and BART. The LPA was chosen after an extensive review process, including technical analysis, 12 public meetings, and more than 15 Community Working Group meetings.

In October 2001, the Policy Advisory Board (PAB) voted unanimously to recommend to the VTA Board that the BART on the UPRR Alignment alternative be carried forward into the EIS/EIR phase along with the FTA-required Baseline Alternative. Since the VTA-BART property negotiations were still unresolved at the time, the PAB also recommended carrying forward a BART-Compatible alternative.

On November 9, 2001, the VTA Board unanimously selected BART on the UPRR Alignment as the Preferred Investment Strategy for the Silicon Valley Rapid Transit Corridor, citing its overall ranking of “High” in comparison to the other alternatives. The Board instructed that, in addition to the BART Alternative, the Baseline (Expanded Bus) Alternative be carried forward into the environmental compliance phase to fulfill FTA project development guidelines. The Board also approved an agreement with BART to identify the terms and conditions for implementing the Preferred Investment Strategy in concert with BART. On November 12, 2001, the BART Board also adopted the terms and conditions for the agreement.

When compared with the other alternatives, the BART Alternative offered:

- Fastest travel times to passenger destinations
- Highest ridership projections
- Greatest congestion relief
- Best access to jobs, education, medical, retail and entertainment centers throughout the Bay Area
- Regional connectivity with no transfers to the BART system
- Opportunities for transit-oriented development in conjunction with local land use planning efforts.
Station Area Planning

Station area planning for the new BART stations is an important element of the SVBX Project. VTA is working with the cities and stakeholders to develop transit-supportive station campuses, access, circulation, and land uses in the station areas that would increase transit ridership, create vibrant communities, ease the housing shortage, and promote multi-modal access to and from the stations.

The City of Milpitas has adopted a specific plan for the area surrounding the proposed BART Milpitas Station. The Milpitas Transit Sub Area Specific Plan, as adopted by the Milpitas City Council, would create mixed land uses near two VTA LRT stations and the future Milpitas BART station at Montague Expressway and Piper Drive.

Station area land use plans are guided, in part, by the Metropolitan Transportation Commission (MTC) Regional Transit Expansion Program policy, Resolution 3434, which includes provisions for transit-oriented development within a half-mile radius of transit stations.

Project Funding

The total SVBX Project cost is estimated at approximately $2.1 billion based on most current engineering cost estimates for project construction. Funding for the SVBX Project will come through multiple revenue streams including the 2000 Measure A, 1/2 cent sales tax and other local sources, the State of California and its Traffic Congestion Relief Program (TCRP), and federal grants including the New Starts Program. VTA requested $900 million in FTA New Starts funding, which it secured through execution of a full Funding Grant Agreement (FFGA) in March, 2012. The FFGA is a multi-year contractual agreement between the FTA and VTA that formally defines the project scope, cost and schedule, and establishes the terms of the $900 million in federal financial assistance. Further, with respect to the construction of the South Milpitas Boulevard extension, the Master Agreement between VTA and the City of Milpitas provides that the City of Milpitas will reimburse VTA up to $17 million of VTA’s actual costs for constructing South Milpitas Boulevard from developer fees identified in the funding plan for the Transit Area Specific Plan.

Engineering Design

The engineering and design of BART Silicon Valley is developed in various phases of project development in conjunction with the environmental process. Engineering phases include Conceptual Engineering (10% design), Preliminary Engineering (35% design), 65% design, and Final Engineering (100% design). These design phases represent a progression of engineering throughout project development.
Conceptual Engineering and Preliminary Engineering (PE) phases occur during the development of draft and final environmental documents, and together are generally referred to as the PE phase. The 65% design phase allows for a further refinement to project definition and the design of the facilities and systems.

In December 2006, the technical PE phase was completed. The 65% engineering phase was completed in December 2008. Said engineering designs are hereby incorporated herein by reference. Final design will advance the project development to 100% completion following the selection of a Design-Build contractor as discussed in the section below.

Contract Procurement

In May 2010, the VTA Board of Directors authorized VTA’s General Manager to pursue Design-Build as the delivery method for SVBX. The Design-Build method of project delivery involves selecting a contractor to perform both final design and construction under a single contract. Analysis of Design-Build as the delivery method for the project versus the traditional design, bid, build showed potential cost savings of $75 million, a 6 month acceleration of project delivery and reduced risks to VTA. This is VTA’s first Design-Build contract.

VTA issued the Request for Proposals (RFP) for the C700 Line, Track, Stations, and Systems (LTSS) contract in March 2011 to pre-qualified teams. The pre-qualified teams were KSG Constructors, Skanska-Shimmick-Herzog, Tutor Perini and Parsons SVBX, and Walsh/Flatiron/Comstock. On December 8, 2011, the Board awarded the C700 contract to Skanska-Shimmick-Herzog.

The Milpitas Boulevard Extension will be constructed pursuant to a bid-build contract (C640). The contract was advertised on June 17, 2015 and bids opened on August 12, 2015. It is anticipated that VTA staff will seek Board approval to award the C640 contract on November 5, 2015.

SECTION 5

ENVIRONMENTAL CLEARANCE AND REVIEW

Environmental Clearance

The Berryessa Extension Project is defined in the BART Silicon Valley Final Environmental Impact Statement (2010). FTA, in coordination with VTA, circulated an Environmental Impact Statement in accordance with the National Environmental Policy Act (NEPA) in 2009. The Final Environmental Impact Statement was released in March 2010. A Record of Decision was issued in June 2010.
VTA released a Draft Second Supplemental Environmental Impact Report (SEIR) in November 2010 to address proposed project changes since the certification of the last environmental document in 2007 under the California Environmental Quality Act (CEQA). The Final Second SEIR was circulated to the public in February 2011 and certified at the March 2011 VTA Board of Directors meeting.

Environmental Review Summary

Environmental impacts were discussed in detail in the following California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) documents prepared during the planning and environmental review phases of the Project. Said documents are available for the Board's review & consideration and are incorporated by reference herein. Many of these documents, and other information concerning the Project, are available through the VTA website, vta.org.

- Major Investment Study Final Report, November 2001 (NEPA)
- 2004 Final Environmental Impact Report (CEQA)
- 2007 Draft Supplemental Environmental Impact Report (CEQA)
- 2007 Final Supplemental Environmental Impact Report (CEQA)
- 2009 Draft Environmental Impact Statement (NEPA)
- 2010 Final Environmental Impact Statement (NEPA)
- 2010 Addendum to the 2007 FSEIR (CEQA)
- 2010 Environmental Determination – Addenda to the Final EIS (NEPA)
- 2010 Draft Second Supplemental Environmental Impact Report (CEQA)
- 2011 Final Second Supplemental Environmental Impact Report (CEQA)
- 2011 Addendum to the 2nd Supplemental Environmental Impact Report (CEQA)
- 2011 Initial Study/Mitigated Negative Declaration (CEQA)
- 2012 Addendum No. 2 to the 2nd Supplemental Environmental Impact Report (CEQA)
SECTION 6

SPECIFIC PROPERTY ACQUISITIONS

A detailed property fact sheet and aerial map of each of the properties subject to the Resolutions of Necessity follow. Overall property requirements and project related costs have been minimized as much as possible.

An offer to acquire a portion of property owned by 221 Warren Avenue, LLC, a California limited liability company, (B2158) was made on or about May 21, 2015, and said offer package is incorporated herein by reference. A Notice of Intention to Adopt a Resolution of Necessity, also incorporated herein by reference, was sent via Overnight Mail to the property owner on October 19, 2015.

No offer was made and no Notice of Intent to Adopt a Resolution of Necessity was sent to property owned by Tito L. de La Rosa or the heirs or devisees of Tito L. de la Rosa because the owner(s) of said property could not be located with reasonable diligence.

Finally, an offer to acquire a portion of the property owned by Union Pacific Railroad Company was made on or about October 2, 2015, said offer package incorporated herein by reference. The offer was based on an independent appraisal, which provided that after the acquisition of the property required for the Project, the remainder property was left in such a size, shape or condition as to be of little market value. Accordingly, VTA offered to acquire the remainder remnant property pursuant to California Code of Civil Procedure section 1240.410 et seq. A Notice of Intention to Adopt Resolution of Necessity, incorporated herein by reference, was sent to the property owner via Overnight Mail on October 19, 2015.
BART SILICON VALLEY BERRYESSA EXTENSION PROJECT

PROPERTY FACT SHEET – B2158

Owner: 221 Warren Avenue, LLC, a California limited liability company

Property Address: 221 Warren Avenue, APN 519-0950-014 and -015

City: Fremont, CA

Present Use: Industrial

Total Property Area: Approximately 332,796 sq.ft.

Rights to be Acquired: Ingress / egress easement interest - 163 sq.ft.
Ingress / egress easement interest - 8,586 sq.ft.

Date of Offer: May 21, 2015

The subject property is owned by 221 Warren Avenue, LLC, a California limited liability company, and is located at 221 Warren Avenue in the City of Fremont. The larger parcel consists of approximately 332,796 square feet, and is improved with an approximately 115,000 square foot industrial building. The proposed acquisition seeks to acquire a 163 square foot ingress/egress easement and an 8,586 square foot ingress/egress easement in order to provide BART and utility owners access to their facilities within the corridor.
The subject property is owned by Tito L. de La Rosa or the heirs or devisees of Tito L. de la Rosa, and is located within a portion of Industrial Avenue, which the City of Milpitas vacated in or around 1978. The property required to construct the Project consists of a 350 square foot ingress/egress easement, which, in combination with the acquisition of additional property, is necessary in order to provide BART and utility owners access to their facilities within the corridor.

Based on an archived page of the book of deeds for the County of Santa Clara, Tito L. de la Rosa took title to the Subject Property on or about May 22, 1865 after making a winning bid at a land auction that occurred on or around October 29, 1864. Staff was been unable to locate his heirs or devisees after a reasonably diligent search and therefore was unable to make an offer to the owner of record.
SILICON VALLEY BERRYESSA EXTENSION PROJECT

PROPERTY FACT SHEET – B3000

Owner: Union Pacific Railroad Company

Property Address: 1533 Las Plumas Ave, APN 254-02-014

City: San Jose, CA

Present Use: Industrial, abandoned railroad corridor

Total Property Area: Approximately 97,321 sq.ft.

Areas to be Acquired: Partial fee interest – 52,310 sq.ft.
Partial fee interest – 1,819 sq.ft. (Uneconomic Remnant)

Date of Offer: October 2, 2015

The subject property is owned by Union Pacific Railroad Company, and is located at 1533 Las Plumas Ave in the City of San Jose. The larger parcel is vacant and consists of approximately 97,321 square feet. The property required to construct the Project includes: (1) a 52,310 square foot partial fee interest, which is required to construct BART’s tail tracks and southern maintenance of way facilities for Hi-Rail vehicle access; (2) an 872 square foot storm drain easement, which is necessary in order to provide storm drainage from the corridor and (3) a 1,819 square foot temporary construction easement area, which is required for storage and construction of the retaining walls adjacent to the guideway. The storm drain easement is located with the temporary construction easement area.

VTA’s appraiser determined that after the proposed acquisition of the 52,310 partial fee interest, the remainder property will be left in such a size, shape or condition as to be of little market value. Accordingly, VTA staff proposes that the remainder parcel be acquired pursuant to California Code of Civil Procedure section 1240.410 et.seq., which authorizes public agencies to acquire remainder property (or portions thereof) left in such a size, shape, or condition as to be of little market value (i.e., remnant property).
RESOLUTION OF NECESSITY DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF CERTAIN LAND AND DIRECTING THE FILING OF EMINENT DOMAIN PROCEEDINGS

WHEREAS, the BART Silicon Valley Berryessa Extension Project (the “Project”) is being undertaken for the purpose of easing traffic congestion, improving area-wide mobility, and otherwise furthering the public health, safety and welfare; and

WHEREAS, it is desirable and necessary for the Santa Clara Valley Transportation Authority (“VTA”) to acquire an Ingress/Egress Easement described in Exhibit “A” (B2158-03 and -04), attached hereto and made a part hereof by this reference, as right of way for the Project and the construction thereof; and

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

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

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

1. The recitals contained herein are true and correct.
2. Upon examination of the alternatives, VTA requires the property for the Project.
3. VTA is authorized to acquire the property and exercise the power of eminent domain pursuant to and in accordance with Article 1, Section 19 of the California Constitution, the California Eminent Domain Law, Code of Civil Procedure Sections 1230.010 et seq., and Sections 100130 and 100131 of the Public Utilities Code.
4. The public interest and necessity require the Project.
5. The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
6. An Ingress/Egress Easement described in Exhibit “A” is necessary for the Project.
7. The offer required by Section 7267.2 of the Government Code, together with the accompanying statement of the amount established as just compensation, has been
made to the owner or owners of record, which offer and statement were in a format and contained the information required by Government Code Section 7267.2, or the offer has not been made because the owner cannot be located with reasonable diligence.

8. VTA has complied with all conditions and statutory requirements, including those prescribed by CEQA, NEPA, and that are necessary for approval and adoption of the Project.

9. All conditions and statutory requirements necessary to exercise the power of eminent domain (“the right to take”) to acquire the property described herein have been complied with by VTA.

10. Insofar as the property or the larger parcel of which it is a part has heretofore been appropriated for public use, the proposed use set forth herein will not unreasonably interfere with or impair the continuation of the public use as it exists or may reasonably be expected to exist in the future, and is therefore a compatible public use pursuant to Code of Civil Procedure Section 1240.510, or, as applicable, constitutes a more necessary public use than the use to which the property is appropriated pursuant to Code of Civil Procedure Section 1240.610.

11. General Counsel or General Counsel’s duly authorized designee is hereby authorized and directed to institute and conduct to conclusion eminent domain proceedings to acquire an Ingress/Egress Easement interest in property described in Exhibit “A”, and to take such actions that counsel deems advisable or necessary in connection therewith, and may deposit the probable amount of compensation and obtain an order for prejudgment possession of the subject property.

PASSED AND ADOPTED by the Santa Clara Valley Transportation Authority Board of Directors on November 5, 2015, by the following vote:

AYES: DIRECTORS:

NOES: DIRECTORS:

ABSENT: DIRECTORS:

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

Dated: ______________________

ELAINE BALTAO, Secretary
Board of Directors

APPROVED AS TO FORM:

____________________________
ROBERT FABELA
General Counsel
EXHIBIT “A”

A permanent, non-exclusive ingress/egress easement (the “Access Easement”) and incidents thereto, for the purpose of vehicular and pedestrian ingress and egress on, over, across, and through the portion of Grantor’s property described in deed recorded July 13, 1999, as Document No. 99256214. Said Access Easement being described and depicted as Parcels B2158-03 and B2158-04 on Exhibit “1” attached hereto and made a part hereof, situated in the City of Fremont, County of Alameda, State of California.

This Access Easement shall carry with it the right to use existing roads or other practical route(s) to reach the Access Easement to carry out the rights granted hereunder, including the right for the Grantee to construct and maintain a drivable surface for the access way, and to modify the existing property fence and/or sound wall in order to construct and maintain a driveway and secured access gate for access to Grantee’s Silicon Valley Berryessa Extension (SVBX) corridor.

Grantor shall keep the Access Easement free of buildings, except lawful unsupported roof overhangs, and obstructions that impair the intended use of or are inconsistent with the purposes of the Access Easement.

Grantee shall have the right to assign the rights under this Access Easement to the Bay Area Rapid Transit District, the Union Sanitary District, the Alameda County Flood Control and Water Conservation District, MCI Communication Services, Inc., and/or Chevron U.S.A. Inc., a Pennsylvania corporation, and their affiliates, successors, and assigns for the purposes designated herein. Grantee and assignees may utilize the easement concurrently.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.
EXHIBIT “I”
Exhibit "A"

LEGAL DESCRIPTION
APN 519-0850-014

All that certain real property situated in the City of Fremont, County of Alameda, State of California, described as follows:

Being a portion of that certain parcel of land described in the Grant Deed to 221 Warren Avenue, LLC, recorded July 13, 1999 under Recorder's Series Number 99256814, Official Records of said County, being more particularly described as follows:

BEGINNING at a point on the westerly line of that certain parcel of land designated as Parcel 1, as said parcel is shown on that certain map entitled "PAUL EL MAP-4020" filed November 28, 1983 in Book 154 of Parcel Maps at Pages 63 through 64 Official Records of said County, said point being the northerly terminus of that certain course described as South 22°27'49" East 27.70 feet (the bearing of South 22°27'49" East being taken for the purpose of this description in the Deed to Alameda County Flood Control and Water Conservation District recorded September 28, 1964 as series number AW-155834 on Real 1234 at Image 167, Official Records of said County;

1. Thence North 22°27'49" West 24.62 feet along said westerly line of Parcel 1;
2. Thence leaving last said line, North 68°06'37" East 9.96 feet to the westerly line of said lands of Alameda County Flood Control and Water Conservation District, said point also being the beginning of a non-tangent curve concave westerly and having a radius of 39.50 feet (a radial line of said curve through said point bearing North 20°07'20" East);
3. Thence southerly 26.69 feet along said curve and said westerly line through a central angle 39°09'19" to the POINT OF BEGINNING;

Containing 163 square feet more or less.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act. All bearings and distances are based on the North American Datum of 1983 (NAD83), Zone III, epoch 1998.5. All distances are grid distances. To convert grid distances to ground distances, multiply expressed distances by 1.00000333.

[Signature]
Dan S. Scott III, PLS 7940
My License Expires on 12/31/2012
LEGAL DESCRIPTION
APN 519-0950-015
3/28/2011

All that certain real property situated in the City of Fremont, County of Alameda, State of California, described as follows:

Being a portion of that certain parcel of land described in the Grant Deed to 221 Warren Avenue, LLC, recorded July 13, 1999 under Recorder’s Series Number 99056014, Official Records of said County, being more particularly described as follows:

COMMENCING at a point on the easterly line of that certain parcel of land described in the Deed to Alameda County Flood Control and Water Conservation District recorded September 28, 1964 series number 4W-158394 on Reel 1254 at Image 107, Official Records of said County, said point being the southerly terminus of that certain course described as South 22°23’41” East 27.70 feet (the bearing of South 22°28’20” East being taken for the purpose of this description) in said Deed to Alameda County Flood Control and Water Conservation District, said point also being the beginning of a non-tangent curve concave westerly and having a radius of 61.50 feet (a radial line of said curve through said point bearing South 51°08’11” East);

Thence along said easterly line the following three (3) courses;

1. Northerly 33.47 feet along said curve through a central angle of 31°10’44” in the true point of beginning;
2. Continuing northerly 32.37 feet along said curve through a central angle of 30°59’25”;
3. North 22°28’20” West 16.49 feet;
4. Thence leaving said line, North 68°05’37” East 26.83 feet;
5. Thence South 22°25’05” East 26.06 feet;
6. Thence North 67°08’51” East 154.40 feet;
7. Thence North 51°31’13” East 118.90 feet to the beginning of a curve concave southerly and having a radius of 40.00 feet;
8. Thence easterly and southeasterly 73.59 feet through a central angle of 105°24’37”;
9. Thence South 23°04’10” East 29.15 feet to the southerly line of that certain parcel of land designated as Parcel 1, as said parcel is shown on that certain map entitled “PARCEL MAP 4020” filed November 28, 1983 in Book 41 of Parcel Maps, at Pages 63 and 64, Official Records of said County, said point also being the beginning of a non-tangent curve concave southeasterly and having a radius of 162.33 feet (a radial line of said curve through said point bearing North 31°37’19” West);

Thence along said southerly line the following two (2) courses;
10. Southwesterly 14.38 feet along said curve through a central angle of 00°46’54” to the beginning of a reverse curve concave northerly and having a radius of 945.94 feet;
11. Southwesterly 5.97 feet along said curve through a central angle of 00°21’19”;
12. Thence leaving said line, North 22°04’10” West 32.39 feet to the beginning of a curve concave southerly and having a radius of 20.00 feet;
13. Thence northerly and westerly 36.80 feet along said curve through a central angle of 105°24’37”;
14. Thence South 51°31’13” West 121.64 feet;
15. Thence South 67°08’11” West 192.40 feet to said easterly line of the lands of Alameda County Flood Control and Water Conservation District and the true point of beginning;
Containing 8,586 square feet more or less.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act. All bearings and distances are based on the North American Datum of 1983 (NA83), Zone III, Epoch 1998.5. All distances are grid distances. To convert grid distances to ground distances, multiply expressed distances by 1.00005333.

[Signature]
Dan S. Scott III, PLS 7840
My License Expires on 12/31/2012

Parcel B2158-04
3/28/2011

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

WHEREAS, the BART Silicon Valley Berryessa Extension Project (the “Project”) is being undertaken for the purpose of easing traffic congestion, improving area-wide mobility, and otherwise furthering the public health, safety and welfare; and

WHEREAS, it is desirable and necessary for the Santa Clara Valley Transportation Authority (“VTA”) to acquire an ingress and egress easement in certain property more particularly described in Exhibit “A” (B2220B-02), attached hereto and made a part hereof by this reference, as right of way for the Project and the construction thereof; and

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

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

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

1. The recitals contained herein are true and correct.

2. Upon examination of the alternatives, VTA requires the property for the Project.

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

4. The public interest and necessity require the Project.

5. The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

6. An Ingress/Egress Easement interest described in Exhibit “A” is necessary for the Project.
7. The offer required by Section 7267.2 of the Government Code, together with the accompanying statement of the amount established as just compensation, has been made to the owner or owners of record, which offer and statement were in a format and contained the information required by Government Code Section 7267.2, or the offer has not been made because the owner cannot be located with reasonable diligence.

8. VTA has complied with all conditions and statutory requirements, including those prescribed by CEQA, NEPA, and that are necessary for approval and adoption of the Project.

9. All conditions and statutory requirements necessary to exercise the power of eminent domain (“the right to take”) to acquire the property described herein have been complied with by VTA.

10. Insofar as the property or the larger parcel of which it is a part has heretofore been appropriated for public use, the proposed use set forth herein will not unreasonably interfere with or impair the continuation of the public use as it exists or may reasonably be expected to exist in the future, and is therefore a compatible public use pursuant to Code of Civil Procedure Section 1240.510, or, as applicable, constitutes a more necessary public use than the use to which the property is appropriated pursuant to Code of Civil Procedure Section 1240.610.

11. General Counsel or General Counsel’s duly authorized designee is hereby authorized and directed to institute and conduct to conclusion eminent domain proceedings to acquire an Ingress/Egress Easement interest in property described in Exhibit “A”, and to take such actions that counsel deems advisable or necessary in connection therewith, and may deposit the probable amount of compensation and obtain an order for prejudgment possession of the subject property.

PASSED AND ADOPTED by the Santa Clara Valley Transportation Authority Board of Directors on November 5, 2015, by the following vote:

AYES: DIRECTORS:

NOES: DIRECTORS:

ABSENT: DIRECTORS:

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

Dated: ______________________  ELAINE BALTAO, Secretary
                                               Board of Directors

APPROVED AS TO FORM:

____________________________
ROBERT FABELA
General Counsel
EXHIBIT A

INGESS AND EGRESS EASEMENT

A permanent, non-exclusive access easement to construct, build, install, repair, reconstruct, and perpetually use, maintain, and operate a vehicular and pedestrian access easement and incidents thereto on, over, across, and through property described in Exhibit A-1.
LEGAL DESCRIPTION

REAL PROPERTY situated in the City of Milpitas, County of Santa Clara, State of California, being a portion of the parcel of land described in the Order of the City Council, recorded April 28, 1978, in Book D631 of Official Records, at page 595, Santa Clara County Records, more particularly described as follows:

BEGINNING at the most southerly corner of said parcel;

Thence along the southwesterly line of said parcel, North 23°00'10" West, 21.42 feet, to the general southerly line of the Ingress and Egress Easement described in the Final Order in Condemnation, recorded January 22, 2013, as Document Number 22058659, Santa Clara County Official Records;

Thence along said general southerly line, the following two courses:

1. North 75°28'40" East, 13.10 feet,
2. South 39°46'22" East, 23.43 feet, to the southerly line of the parcel of land described in said Order of the City Council;

Thence along said southerly line, South 75°28'40" West, 19.94 feet, to the POINT OF BEGINNING.

Containing 350 square feet, more or less.

Plat Exhibit attached and by this reference made a part hereof.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act. All bearings and distances are based on the North American Datum of 1983 (NAD83), Zone III, epoch 1998.5. All distances are grid distances. To convert grid distances to ground distances, multiply expressed distances by 1.00005333.

July 6, 2015
Julia MacRory, LS 7871
Survey and Mapping Manager
LEGEND:

IEE = INGRESS & EGRESS EASEMENT
M = SANTA CLARA COUNTY BOOK OF MAPS
OR = SANTA CLARA COUNTY OFFICIAL RECORDS
POB = POINT OF BEGINNING

PLAT TO ACCOMPANY LEGAL DESCRIPTION

B220B-02 IEE
VACATED INDUSTRIAL WAY

SANTA CLARA
Valley Transportation Authority

SCALE: 1"=50'
DRAWN BY:
CHECKED BY:
DATE: 07-06-2015
H. BRASAU
SHEET: 1 OF 1
Property ID: 3000

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

WHEREAS, the BART Silicon Valley Berryessa Extension Project (the “Project”) is
being undertaken for the purpose of easing traffic congestion, improving area-wide mobility, and
otherwise furthering the public health, safety and welfare; and

WHEREAS, it is desirable and necessary for the Santa Clara Valley Transportation
Authority (“VTA”) to acquire a Partial Fee interest described in Exhibit “A” (B3000-01), a
Storm Drain Easement (“SDE”) described in Exhibit “B” (B3000-03) and a Temporary
Construction Easement (“TCE”) described in Exhibit “C” (B3000-02) (the “Required Project
Property”), attached hereto and made a part hereof by this reference, as right of way for the
Project and the construction thereof; and

WHEREAS, the area occupied by the proposed SDE is located within the same area
occupied by the TCE, i.e. the areas entirely overlap one another.

WHEREAS, as a result of the proposed acquisition of the Partial Fee, the remainder
property in which VTA seeks to acquire the SDE and TCE will be left in such size, shape or
condition as to be of little market value (“Remnant Property”). The Remnant property is
described in Exhibit D (B3000-04), attached hereto and made a part hereof by this reference, and

WHEREAS, VTA may acquire the Remnant Property by eminent domain pursuant to
California Code of Civil Procedure Section 1240.410 et seq.; and

WHEREAS, VTA is authorized to acquire the Required Property and the Remnant
Property and exercise the power of eminent domain pursuant to and in accordance with Article 1,
Section 19 of the California Constitution, the California Eminent Domain Law, Code of Civil
Procedure Sections 1230.010 et seq. and 1240.410, et seq., and Sections 100130 and 100131 of
the Public Utilities Code; and

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

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

1. The recitals contained herein are true and correct.

2. Upon examination of the alternatives, VTA requires the Required Property for the
Project.
3. The Required Property is necessary for the Project.

4. VTA is authorized to acquire the Remnant Property pursuant to California Code of Civil Procedure section 1240.410 et seq. in that it will be left in such size, shape and condition as to be of little market value.

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

6. The public interest and necessity require the Project.

7. The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

8. The offer required by Section 7267.2 of the Government Code, together with the accompanying statement of the amount established as just compensation, for the Partial Fee and the Remnant Property has been made to the owner or owners of record, which offer and statement were in a format and contained the information required by Government Code Section 7267.2, or the offer has not been made because the owner cannot be located with reasonable diligence.

9. VTA has complied with all conditions and statutory requirements, including those prescribed by CEQA, NEPA, and that are necessary for approval and adoption of the Project.

10. All conditions and statutory requirements necessary to exercise the power of eminent domain (“the right to take”) to acquire the property described herein have been complied with by VTA.

11. Insofar as the property or the larger parcel of which it is a part has heretofore been appropriated for public use, the proposed use set forth herein will not unreasonably interfere with or impair the continuation of the public use as it exists or may reasonably be expected to exist in the future, and is therefore a compatible public use pursuant to Code of Civil Procedure Section 1240.510, or, as applicable, constitutes a more necessary public use than the use to which the property is appropriated pursuant to Code of Civil Procedure Section 1240.610.

12. General Counsel or General Counsel’s duly authorized designee is hereby authorized and directed to institute and conduct to conclusion eminent domain proceedings to acquire the Partial Fee described in Exhibit “A” and the Remnant Property described in Exhibit “D”, and to take such actions that counsel deems advisable or necessary in connection therewith, and may deposit the probable amount of compensation and obtain an order for prejudgment possession of the subject property.
PASSED AND ADOPTED by the Santa Clara Valley Transportation Authority Board of Directors on November 5, 2015, by the following vote:

AYES: DIRECTORS:

NOES: DIRECTORS:

ABSENT: DIRECTORS:

________________________________________
PERRY WOODWARD, Chairperson
Board of Directors

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

Dated: ______________________   ______________________________________

ELAINE BALTAO, Secretary
Board of Directors

APPROVED AS TO FORM:

________________________________________
ROBERT FABELA
General Counsel
REAL PROPERTY situated in the City of San Jose, County of Santa Clara, State of California, being a portion of the parcel of land described in the Grant Deed recorded June 19, 1951, in Document No. 726812 recorded in Book 2235, Page 160, Official Records of Santa Clara County, more particularly described as follows:

COMMENCING at the most westerly corner of said parcel of land, being on the easterly line of Parcel 48 as shown on the Record of Survey recorded on December 7, 2007 in Book 821 of Maps, Page 1, Official Records of Santa Clara County;

Thence along said easterly line, South 14°02'51" East, 179.73 feet to the TRUE POINT OF BEGINNING;

Thence North 75°48'29" East, 10.00 feet, to the westerly line of Parcel 1A described in the Grant Deed recorded February 11, 2014, in Document No. 22516974, Official Records of Santa Clara County;

Thence along said westerly line and along the westerly line of Parcel B3013-01 described in the Grant Deed recorded February 5, 2014, in Document No. 22512717, Official Records of Santa Clara County, the following two (2) courses:

1. South 14°02'51" East, 357.93 feet;
2. South 38°18'31" East, 41.52 feet, to the beginning of a non-tangent curve to the left;

Thence southeasterly and along said curve, having a radius of 2380.00 feet, the radial line of which bears South 68°51'06" West, through a central angle of 04°48'14" for an arc length of 199.55 feet to the westerly line of Parcel One described in the Grant Deed recorded April 3, 2015, in Document No. 22904713, Official Records of Santa Clara County;

Thence along last said westerly line, the following two (2) courses:

1. South 14°02'51" East, 48.04 feet;
2. South 38°19'21" East, 56.51 feet, to the beginning of a non-tangent curve to the left;
Thence southeasterly along said curve, having a radius of 2380.00 feet, the radial line of which bears South 61°35'10" West, through a central angle of 07°04'24" for an arc length of 293.83 feet to the northwesterly line of Las Plumas Avenue (80 feet wide);

Thence along said northwesterly line, South 51°40'46" West, 74.82 feet to the beginning of a non-tangent curve to the right, being on the northerly line of North Marburg Way;

Thence westerly along said northerly line and along said curve, having a radius of 50.00 feet, the radial line of which bears North 88°08'50" East, through a central angle of 125°16'56" for an arc length of 109.33 feet;

Thence North 36°35'40" West, 12.99 feet;

Thence South 70°13'21" West, 28.97 feet to said northerly line;

Thence along said northerly line, North 72°09'57" West, 3.55 feet to the easterly line of said Parcel 48;

Thence along said easterly line, North 14°02'51" West, 934.71 feet to the TRUE POINT OF BEGINNING.

Containing an area of 52,310 square feet, more or less.

Plat Exhibit attached and by this reference made a part hereof.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act. All bearings and distances are based on the North American Datum of 1983 (NA1983), Zone III, epoch 1998.5. All distances are grid distances. To convert grid distances to ground distances, multiply expressed distances by 1.00005333.

08.31.2015

Date

Julia MacRory, LS 7871
Survey and Mapping Manager
Exhibit “B”

STORM DRAIN EASEMENT

A storm drain easement (the “Storm Drain Easement”) and incidents thereto, for the construction, maintenance, and replacement of a storm drainage structure or structures and appurtenances under, upon, above, or across that certain real property, situated in the City of San Jose, County of Santa Clara, State of California, said Storm Drain Easement being described and depicted as Parcel B3000-03 on Exhibit “1” attached hereto and made a part hereof.

The herein described easement shall be kept free of buildings, except lawful unsupported roof overhangs, and obstructions that impair the intended use of or are inconsistent with the purposes of the easement.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.
Exhibit “1”
LEGAL DESCRIPTION
STORM DRAIN EASEMENT
APN: 254-02-014

REAL PROPERTY situated in the City of San Jose, County of Santa Clara, State of California, being a portion of the parcel of land described in the Grant Deed recorded on June 19, 1951 in Book 2235 at page 160, Official Records of Santa Clara County, more particularly described as follows:

BEGINNING at the most westerly corner of said parcel of land, being on easterly line of Parcel 49 (60 feet wide) described in the Grant Deed recorded December 11, 2002 as Document Number 16678056, Official Records of Santa Clara County;

Thence along the northwesterly line of the parcel of land described in the Grant Deed recorded in Book 2235 at page 160, Official Records of Santa Clara County, North 51°40'03" East, 10.97 feet, to the westerly line of Parcel 1A described in the Grant Deed recorded February 11, 2014 as Document Number 22516974, Official Records of Santa Clara County;

Thence along said westerly line, South 14°02'51" East, 89.50 feet;

Thence South 75°49'12" West, 10.00 feet, to the easterly line of said Parcel 49;

Thence along said easterly line, North 14°02'51" West, 85.01 feet, to THE POINT OF BEGINNING.

Containing an area of 872 square feet, more or less.

Plat Exhibit attached and by this reference made a part hereof.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act. All bearings and distances are based on the North American Datum of 1983 (NAD83), Zone III, epoch 1988.5. All distances are grid distances. To convert grid distances to ground distances, multiply expressed distances by 1.00005333.

[Signatures and dates]

Date

JULIA MACRARY
Survey and Mapping Manager
Exhibit “C”

TEMPORARY CONSTRUCTION EASEMENT

A Temporary Construction Easement for the construction (and other related activities incidental to construction) of the Silicon Valley Berryessa Extension Project (SVBX), under, upon, over and across a portion of the Grantor’s property, situated in the City of San Jose, County of Santa Clara, State of California, said Temporary Construction Easement being described and depicted as Parcel B3000-02 on Exhibit “1” attached hereto and made a part hereof.

This Temporary Construction Easement will begin on or after September 1, 2014 and end no later than May 31, 2015.

Exhibit “1”
LEGAL DESCRIPTION
APN 254-02-014

All that certain real property situated in the City of San Jose, County of Santa Clara, State of California, described as follows:

Being a portion of that certain parcel of land as described in the deed to Union Pacific Railroad Company, successor by merger to The Western Pacific Railroad Company recorded June 19, 1951 in Book 223S at Page 160, Official Records of said County, being more particularly described as follows:

BEGINNING at the northwesterly corner of said lands of Union Pacific Railroad Company;

1. Thence North 51°40'03" East 10.97 feet along the northerly line of said lands of Union Pacific Railroad Company to the westerly line of that certain parcel of land designated as Parcel A, as said parcel is described in the Grant Deed to Nicora Avenue, L.P. recorded February 24, 2006 under Recorder's Series No. 18818740, Official Records of said County;

2. Thence South 14°02'51" East 184.21 feet along said westerly line of Parcel A;

3. Thence leaving last said line, South 75°48'29" West 10.00 feet to the westerly line of said lands of Union Pacific Railroad Company;

4. Thence North 14°02'51" West 179.73 feet along last said line to the POINT OF BEGINNING.

Containing 1,819 square feet more or less.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act. All bearings and distances are based on the North American Datum of 1983 (NAD83), Zone III, epoch 1998.5. All distances are grid distances. To convert grid distances to ground distances, multiply expressed distances by 1.00005333.

Dan S. Scott III, PLS 7840
My License Expires on 12/31/2012
LEGAL DESCRIPTION

REAL PROPERTY situated in the City of San Jose, County of Santa Clara, State of California, being a portion of the parcel of land described in the Grant Deed recorded June 19, 1951, in Document No. 726812 recorded in Book 2235, Page 160, Official Records of Santa Clara County, more particularly described as follows:

BEGINNING at the most westerly corner of said parcel of land, being on the easterly line of Parcel 48 as shown on the Record of Survey recorded on December 7, 2007 in Book 821 of Maps, Page 1, Official Records of Santa Clara County;

Thence along said easterly line, South 14°02'51" East, 179.73 feet;

Thence North 75°48'29" East, 10.00 feet, to the westerly line of Parcel 1A described in the Grant Deed recorded February 11, 2014, in Document No. 22516974, Official Records of Santa Clara County;

Thence along said westerly line, North 14°02'51" West, 184.21 feet to the southerly line of Parcel 1 described in the Corporation Grant Deed recorded July 17, 1963, in Document No. 2442276 recorded in Book 6108, Page 79, Official Records of Santa Clara County;

Thence along said southerly line, South 51°40'03" West, 10.97 feet to the POINT OF BEGINNING.

Containing an area of 1,819 square feet, more or less.

Plat Exhibit attached and by this reference made a part hereof.

This description was prepared by me or under my direction in conformance with the Professional Land Surveyors Act. All bearings and distances are based on the North American Datum of 1983 (NAD83), Zone III, epoch 1998.5. All distances are grid distances. To convert grid distances to ground distances, multiply expressed distances by 1.00005333.

09-03-2015
Date

Julia MacRory
Survey and Mapping Manager
Project Map

BART Warm Springs Station
Begin Berryessa Extension

FREMONT

1

MILPITAS

Milpitas City Hall

2

SANTA CLARA

Mineta San Jose Int'l Airport
Santa Clara City Hall
Santa Clara University

SAN JOSE

Berryessa Station
End Berryessa Extension

3
FOR INFORMATION ONLY

Silicon Valley Berryessa Extension Project
Significant activities and progress on VTA’s BART Silicon Valley Berryessa Extension Project continued during October 2015. Key activities that occurred throughout the 10-mile extension include the following:

Construction Updates

- **Fremont and central Milpitas.** Skanska, Shimmick, Herzog (SSH), the major contractor for the Berryessa Extension line, track, stations and systems work, continued to work on key elements of systems facilities in the Fremont and central Milpitas area. Installation of elements that will power the trains, including the electrical duct bank and electrical cable continued. Foundation concrete placement was completed and flood wall construction continued for the flood wall/retaining wall being built near Berryessa Creek on behalf of the Santa Clara Valley Water District. Installation of guideway elements and track crossover work continued throughout the month.

- **Dixon Landing Road.** North of the roadway, removal of support of excavation materials and placement of concrete wall sections continued. South of the roadway, work continued throughout the month on features within the trench, such as lighting installation and the emergency/maintenance walkway.

- **Montague Expressway.** North of the roadway, installation of trench structure cable troughs and the placement of AT&T’s conduit for utilities entering the Milpitas Station continued. Utility installation for street and path lighting at Piper Drive is ongoing.

- **Milpitas Station.** Placement of roof gutters, weatherproofing materials and the membrane roofing system for the station is ongoing. Onsite fabrication of steel bridge sections for
the future pedestrian bridge to VTA’s Montague Light Rail Station has been completed. Work continued on the station’s ancillary buildings, and station platform features, including the concrete stairs, elevator slab, electrical and lighting duct banks. Placement of concrete columns for the transit center bus bay canopy shelters continued and bio-retention work has commenced.

- **Montague Light Rail Station.** The pedestrian overcrossing bridge between the Montague Light Rail Station and the Milpitas BART Station has been installed. Inspection of the new elevator has been completed and the handrails for the main stairway for the station have been installed.

- **Capitol Avenue.** Installation of new PG&E service and relocation of existing utility lines continued, as well as construction of the new Capitol Avenue and South Milpitas Boulevard intersection.

- **Trade Zone Boulevard.** Placement of the trench concrete invert has been completed and placement of concrete wall sections for the trench structure between Capitol Avenue and Trade Zone Boulevard continued. South of Trade Zone Boulevard, the contractor continued removing support of excavation materials.

- **Sierra/Lundy intersection.** The contractor continued placing rebar, concrete, and electrical and mechanical duct banks for the exterior and center trench walls and deck for the trench and tunnel structure.

- **Berryessa Station Area.** Installation of plumbing, electrical and mechanical duct banks, utility and concrete slab work continued in the station area, and crews continued placing and welding steel for the canopy structure. Concrete placement is ongoing for the floating slab section of track on the north Berryessa Guideway. Installation of traffic signals continued at Berryessa Road.

- **Station Parking Structures.** McCarthy Building Companies, Inc., the project’s design-build contractor for parking structures, continued work on the Berryessa Station parking structure, including installation of formwork for the first deck of the structure, as well as installation of electrical, plumbing and fire protection materials. At the Milpitas Station, the contractor continued excavating and placing rebar for the foundation footings of the garage structure. Additionally, installation of plumbing lines for the structure’s retail space continues.

**Communications and Outreach**
In the City of Milpitas, staff conducted door-to-door outreach to businesses on Gladding Court regarding the upcoming demolition of buildings to make way for the extension of South Milpitas Boulevard. Staff continued community engagement efforts regarding traffic shifts and lane closures to accommodate ongoing traffic light installation, and utility and trench work on East Capitol Avenue. Staff also issued a traffic advisory notice to local stakeholders and commuters regarding the nighttime installation of the pedestrian overcrossing bridge between the Montague Light Rail Station and the Milpitas BART Station campus.
In the City of San Jose, staff continued its outreach to businesses and residents regarding the removal of support of excavation materials near Trade Zone Boulevard. Additional outreach was performed at Trade Zone regarding mass concrete pours and lane closures. Staff collaborated with the City of San Jose to conduct a public meeting to inform local constituents of the modified Sierra Road/Lundy Avenue completion schedule. Staff also continued supporting the needs of residents located near the intersection.

Tours of the Berryessa Extension project were arranged for Congressman Mike Honda’s Deputy Chief of Staff and BART executive staff. Staff also produced a YouTube video highlighting the modifications made to the Montague Light Rail Station to accommodate the new pedestrian overcrossing bridge to the Milpitas BART Station.

### SVBX Budget

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$Millions - Year of Expenditure

### Phase II Activities


The BART Silicon Valley Phase II Downtown/Diridon, Alum Rock and Santa Clara Community Working Groups met on October 13, 14, and 15, respectively. The groups received a presentation from BART staff on the system’s operations. Other presentations for the month included a recap of the Ernst & Young findings that were shared at the September 25 Board of Directors Workshop, and a presentation discussing the features of the future Phase II stations and future access planning that will be conducted to ensure optimal station access and connectivity with the surrounding communities.

Prepared By: Kevin Kurimoto
Memo No. 4905
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 the State Route (SR) 85 Corridor Policy Advisory Board

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

ACTION ITEM

RECOMMENDATION:

Approve the appointments to the State Route 85 Corridor Policy Advisory Board.

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, design and construction of those projects. PABS provide input, perspective and recommendations to the VTA Board and administration.

The Board established the State Route (SR) 85 Corridor PAB comprised of voting membership from jurisdictions within or near the corridor. These include the County of Santa Clara and the cities of Campbell, Cupertino, Los Altos, Los Gatos, Monte Sereno, Mountain View, San José, Saratoga and Sunnyvale. In addition, one ex-officio, non-voting member and alternate may be appointed by the California Department of Transportation (Caltrans).

The VTA Administrative Code provides that each of these voting positions, jurisdictions may appoint governing board members to serve as its representative and alternate member. All appointments by external bodies to VTA PABs require ratification by the Board of Directors.
DISCUSSION:
Submitted for Board ratification are several recent appointments to the SR 85 Corridor PAB made by member jurisdictions. They are:

- Glenn Hendricks, representing the City of Sunnyvale (Member)
- Tara Martin-Milius, representing the City of Sunnyvale (Alternate Member)

Individuals appointed to voting positions meet the requirement of being a current governing board member from the appointing jurisdiction.

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 will consider this item at its November 5, 2015 meeting, which immediately precedes the November Board of Directors meeting where this same item will be considered by the Board. Due to this, the Governance & Audit Committee’s recommendation on this item will be verbally relayed to the Board during its consideration of this item.

Prepared by: Stephen Flynn, Advisory Committee Coordinator
Memo No. 5267
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Director of Engr. & Trans. Infrastructure Dev., Carolyn M. Gonot

SUBJECT: I-880/Coleman Avenue Interchange Landscaping - Construction Contract Amendment

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

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to amend the construction contract with JJ Nguyen, Inc. from the existing Board authorized contract value of $509,155 to $689,155 for I-880/Coleman Interchange Landscaping in San Jose.

BACKGROUND:

The Board authorized the General Manager to enter into a construction contract with JJ Nguyen, Inc. to landscape the I-880/Coleman Avenue Interchange on May 7, 2015 in the amount of $509,155. Since that time, the contract value has been increased to $549,226 through executed contract change orders.

The I-880/Coleman Avenue Interchange Landscaping is a VTP (Valley Transportation Plan) project that will enhance the interchange with replacement planting, landscape, and ground cover. The project also includes minor streetscape improvements along Coleman Avenue. This is a follow-on project to I-880/Coleman Avenue Interchange that was completed in 2007. The delay in time between the completion of the civil construction and landscaping was due to the delay in securing funding and obtaining approval from Caltrans for the downscaled landscaping design for the interchange.

Under a cooperative agreement with Caltrans, VTA is implementing the landscaping of the Interchange. The scope includes replacement of planting removed during interchange construction, landscaping, irrigation, and three years of maintenance after which City and
Caltrans will take over the maintenance. The project uses recycled water for irrigation. Exhibit A shows the location of the project.

**DISCUSSION**

Construction of the I-880/Coleman Avenue Interchange Landscaping contract began in June 2015. During construction, it was discovered that there were several differing site conditions underground, and Caltrans requests during construction that increased the scope of work for the contractor, resulting in added cost to the contract:

1. The contract plans called for installation of conduits under I-880, and the contractor while boring, encountered an unknown underground obstruction, possibly from old infrastructure underneath that was not shown on the plans and hence required the contractor to reroute the conduits resulting in added scope and costs.

2. Due to inaccurate as-built plans, the contractor had to trench deeper and wider with additional shoring to access the recycled water line for irrigation, resulting in additional costs.

3. Due to the drought, Caltrans has requested smart controllers and ground covers that were not originally in the contract resulting in additional costs to the project.

Construction started in June 2015, and is projected to be completed in November 2015, followed by three years of plant maintenance. The project will be using recycled water for irrigation.

A listing of Contractor team is shown in Exhibit B.

**Contract Summary**

<table>
<thead>
<tr>
<th>Vendor Name: JJ Nguyen, Inc.</th>
<th>Original Contract Amount: $509,155</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contract Number: C15012F</td>
<td>Prior Modifications: $40,071</td>
</tr>
<tr>
<td>Original Contract Term(s): October 19, 2018</td>
<td>Current Contract Amount: $549,226</td>
</tr>
<tr>
<td>Revised Contract Term: October 19, 2018</td>
<td>Amount Requested: $180,000</td>
</tr>
<tr>
<td>Solicitation Type: Bid</td>
<td>Total Amount Including Request: $689,155</td>
</tr>
<tr>
<td>Procurement Type: Competitive</td>
<td>% of Request to Current Amount: 32.8%</td>
</tr>
<tr>
<td>DBE Goal: 1.4%</td>
<td>% Modifications including request to original contract: 35.3%</td>
</tr>
<tr>
<td>SBE Goal: 0%</td>
<td>Funding Source(s): VTP Highway Capital Budget</td>
</tr>
</tbody>
</table>

**ALTERNATIVES:**

There are no practical alternatives to the recommended action.
**FISCAL IMPACT:**

This action will authorize an additional amount of $180,000 for the I-880/Coleman Avenue Interchange Landscaping construction for a total value of $689,155. Budget appropriation for this contract is available in the FY16 Adopted VTP Highway Improvement Program Fund Capital Budget.

**DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:**

Based on identifiable subcontracting opportunities, a Disadvantaged Business Enterprise (DBE) goal of 1.4% has been established by the Office of Small and Disadvantaged Businesses for this contract. Contractor exceeded the goal and has committed to 85% DBE participation on this contract.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Administrative & Finance Committee considered this item as part of its October 15, 2015 Consent Agenda. The Committee inquired if there is public art program on the project. The committee was informed that VTA has a transit art program and this was a highway landscape project within Caltrans right of way. The committee appreciated the 85% DBE participation on the project. The Committee recommended Board approval of this item.

Prepared by: Ven Prasad, Engineering Group Manager
Memo No. 5235

**ATTACHMENTS:**

- 5235_Exhibit A-I-880-Colman Landscaping Location (PDF)
- 5235 - Exhibit B_List of Contractors (PDF)
Exhibit A
I-880/Coleman Avenue Interchange
Landscaping
## Exhibit B– List of Contractors

<table>
<thead>
<tr>
<th>Contractor Firm</th>
<th>Contractor Role</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>JJ Nguyen, Inc.,</td>
<td>Prime</td>
<td>San Jose, CA</td>
</tr>
<tr>
<td><strong>Sub-Contractors:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mike Brown Electric</td>
<td>Electrical</td>
<td>Cotati, CA</td>
</tr>
<tr>
<td>Tully Consulting</td>
<td>SWPPP</td>
<td>Dixon, CA</td>
</tr>
<tr>
<td>John Deere Landscape</td>
<td>Irrigation material supplier</td>
<td>San Jose, CA</td>
</tr>
<tr>
<td>ReUser, Inc</td>
<td>Mulch Supplier</td>
<td>Cloverdale, CA</td>
</tr>
<tr>
<td>Valley Crest Tree Company</td>
<td>Tree Supplier</td>
<td>Sunol, CA</td>
</tr>
</tbody>
</table>
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Chief Financial Officer, Raj Srinath

SUBJECT: Fiscal Year 2015 Statement of Revenues and Expenses for the Period Ending June 30, 2015

ACTION ITEM

RECOMMENDATION:

Review and accept the Fiscal Year 2015 Statement of Revenues and Expenses for the period ending June 30, 2015.

DISCUSSION:

This memorandum provides a brief discussion of significant items and trends on the attached preliminary and unaudited Statement of Revenues and Expenses through June 30, 2015. The schedule has been designed to follow the same company-wide line item rollup as included in the adopted budget. The columns have been designed to provide easy comparison of actual to budget activities for the current fiscal year, along with columns reflecting the dollar and percentage variance from budget.

The following are highlights of the current Statement of Revenues and Expenses:

Revenues

Fiscal Year 2015 Total Revenues (line 13) were above budget estimates by $25.8M, primarily due to favorable variances in Sales Tax based accounts, including 1976 Half-Cent Sales Tax (line 2), TDA (line 3), and Measure A Sales Tax Operating Assistance (line 4); Federal Operating Grants-Transfer for Capital (line 7); and Other Income (line 12). This positive variance was partially offset by an unfavorable variance in Federal Operating Grants (line 6), State Operating Grants (line 8), and Measure A Repayment Obligation (line 11).
Sales Tax based revenues, including 1976 Half-Cent Sales Tax (line 2), TDA (line 3), and Measure A Sales Tax Operating Assistance (line 4), accounted for a collective surplus of $15.0M over budget estimates. FY 2015 sales tax based revenues reflect a 6.6% increase from FY 2014 versus a budgeted increase of 4.6%.

Federal Operating Grants (line 6) shows a $14.4M negative variance due to a reduction in the amount of FTA Section 5307 - Urbanized Area Funds used for Preventive Maintenance. Alternatively, the funds were programmed directly to specific capital projects.

Federal Operating Grants-Transfer for Capital (line 7) shows a positive variance of $25.3M due to a change in approach. For FY 2015, the portion of the FTA Section 5307 - Urbanized Area Funds not used for Preventive Maintenance ($25.3M) was programmed directly to specific capital projects so the transfer was not necessary.

State Operating Grants (line 8) reflects an unfavorable variance of $1.0M due to Low Income Grant anticipated in FY 2014 but received in FY 2013 and lower Light Rail Shuttle and Joint Workforce Investment grant receipts than anticipated.

Measure A Repayment Obligation (line 11) shows an unfavorable variance of $1.4M due to lower reimbursement of debt service costs paid on behalf of 2000 Measure A than anticipated. This reduction in reimbursement is offset by a decrease in Debt Service expense (line 39).

Other Income (line 12) reflects a favorable variance of $2.6M due primarily to the one-time receipt of proceeds from the sale of property.

**Expenses**

Overall, Fiscal year-to-date Total Expenses (line 43) were $12.7M below budget driven primarily by favorable variances in Labor Costs (Line 14), Fuel (line 19), and Debt Service (line 39). This positive variance was partially offset by an unfavorable variance in Materials & Supplies (line 15) and Other Services (line 18).

Labor Costs (line 14) had a positive variance of $5.7M due primarily to lower medical and pension costs offset somewhat by negotiated wage increases approved after the budget was adopted.

Materials & Supplies (line 15) reflects an unfavorable variance of $3.5M due primarily to increased maintenance costs in support of special event service.

Other Services (line 18) shows an unfavorable variance of $0.6M due to increased temporary and contract employees and higher than anticipated media promotions and signage related to activities as Avaya and Levi’s Stadiums.

Fuel (line 19) reflects a favorable variance of $5.3M due to lower per gallon costs than budgeted. Average diesel price per gallon paid for the fiscal year was $2.63 versus a budgeted price of $3.84.
Debt Service (line 39) has a positive variance of $2.1M due to lower than anticipated interest rates on variable rate bonds and savings on liquidity fees.

**SUMMARY:**

For the fiscal year, revenues exceeded budgeted projections by $25.8M while expenses were $12.7M below budget estimates, for an overall positive variance of revenues over expenses (line 44) of $38.6M. The overall positive Operating Balance for FY 2015 was $41.9M. Given that the various sources of the positive Operating Balance may not be recurring, this balance is best suited to fund one-time expenditures such as capital projects or special initiatives.

**FISCAL IMPACT:**

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

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Administration and Finance Committee considered this item as part of its October 15, 2015 Consent Agenda. The Committee inquired whether the variance related to special event service would be ongoing in nature. Staff responded that the FY15 budget for special event services was developed roughly 18 months prior to the opening of Levi’s and Avaya Stadiums and was based on an estimate of the quantity of events and projected service delivery levels available at that time. Now that the stadiums have opened and the number of events and service delivery are more clearly defined, actual special event expenditures should be more in line with budgeted expenditures going forward. The Committee recommended Board approval of this item and placed it on the Consent Agenda for the VTA Board of Directors' November 5, 2015, meeting.

Prepared by: Carol Lawson, Fiscal Resources Manager
Memo No. 4774

**ATTACHMENTS:**

- FY15 Rev Exp Attachment (PDF)
## SANTA CLARA VALLEY TRANSPORTATION AUTHORITY
### STATEMENT OF REVENUES AND EXPENSES
#### Fiscal Year 2015 through June 30, 2015
(Dollars in Thousands)
**Preliminary Unaudited**

<table>
<thead>
<tr>
<th>Line</th>
<th>Category</th>
<th>FY 2015 Actual</th>
<th>FY 2015 Current Budget(^1)</th>
<th>Variance</th>
<th>% Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Fares</td>
<td>39,108</td>
<td>39,905</td>
<td>(797)</td>
<td>-2.0%</td>
</tr>
<tr>
<td>2</td>
<td>1976 Half-Cent Sales Tax</td>
<td>199,221</td>
<td>190,845</td>
<td>8,376</td>
<td>4.4%</td>
</tr>
<tr>
<td>3</td>
<td>TDA</td>
<td>94,640</td>
<td>89,697</td>
<td>4,943</td>
<td>5.5%</td>
</tr>
<tr>
<td>4</td>
<td>Measure A Sales Tax-Oper Asst</td>
<td>36,850</td>
<td>35,171</td>
<td>1,678</td>
<td>4.8%</td>
</tr>
<tr>
<td>5</td>
<td>STA</td>
<td>13,950</td>
<td>13,600</td>
<td>350</td>
<td>2.6%</td>
</tr>
<tr>
<td>6</td>
<td>Federal Operating Grants</td>
<td>24,553</td>
<td>38,920</td>
<td>(14,368)</td>
<td>-36.9%</td>
</tr>
<tr>
<td>7</td>
<td>Less Transfer for Capital</td>
<td>0</td>
<td>(25,298)</td>
<td>25,298</td>
<td>-100.0%</td>
</tr>
<tr>
<td>8</td>
<td>State Operating Grants</td>
<td>1,654</td>
<td>2,635</td>
<td>(981)</td>
<td>-37.2%</td>
</tr>
<tr>
<td>9</td>
<td>Investment Earnings</td>
<td>1,496</td>
<td>1,412</td>
<td>84</td>
<td>6.0%</td>
</tr>
<tr>
<td>10</td>
<td>Advertising Income</td>
<td>2,000</td>
<td>1,912</td>
<td>88</td>
<td>4.6%</td>
</tr>
<tr>
<td>11</td>
<td>Measure A Repayment Obligation</td>
<td>9,688</td>
<td>11,108</td>
<td>(1,419)</td>
<td>-12.8%</td>
</tr>
<tr>
<td>12</td>
<td>Other Income</td>
<td>4,846</td>
<td>2,253</td>
<td>2,594</td>
<td>115.1%</td>
</tr>
<tr>
<td>13</td>
<td>Total Revenues</td>
<td>428,006</td>
<td>402,161</td>
<td>25,845</td>
<td>6.4%</td>
</tr>
<tr>
<td>14</td>
<td>Labor Costs</td>
<td>289,390</td>
<td>295,093</td>
<td>5,703</td>
<td>1.9%</td>
</tr>
<tr>
<td>15</td>
<td>Materials &amp; Supplies</td>
<td>19,991</td>
<td>16,493</td>
<td>(3,498)</td>
<td>-21.2%</td>
</tr>
<tr>
<td>16</td>
<td>Security</td>
<td>9,377</td>
<td>9,632</td>
<td>255</td>
<td>2.6%</td>
</tr>
<tr>
<td>17</td>
<td>Professional &amp; Special Services</td>
<td>4,581</td>
<td>5,403</td>
<td>822</td>
<td>15.2%</td>
</tr>
<tr>
<td>18</td>
<td>Other Services</td>
<td>7,964</td>
<td>7,393</td>
<td>(571)</td>
<td>-7.7%</td>
</tr>
<tr>
<td>19</td>
<td>Fuel</td>
<td>11,721</td>
<td>17,005</td>
<td>5,284</td>
<td>31.1%</td>
</tr>
<tr>
<td>20</td>
<td>Traction Power</td>
<td>3,941</td>
<td>3,539</td>
<td>(402)</td>
<td>-11.4%</td>
</tr>
<tr>
<td>21</td>
<td>Tires</td>
<td>1,914</td>
<td>1,880</td>
<td>(34)</td>
<td>-1.8%</td>
</tr>
<tr>
<td>22</td>
<td>Utilities</td>
<td>2,938</td>
<td>2,727</td>
<td>(211)</td>
<td>-7.7%</td>
</tr>
<tr>
<td>23</td>
<td>Insurance</td>
<td>5,238</td>
<td>5,637</td>
<td>399</td>
<td>7.1%</td>
</tr>
<tr>
<td>24</td>
<td>Data Processing</td>
<td>3,032</td>
<td>3,477</td>
<td>445</td>
<td>12.8%</td>
</tr>
<tr>
<td>25</td>
<td>Office Expense</td>
<td>425</td>
<td>330</td>
<td>(96)</td>
<td>-29.1%</td>
</tr>
<tr>
<td>26</td>
<td>Communications</td>
<td>1,435</td>
<td>1,312</td>
<td>(123)</td>
<td>-9.4%</td>
</tr>
<tr>
<td>27</td>
<td>Employee Related Expense</td>
<td>661</td>
<td>720</td>
<td>58</td>
<td>8.1%</td>
</tr>
<tr>
<td>28</td>
<td>Leases &amp; Rents</td>
<td>839</td>
<td>759</td>
<td>(80)</td>
<td>-10.6%</td>
</tr>
<tr>
<td>29</td>
<td>Miscellaneous</td>
<td>974</td>
<td>688</td>
<td>(286)</td>
<td>-41.6%</td>
</tr>
<tr>
<td>30</td>
<td>Reimbursements</td>
<td>(36,704)</td>
<td>(35,348)</td>
<td>1,357</td>
<td>-3.8%</td>
</tr>
<tr>
<td>31</td>
<td>Subtotal Operating Expense</td>
<td>327,716</td>
<td>336,738</td>
<td>9,022</td>
<td>2.7%</td>
</tr>
<tr>
<td>32</td>
<td>Paratransit</td>
<td>17,620</td>
<td>17,800</td>
<td>180</td>
<td>1.0%</td>
</tr>
<tr>
<td>33</td>
<td>Caltrain</td>
<td>8,390</td>
<td>8,701</td>
<td>311</td>
<td>3.6%</td>
</tr>
<tr>
<td>34</td>
<td>Light Rail Shuttles</td>
<td>0</td>
<td>25</td>
<td>25</td>
<td>100.0%</td>
</tr>
<tr>
<td>35</td>
<td>Altamont Commuter Express</td>
<td>4,718</td>
<td>4,750</td>
<td>32</td>
<td>0.7%</td>
</tr>
<tr>
<td>36</td>
<td>Highway 17 Express</td>
<td>348</td>
<td>259</td>
<td>(89)</td>
<td>-34.2%</td>
</tr>
<tr>
<td>37</td>
<td>Monterey-San Jose Express Service</td>
<td>35</td>
<td>35</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>38</td>
<td>Contribution to Other Agencies</td>
<td>8,929</td>
<td>8,740</td>
<td>(189)</td>
<td>-2.2%</td>
</tr>
<tr>
<td>39</td>
<td>Debt Service</td>
<td>18,376</td>
<td>20,478</td>
<td>2,102</td>
<td>10.3%</td>
</tr>
<tr>
<td>40</td>
<td>Subtotal Other Expense</td>
<td>58,414</td>
<td>60,788</td>
<td>2,373</td>
<td>3.9%</td>
</tr>
<tr>
<td>41</td>
<td>Operating &amp; Other Expenses</td>
<td>386,130</td>
<td>397,525</td>
<td>11,395</td>
<td>2.9%</td>
</tr>
<tr>
<td>42</td>
<td>Contingency</td>
<td>0</td>
<td>1,321</td>
<td>1,321</td>
<td>N/A</td>
</tr>
<tr>
<td>43</td>
<td>Total Expenses</td>
<td>386,130</td>
<td>398,846</td>
<td>12,716</td>
<td>3.2%</td>
</tr>
<tr>
<td>44</td>
<td>Operating Balance</td>
<td>41,876</td>
<td>3,315</td>
<td>38,561</td>
<td>118.1%</td>
</tr>
</tbody>
</table>

Note: Totals and percentages may not be precise due to independent rounding.

- \(^1\) Reflects Adopted Budget approved by the Board on June 6, 2013
**SANTA CLARA VALLEY TRANSPORTATION AUTHORITY**  
**SOURCES AND USES OF FUNDS SUMMARY**  
**Fiscal Year 2015**  
through June 30, 2015  
(Dollar in Thousands)  
*Preliminary Unaudited*

<table>
<thead>
<tr>
<th>Line</th>
<th>Description</th>
<th>FY15 Adopted Budget</th>
<th>FY15 Current Budget</th>
<th>FY15 Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Operating Balance</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Total Operating Revenues</td>
<td>402,161</td>
<td>402,161</td>
<td>428,006</td>
</tr>
<tr>
<td>2</td>
<td>Total Operating Expenses</td>
<td>(398,846)</td>
<td>(398,846)</td>
<td>(386,130)</td>
</tr>
<tr>
<td>3</td>
<td>Operating Balance</td>
<td>3,315</td>
<td>3,315</td>
<td>41,876</td>
</tr>
</tbody>
</table>

| **Operating Reserves Replenishment to 15% level** |                                                                             |                     |                     |             |
| 4    | 15% Year-end Operating Reserves²                                            | 62,937              | 62,937              | 62,937      |
| 5    | Beginning Reserve Balance                                                   | (59,827)            | (59,827)            | (59,827)    |
| 6    | 15% Replenishment Amount                                                    | 3,110               | 3,110               | 3,110       |

| **Operating Balance Available for Capital** |                                                                             |                     |                     |             |
| 7    | Operating Balance (Line 3)                                                  | 3,315               | 3,315               | 41,876      |
| 8    | 15% Replenishment Amount (Line 6)                                           | (3,110)             | (3,110)             | (3,110)     |
| 9    | Sales Tax Based Revenue From/(To) Sales Tax Stabilization Fund              | 0                   | 0                   | 0           |
| 10   | Operating Balance Available for Capital                                     | 205                 | 205                 | 38,766      |

| **Capital Program** |                                                                             |                     |                     |             |
| 11   | Total VTA Transit Capital Program                                           | 0                   | 0                   | 0           |
| 12   | Funding from Grants & Other Sources                                         | 0                   | 0                   | 0           |
| 13   | Local Grant Match from Debt Reduction Fund                                  | 0                   | 0                   | 0           |
| 14   | Federal Operating Grants for Capital                                         | (25,298)            | (25,298)            | 0           |
| 15   | Remaining Local Portion Needed for Capital                                  | (25,298)            | (25,298)            | 0           |
| 16   | Operating Balance Available for Capital (line 9)                            | (205)               | (205)               | (38,766)    |
| 17   | Local Funding From/(To) Debt Reduction Fund                                 | (25,503)            | (25,503)            | (38,766)    |
| 18   | Ending Operating Reserves                                                   | 62,937              | 62,937              | 62,937      |
| 19   | Operating Reserve %³                                                        | 15.0%               | 15.0%               | 15.0%       |

Note: Totals may not be precise due to independent rounding.

¹ Adopted Budget approved by the Board on June 6, 2013
² 15% of Budgeted Operating Expenses
³ Line 18 divided by Budgeted Operating Expenses
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Director of Planning and Program Development, John Ristow

SUBJECT: Additional Envision Projects

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

ACTION ITEM

RECOMMENDATION:

Approve the inclusion of two projects from the Town of Los Gatos and two projects from Caltrain to the List of Projects for Envision Silicon Valley.

BACKGROUND:

At the October 1, 2015 VTA Board of Directors meeting, the Board approved the List of Projects for Envision Silicon Valley. Due to a transmittal error, two projects from the Town of Los Gatos were not included in the final list. The two projects are: (a) Pedestrian Bridge from Los Gatos Sports Park over the Los Gatos Creek to connect to the Los Gatos Creek Trail ($800,000); and (b) School-based Traffic Congestion Relief Program ($8 million). Additionally, two Caltrain projects; (a) grade separation at Auzerais Avenue ($50 million to $150 million); and (b) grade separation at Virginia Street ($50 million to $150 million) were not included in the final list. These projects had been submitted by Caltrain but were originally thought to be duplicates with the grade separation projects submitted by the city of San Jose.

ALTERNATIVES

The Board may choose not to include these projects on the List of Projects for Envision Silicon Valley.

FISCAL IMPACT:

There is no direct financial impact by including these projects on the List of Projects for Envision Silicon Valley.
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Director of Planning and Program Development, John Ristow

SUBJECT: FY15/16 Transportation Development Act Article 3 Funding Program

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

Resolution

ACTION ITEM

RECOMMENDATION:

Adopt a resolution authorizing the General Manager to execute a funding agreement with the Metropolitan Transportation Commission (MTC) in order to receive Transportation Development Act (TDA) funds.

BACKGROUND:

Transportation Development Act (TDA) funds are derived from a ¼-cent of the State's general sales tax. Article 3 of the TDA makes a portion of these funds available for use on bicycle and pedestrian projects.

The Metropolitan Transportation Commission (MTC) programs TDA Article 3 funds in the nine Bay Area counties. Each year, MTC requests that the Congestion Management Agency (CMA) in each Bay Area county coordinate and submit annual TDA Article 3 program funding priorities for their respective counties. VTA, as the CMA for Santa Clara County, develops the countywide program. After the VTA Board adopts the projects, the list is forwarded to MTC for approval and project sponsors apply for reimbursement directly to MTC.

DISCUSSION:

On June 4, 2015, the VTA Board of Directors adopted a resolution approving project priorities for the FY 2015-16 Countywide TDA Article 3 Program. A copy of the resolution is attached to this memo.
On July 22, 2015, MTC approved an allocation of $300,000 in FY 2015-16 TDA Article 3 funds to the County of Santa Clara for the Capitol Expressway Pedestrian Connection to Eastridge. Although the County of Santa Clara was the applicant for the grant funds, VTA is the implementing agency for the Capitol Expressway Pedestrian Connection to Eastridge project and is responsible for constructing the project. County Roads and VTA have determined that it would be administratively more efficient for MTC to grant the funds directly to VTA, rather than have the County serve as a pass-through agency. Therefore, the County of Santa Clara has asked MTC to rescind the $300,000 allocated to the County for this project and award these funds to VTA directly. VTA staff concurs with this request and recommends that the Board of Directors adopt a resolution authorizing the General Manager to execute a funding agreement with MTC in order to receive these funds directly.

**ALTERNATIVES:**

The Board of Directors could choose not to authorize the General Manager to execute a funding agreement with MTC in order to receive the TDA Article 3 funds directly from MTC. The County of Santa Clara would act as a pass through agency for these funds.

**FISCAL IMPACT:**

This action will result in $300,000 in TDA Article 3 funds being made available to VTA to construct the Capitol Expressway Pedestrian Connection to Eastridge. Appropriation for these funds is included in the FY16 Adopted 2000 Measure A Transit Improvement Program Fund Capital Budget.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATIONS:**

The Congestion Management Program & Planning Committee (CMPP) considered this item at its October 15, 2015 meeting. Member Carrasco asked for information on the County’s East San Jose sidewalk project. The Committee recommended the VTA staff proposal to the VTA Board for approval.

Prepared by: Mike Tasosa
Memo No. 5202
TRANSPORTATION DEVELOPMENT ACT (TDA) FUNDING PROGRAM

RESOLUTION AUTHORIZING THE EXECUTION OF A FUNDING AGREEMENT WITH THE METROPOLITAN TRANSPORTATION COMMISSION TO ALLOCATE FISCAL YEAR 2015-16 TRANSPORTATION DEVELOPMENT ACT ARTICLE 3, PEDESTRIAN / BICYCLE PROJECT FUNDING

WHEREAS, Article 3 of the Transportation Development Act (TDA), Public Utilities Code (PUC) Section 99200 et seq., authorizes the submission of claims to a regional transportation planning agency for the funding of projects exclusively for the benefit and/or use of pedestrians and bicyclists; and

WHEREAS, the Metropolitan Transportation Commission (MTC), as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No.4108, entitled “Transportation Development Act, Article 3, Pedestrian and Bicycle Projects,” which delineates procedures and criteria for submission of requests for the allocation of “TDA Article 3” funding; and

WHEREAS, MTC Resolution No. 4108 requires that requests for the allocation of TDA Article 3 funding be submitted as part of a single, countywide coordinated claim from each county in the San Francisco Bay region; and

WHEREAS, the Santa Clara Valley Transportation Authority (VTA) desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the project described in Attachment B to this resolution, which is for the exclusive benefit and/or use of pedestrians and/or bicyclists.

NOW, THEREFORE, BE IT RESOLVED, that VTA declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code, and furthermore, be it

RESOLVED, that there is no pending or threatened litigation that might adversely affect the project described in Attachment B to this resolution, or that might impair the ability of VTA to carry out the project; and furthermore, be it

RESOLVED, that the project has been reviewed by the Bicycle Advisory Committee (BAC) of VTA; and furthermore, be it

RESOLVED, that VTA attests to the accuracy of and approves the statements in Attachment A to this resolution; and furthermore, be it

RESOLVED, that a certified copy of this resolution and its attachments, and any accompanying supporting materials shall be forwarded to the congestion management agency, countywide transportation planning agency, or county association of governments, as the case may be, of Santa Clara County for submission to MTC as part of the countywide coordinated TDA Article 3 claim.
PASSED AND ADOPTED by the Santa Clara Valley Transportation Authority Board of Directors on December 11, 2014 by the following vote:

AYES:

NOES:

ABSENT:

_________________________________
Perry Woodward, Chairperson
Board of Directors

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

Date: _____________

_________________________________
Elaine Baltao, Board Secretary

APPROVED AS TO FORM:

_________________________________
Robert Fabela, General Counsel
Resolution No.
Attachment A

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2015-16 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

Findings

1. That the Santa Clara Valley Transportation Authority (VTA) is not legally impeded from submitting a request to the Metropolitan Transportation Commission for the allocation of Transportation Development Act (TDA) Article 3 funds, nor is VTA legally impeded from undertaking the project described in “Attachment B” of this resolution.

2. That VTA has committed adequate staffing resources to complete the project described in Attachment B.

3. A review of the project described in Attachment B has resulted in the consideration of all pertinent matters, including those related to environmental and right-of-way permits and clearances, attendant to the successful completion of the project.

4. Issues attendant to securing environmental and right-of-way permits and clearances for the projects described in Attachment B have been reviewed and will be concluded in a manner and on a schedule that will not jeopardize the deadline for the use of the TDA funds being requested.

5. That the project described in Attachment B complies with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.).

6. That as portrayed in the budgetary description of the project in Attachment B, the sources of funding other than TDA are assured and adequate for completion of the project.

7. That the project described in Attachment B is for capital construction and/or design engineering; and/or for the maintenance of a Class I bikeway which is closed to motorized traffic; and/or for the purposes of restriping Class II bicycle lanes; and/or for the development or support of a bicycle safety education program; and/or for the development of a comprehensive bicycle and/or pedestrian facilities plan, and an allocation of TDA Article 3 funding for such a plan has not been received by VTA within the prior five fiscal years.

8. That the project described in Attachment B is included in a locally approved bicycle, pedestrian, transit, multimodal, complete streets, or other relevant plan.

9. That any project described in Attachment B that is a bikeway meets the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual.

10. That the project described in Attachment B will be completed before the funds expire.

11. That VTA agrees to maintain, or provide for the maintenance of, the project and facilities described in Attachment B, for the benefit of and use by the public.
Resolution No.
Attachment B

TDA Article 3 Project Application Form

Fiscal Year of this Claim: 2015-16  Applicant: Santa Clara Valley Transportation Authority (VTA)

Contact person: Mike Tasosa

Mailing Address: 3331 North First Street, Building B2, San Jose, CA 95134-1906
E-Mail Address: mike.tasosa@vta.org  Telephone: (408) 321-5752

Secondary Contact (in event primary not available): Marcella Rensi
E-Mail Address: marcella.rensi@vta.org  Telephone: (408) 321-5717

Short Title Description of Project: Capitol Expressway Pedestrian Connection to Eastridge
Amount of claim: $300,000

Functional Description of Project:
This project will install a pedestrian crossing of Capitol Expressway at the Eastridge Loop signalized intersection and construct a sidewalk on the east side of the Expressway to Tully Road.

Financial Plan:
List the project elements for which TDA funding is being requested (e.g., planning, engineering, construction, contingency). Use the table below to show the project budget for the phase being funded or total project. Include prior and proposed future funding of the project. Planning funds may only be used for comprehensive bicycle and pedestrian plans. Project level planning is not an eligible use of TDA Article 3.

<table>
<thead>
<tr>
<th>Project Elements: Engineering and Construction</th>
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<tr>
<th>Funding Source</th>
<th>All Prior FYs</th>
<th>Application FY</th>
<th>Next FY</th>
<th>Following FYs</th>
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<tr>
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<td>list all other sources:</td>
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<td>$1,547,400</td>
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Project Eligibility:

A. Has the project been approved by the claimant's governing body? (If "NO," provide the approximate date approval is anticipated).

B. Has this project previously received TDA Article 3 funding? If "YES," provide an explanation on a separate page.

C. For "bikeways," does the project meet Caltrans minimum safety design criteria pursuant to Chapter 1000 of the California Highway Design Manual? (Available on the internet via: [http://www.dot.ca.gov](http://www.dot.ca.gov)).

D. Has the project been reviewed by a Bicycle Advisory Committee (BAC)? (If "NO," provide an explanation). Enter date the project was reviewed by the BAC: **March 11, 2015**

E. Has the public availability of the environmental compliance documentation for the project (pursuant to CEQA) been evidenced by the dated stamping of the document by the county clerk or county recorder? (required only for projects that include construction).

F. Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year) **September 2016**

G. Have provisions been made by the claimant to maintain the project or facility, or has the claimant arranged for such maintenance by another agency? (If an agency other than the Claimant is to maintain the facility provide its name: )

YES

YES

YES

YES

YES
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Director of Planning and Program Development, John Ristow

SUBJECT: Adopt the 2015 VTA Congestion Management Program (CMP)

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

ACTION ITEM

RECOMMENDATION:

Adopt the 2015 VTA Congestion Management Program (CMP).

BACKGROUND:

State law requires that urbanized counties biennially adopt a Congestion Management Program (CMP) containing specified elements. The intent of the CMP is to develop a comprehensive transportation improvement program among local jurisdictions that will improve multimodal transportation system performance, land use decision-making and air quality.

VTA, as the Congestion Management Agency (CMA) for Santa Clara County, is responsible for updating the CMP Document every two years. The CMP is submitted to the Metropolitan Transportation Commission (MTC) where it is evaluated for consistency with MTC’s Regional Transportation Plan (RTP). Following MTC’s evaluation, the responsibility to implement the CMP rests with VTA and local jurisdictions.

DISCUSSION:

The 2015 VTA Congestion Management Program is comprised of nine program elements: 1) transportation system definition; 2) transportation analysis standards; 3) multimodal performance measures; 4) transportation demand management and trip reduction; 5) countywide transportation model and database; 6) land use impact analysis; 7) capital improvement program; 8) monitoring and conformance requirements; and 9) multimodal improvement plan requirements.
The CMP provides practical options for improving the performance of the county’s multimodal transportation system today and a framework for developing proactive and innovative planning options for the future. The CMP also serves as a short-term element of the countywide transportation plan, Valley Transportation Plan (VTP), by focusing on congestion management strategies that can be implemented within the short to mid-term.

The 2015 update signifies an evolving role for the CMP in our region’s future. It summarizes the current VTA CMP, changes to the CMP over the past two years, as well as key areas that are likely to be addressed in the coming two years.

Changes in this update of the CMP include:

- **Added discussion of Senate Bill (SB) 743 implementation and relationship to the CMP auto LOS standard** - The CMP statute requires that CMAs develop a minimum auto level of service (LOS) standard for CMP Network roadways, which is used by Member Agencies when evaluating transportation impacts to CMP facilities for both CMP and California Environmental Quality Act (CEQA) purposes. SB 743, enacted by the California legislature in 2013, required the Governor’s Office of Planning and Research (OPR) to update the CEQA Guidelines to identify new metric(s) to replace LOS for the analysis of transportation impacts. The new Guidelines are still being drafted and are expected to be implemented in a phased process over the coming years. Chapter 2 contains a summary of the proposed changes in relation to current CMP requirements and how the VTA CMP may evolve over the coming years to adapt to the changes.

- **Updates to Multimodal Performance Measures Element** - New tables were added to provide additional guidance and clarification on what each Multimodal Performance Measure means and which measures are required or recommended in the transportation analysis of development projects, transportation capital projects, and long range land use or transportation planning. The chapter was also updated to include new required Multimodal Performance Measures in the updated 2014 VTA Transportation Impact Analysis (TIA) Guidelines, and to broaden the discussion of Vehicle Miles Traveled (VMT) in anticipation of updates to this measure with the implementation of SB 743.

- **Updates to the status of key VTA transportation projects** - The CMP System Definition chapter (Chapter 1) includes updated descriptions of transportation projects VTA is leading or participating in, including the BART Silicon Valley Extension, VTA Bus Rapid Transit (BRT) projects, the Light Rail Enhancement Project, the Caltrain Modernization Program, and the Silicon Valley Express Lanes Program. The CMP Transit Network was updated to include the Rapid 522, Limited 323, and Express 181 based on consistency with the definition of Core/Grid Bus Routes and Regional Bus Services.

- **Updated information about regional programs** - Chapter 6 contains updated discussions of regional planning efforts led by the Association of Bay Area Governments (ABAG) and MTC, such as Plan Bay Area and the Priority Development Area (PDA) Investment & Growth Strategy.

- **Updated Capital Improvement Program (CIP) project listing and funding information** -
The list of capital projects in the CMP Capital Improvement Program in Chapter 7 has been updated to reflect completed projects, revised cost estimates, and other changes to maintain consistency with the Transportation Improvement Program (TIP). Updated information has been added about various funding sources related to capital projects in Santa Clara County.

Key areas that the CMP will address with Member Agency input over the next two years include:

- **Provide assistance to Member Agencies and consider potential updates to the CMP regarding new transportation analysis metrics per SB 743** - As noted above, the Governor’s Office of Planning and Research (OPR) is currently updating the CEQA Guidelines to remove auto LOS analysis and require VMT analysis in the CEQA analysis of transportation impacts and mitigation measures, pursuant to SB 743. While SB 743 did not directly call for changes to the Transportation Analysis Standards Element and Multimodal Performance Measures Element of the CMP, it is expected that these elements will be updated for compatibility with the new CEQA Guidelines once they are adopted. VTA will continue to monitor potential legislation affecting CMPs and intends to update the CMP, with input from the VTA Board, Committees, and Working Groups, over the coming years. VTA will also continue to provide information and assistance to Member Agencies in updating local CEQA standards as appropriate.

- **CMP Monitoring and Conformance Program transition to utilize Big Data** - Since 1997, VTA has used aerial photography to collect data on freeway congestion. Beginning with the 2014 Monitoring & Conformance Report, VTA is studying innovative approaches to data collection such as Big Data (typically including aggregated traffic-related information from GPS-enabled vehicles and mobile devices, traditional road sensors and other sources). VTA envisions that a transition to Big Data could potentially provide more reliable data for a lower cost. In addition, Big Data may open up new avenues for congestion analysis in areas such as duration of congestion, automobile travel times and reliability, congestion spillover to alternate routes, causes of congestion, transit travel times and reliability, modal split, automobile trip generation, and vehicle miles traveled.

**ALTERNATIVES:**

The Board may request staff to make changes to the 2015 Congestion Management Program.

**FISCAL IMPACT:**

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

**ADVISORY COMMITTEE DISCUSSION/RECOMMENDATION:**

The Technical Advisory Committee (TAC) considered this item on October 8, 2015 as part of its Consent Agenda and without comment unanimously recommended approval of this item.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Congestion Management Program and Planning Committee (CMPP) considered this item on October 15, 2015 and had the following comments: 1) commented on the effects of Express Lanes on neighboring communities; and 2) requested further information about the effects of
proposed transit improvements on Shoreline Boulevard and El Camino Real on traffic congestion. The Committee unanimously recommended approval of the item.

Prepared by: Rob Cunningham
Memo No. 5186

ATTACHMENTS:

- 03 Admin Draft 2015 CMP (VTA Advisory Committee Review Version) (PDF)
# Draft 2015 Congestion Management Program

October 9, 2015

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EXECUTIVE SUMMARY

In accordance with California Statute, Government code 65088, Santa Clara County has established a Congestion Management Program (CMP). The intent of the CMP legislation is to develop a comprehensive transportation improvement program among local jurisdictions that will improve multimodal transportation system performance, land use decision-making and air quality.

The main requirements of the CMP statutes can be summarized as follows:

- Requires the designation of a Congestion Management Agency (CMA) in each urbanized county, to develop and update the CMP and monitor its progress over time.
- Sets up a performance review process, by mandating the designation of a network of transportation facilities that will be periodically monitored for congestion, and by requiring the designation of a level of service standard for roadways and performance measures for all modes of travel.
- Promotes the use of alternatives to the single-occupant automobile through trip reduction programs, land use / transportation integration strategies, and transportation demand management (TDM) measures.
- Promotes integration of decisions about land development, transportation investment and air quality by requiring a process to determine the impacts of local development decisions on the countywide transportation network.
- Requires a seven-year investment strategy, referred to as a Capital Improvement Program (CIP), to support the CMP goals. The CIP is updated biennially and links project eligibility for regional/state funding to the CMP.
- Requires a computerized travel model and uniform database for estimating future transportation needs and impacts.
- Encourages infill development in core areas and along major transit corridors.

The Santa Clara Valley Transit Authority (VTA), as the designated Congestion Management Agency, has prepared this 2015 Congestion Management Program in accordance the requirements of the CMP legislation. The purpose of this document is to summarize the elements, policies and procedures of the VTA CMP.
WHAT’S NEW IN THE 2015 CMP

Changes from the VTA 2013 CMP have been made to reflect several circumstances: updates to VTA’s system, projects, or programs; planned updates to CMP technical procedures and requirements; and additional information to reflect processes occurring at the regional or state level. The following is a summary of key changes and additions in the CMP 2015:

- **Added discussion of Senate Bill (SB) 743 implementation and relationship to the CMP auto LOS standard** – The CMP statute requires that CMAs develop a minimum auto level of service (LOS) standard for CMP Network roadways, which is used by Member Agencies when evaluating transportation impacts to CMP facilities for both CMP and CEQA purposes. SB 743, enacted by the California legislature in 2013, required the Governor’s Office of Planning and Research (OPR) to update the CEQA Guidelines to identify new metric(s) to replace LOS for the analysis of transportation impacts. The new Guidelines are still being drafted and are expected to be implemented in a phased process over the coming years. Chapter 2 contains a summary of the proposed changes in relation to current CMP requirements and how the VTA CMP may evolve over the coming years to adapt to the changes.

- **Updates to Multimodal Performance Measures Element** – The Multimodal Performance Measures Element (Chapter 3) was updated in anticipation of SB 743 implementation (see above). New tables were added to provide additional guidance and clarification on what each Multimodal Performance Measure means and which measures are required or recommended in the transportation analysis of development projects, transportation capital projects, and long range land use or transportation planning. The chapter was also updated to include new required Multimodal Performance Measures included in the updated 2014 Transportation Impact Analysis (TIA) Guidelines, and to broaden the discussion of the Vehicle Miles Traveled (VMT) in anticipation of further updates to this measure with the implementation of SB 743.

- **Updates to the status of key VTA transportation projects** – The CMP System Definition chapter (Chapter 1) includes updated descriptions of transportation projects VTA is leading or participating in, including the BART Silicon Valley extension, VTA Bus Rapid Transit (BRT) projects, the Light Rail Enhancement Project, the Caltrain Modernization Program, and the Silicon Valley Express Lanes Program. The CMP Transit Network was updated to include the Rapid 522 and Limited 323, based on consistency with the definition of Core/Grid Bus Routes as “long mainline routes that operate along major corridors and serve the urbanized areas of Santa Clara County,” and Express 181, based on consistency with the definition of Regional Bus Service as routes that “serve regional, long-distance trips.”
• Updated information about regional programs – Chapter 6 contains updated discussions of regional planning efforts led by the Association of Bay Area Governments (ABAG) and MTC, such as Plan Bay Area and the PDA Investment & Growth Strategy.

• Updated Capital Improvement Program (CIP) project listing and funding information – The list of capital projects in the CMP Capital Improvement Program in Chapter 7 has been updated to reflect completed projects, revised cost estimates, and other changes to maintain consistency with the Transportation Improvement Program (TIP). Updated information has been added about various funding sources related to capital projects in Santa Clara County.

Key areas that the CMP will address with Member Agency input over the next two years include:

• Provide Assistance to Member Agencies and consider potential updates to the CMP implementing new transportation analysis metrics per SB 743 – As noted above, the Governor’s Office of Planning and Research (OPR) is currently updating the CEQA Guidelines to remove auto LOS analysis and require vehicle miles traveled (VMT) analysis in the CEQA analysis of transportation impacts and mitigation measures, pursuant to SB 743. While SB 743 did not directly call for changes to the Transportation Analysis Standards Element and Multimodal Performance Measures Element of the CMP, it is expected that these Elements will be updated for compatibility with the new CEQA Guidelines once they are adopted. VTA will continue to monitor potential legislation affecting CMPs and intends to update the CMP, with input from the VTA Board, Committees, and Working Groups, over the coming years. VTA will also continue to provide information and assistance to Member Agencies in updating local CEQA standards as appropriate.

• CMP Monitoring and Conformance Program transition to utilize Big Data - Since 1997, VTA has used aerial photography to collect data on freeway congestion. Beginning with the 2014 Monitoring & Conformance Report, VTA is studying innovative approaches to data collection such as Big Data¹ (see Chapter 8 for more information). VTA envisions that a transition to Big Data could potentially provide more reliable data for a lower cost. In addition, Big Data may open up new avenues for congestion analysis in areas such as duration of congestion, automobile travel times and reliability, congestion

¹ Big Data is a phenomenon currently impacting a wide range of industries, defined as “a new generation of technologies and architectures designed to economically extract value from very large volumes of a wide variety of data, by enabling high-velocity capture, discovery, and/or analysis” (Big Data: Beyond the Hype, White Paper by Datastax Corporation, March 2012). In the field of transportation monitoring and analysis, Big Data methods involve aggregating traffic-related information from GPS-enabled vehicles and mobile devices, traditional road sensors and hundreds of other sources (INRIX website, accessed 9/11/2013).
spillover to alternate routes, causes of congestion, transit travel times and reliability, modal split, automobile trip generation, and vehicle miles traveled.

ELEMENTS OF THE VTA CMP

CMPs must contain five elements: a system definition and traffic Level of Service (LOS) standard element, a multimodal performance measures element, a transportation demand management and trip reduction element, a land use impact analysis element, and a CIP. In addition to these five elements, other actions, such as the development of a countywide transportation model and Multimodal Improvement Plans, are necessary to meet the requirements of the Statute.

The VTA CMP is also guided by the eight broad goal areas identified in Agency’s Strategic Plan:

1. Enhance Customer Focus
2. Improve Mobility and Access
3. Integrate Land Use and Transportation
4. Maintain Financial Stability
5. Increase Employee Ownership
6. Build Ridership on Transit System
7. Improve Relationships throughout the County
8. Deliver on Capital Program

In response to the statutory requirements and the Strategic Plan’s goals, VTA has chosen to define its CMP in terms of nine elements that logically structure the program. Each of the nine elements corresponds to a chapter of the CMP and is briefly summarized below:

1. **System Definition Element** — The CMP Transportation System consists of a roadway network, a transit network, and a bicycle network.

The System Definition Element is linked to other elements in the CMP because all projects proposed for the CIP must be on or benefit the CMP Transportation System. Additionally, roadways included in the CMP Roadway Network will be monitored for conformance with the CMP level of service standard.

The designated CMP Roadway Network includes state highways, county expressways and principal arterials. The adopted definition for principal arterials is: roadways that connect with the freeway and/or county expressway system and meet one of the following criteria: (1) state...
highway; (2) six-lane facility; or (3) non-residential arterial with average daily traffic of 30,000 vehicles per day.

While the CMP Statutes do not expressly require adoption of a transit network, it does require the inclusion of specified transit system performance measures. Therefore, the CMP includes a Transit Network consisting of rail service and selected bus service. Performance measurements have been established for VTA Transit Service and are identified in the Transit Sustainability Policy and its complementary document, the Service Design Guidelines. The guidelines establish ridership thresholds and ensure that transit service operates as efficiently as possible.

One of the goals of VTA’s CMP is to provide for safe and convenient bicycling throughout the county for various types of trips, such as work, school, errands, and recreation by focusing improvements on the Cross County Bicycle Corridors. The Cross County Bicycle Corridors (CCBC) is a network of 24 routes for bike travel through the county that are identified in the Santa Clara Countywide Bicycle Plan, adopted by the VTA Board of Directors in 2008.

2. Transportation Analysis Standards Element — For the purpose of congestion monitoring and management, the CMP statute requires that CMAs develop a minimum automobile level of service (LOS) standard for CMP Network roadways. Automobile Level of Service (hereafter shortened to “auto LOS”) describes the operations of roadway segments or intersections in terms of vehicle speed, volume and capacity, and traffic delay. Auto LOS evaluates operations for all common motor vehicle types, including automobiles, light and heavy trucks, and motorcycles. In addition, although congestion also affects transit vehicles operating in general purpose lanes, transit operations are affected by additional factors and are typically evaluated separately from auto LOS.

The Transportation Analysis Standards Element contains the adopted auto LOS standard for the CMP Roadway Network and describes the methodologies for evaluating auto LOS. The auto LOS standard is important because CMP Roadway Network facilities must operate within the adopted standard or the Member Agency responsible for the facility must prepare a Multimodal Improvement Plan for that facility.

In addition, Member Agencies must monitor auto LOS using adopted methodologies. A comprehensive description of the auto LOS standard is presented in the CMP Technical Standards and Procedures: Traffic Level of Service Analysis Guidelines and is available upon request.

3. Multimodal Performance Measures Element — The purpose of the Multimodal Performance Measures Element is to define specific transportation system performance measures that can
help evaluate how well Santa Clara County’s transportation system serves the traveling public. Twelve measures are described in the Element. These measures can be used in a variety of analyses. Some may be used in the development of the countywide long-range transportation plan (VTP), some may be used in the CMP monitoring process, some may be used in analyses of the impacts and effects of specific development projects, and some may be used for more targeted efforts such as corridor studies, transit or roadway capital projects.

4. Trip Reduction and Transportation Demand Management (TDM) Element — This element defines and describes TDM programs and lists funding sources Member Agencies can access to implement these projects. Some programs that would be recommended as part of the TDM element include parking management and pricing, roadway pricing, commute alternatives, and cash subsidies. The current countywide transportation plan, VTP 2040, and the Community Design and Transportation (CDT) Program encourage the development and continuation of successful trip reduction efforts through incentives and partnerships.

5. Countywide Transportation Model and Database Element — This element contains a description of the countywide transportation model required by the CMP Statute. The Statute requires that the countywide transportation model be consistent with the regional transportation model developed by the Metropolitan Transportation Commission (MTC) with Association of Bay Area Governments (ABAG) data. The countywide transportation model is used to help evaluate cumulative transportation impacts of local land use decisions on the CMP System. Because of the model’s significance in the overall CMP, it is extremely important that the model accurately reflect existing land use and transportation conditions.

The CMP also requires local models to be consistent with the countywide transportation model. A comprehensive description of these consistency requirements is presented in the CMP Technical Standards: Local Transportation Model Consistency Guidelines.

6. Land Use Impact Analysis Element — This element describes the procedures used to analyze the transportation impacts of local land use decisions on the transportation system, and the programs designed to influence policy development and community form to better support a multimodal transportation system. The Land Use Impact Analysis Program links local land use decisions with broader transportation and air quality impact analysis. The VTA CMP includes the Proactive CMP Process[^2], adopted by the VTA Board in May 1997, which provides a framework for VTA comment on development projects and plans and for quarterly reporting to the Board on Member Agency development decisions.

[^2]: Now generally referred to as the “Development Review Program” in Reports to the VTA Board and Committees.
VTA has developed and adopted Transportation Impact Analysis (TIA) Guidelines to ensure that all projects are analyzed uniformly and consistently. Comprehensive descriptions of the TIA Guidelines are included in the CMP Technical Standards. Over the 2012-2014 timeframe, VTA engaged in a comprehensive update of the TIA Guidelines document to emphasize the reduction of automobile trips and take a balanced, multimodal approach to addressing transportation impacts and effects. Updating the TIA Guidelines offers VTA the opportunity to encourage the use of multimodal performance measures and make the CMP better reflect the goals of SB 375, the regional and countywide long range transportation plans, and local General Plans and policies.

Through a multi-year process, the CDT program was developed in partnership with VTA Member Agencies and the community. The CDT is primarily an advocacy and resource program, providing tools and resources to Member Agencies intended to influence changes in policy, administration, and urban design that encourage well-designed, high-amenity development in cores areas, around transit station areas, and along major transportation corridors. In addition, the CDT Program has given out planning and capital grants to Member Agencies that are developing plans and projects in accordance with the CDT guidelines and planning initiatives.

7. Capital Improvement Program Element — The CIP is a list of capital projects designed to improve the transportation system and air quality in Santa Clara County. The CIP consists of a list of transportation facility improvements that is submitted to the MTC for inclusion in the Regional Transportation Improvement Program (RTIP), the State Transportation Improvement Program (STIP) and the Federal Transportation Improvement Program (TIP). The CIP includes projects from the following funding categories: Regional Improvement Program (RIP) and Interregional Improvement Program (IIP), Surface Transportation Program (STP) and Congestion Mitigation/Air Quality Program (CMAQ (federal), Transportation Alternatives funds (federal), and the Traffic Congestion Relief fund (state). In addition, projects funded by the 1996 Measure B sales tax, the 2000 and 2008 Measure A sales taxes, the 2006 Proposition 1B bond fund, the 2008 Proposition 1A (High Speed Rail) bond fund, Express Lanes revenue, the 2010 Measure B Vehicle Registration Fee and the Transportation Fund for Clean Air are included in the CIP since they affect the county’s transportation system.

The Capital Improvement Program is developed in accordance with the statewide and regionally adopted multimodal criteria for project selection. The regional criteria emphasize maintaining and sustaining the existing transportation system, improving its efficiency and effectiveness through congestion relief, safety improvements and consideration of freight movement, expanding the system, and accounting for external impacts on land use and air quality. The CMP Statute requires that the CIP maintain or improve the performance of the multimodal system for the movement of people and goods, mitigate the impacts of land use
decisions on the regional transportation system, and conform to air quality mitigation measures included in state and federal air quality plans.

8. Monitoring and Conformance Element — The CMP Statute requires biennial monitoring to determine Member Agency conformance with all elements of the CMP. The Monitoring and Conformance Element describes the monitoring process used in Santa Clara County. VTA monitors freeway LOS and land use decisions on an annual basis, and all other elements of the Monitoring Program, including CMP intersection LOS on a biennial basis.

Once Member Agencies have submitted their monitoring data, VTA will evaluate it to determine changes to and impacts on the CMP System and to ensure that each Member Agency is in conformance with the CMP. If Member Agencies fail to meet CMP standards or implement CMP requirements, they could be found in nonconformance with the CMP and risk forfeiting gas tax subventions from the state. A description of the requirements and methodologies used in the Monitoring and Conformance Program is available in the Monitoring and Conformance Requirements.

9. Multimodal Improvement Plan Element — This element summarizes the process for the preparation and approval of Multimodal Improvement Plans. Beginning with the 2013 CMP, VTA uses the term “Multimodal Improvement Plan” for “Deficiency Plan” as defined by state legislation, to highlight the range of multimodal solutions available to Member Agencies that have a traffic LOS deficiency.

Multimodal Improvement Plans must be developed for facilities that are not operating within the adopted traffic LOS standard. Multimodal Improvement Plans may be developed by VTA Member Agencies and must be approved by VTA Board of Directors. Multimodal Improvement Plans must include a set of improvements, programs, and actions for the CMP facility that measurably improve multimodal performance contribute to a significant improvement in air quality. CMP system facilities that are covered under an approved Multimodal Improvement Plan, or a previously approved Deficiency Plan, may operate below the traffic LOS standard as long as the plan is being implemented.

REGIONAL CONFORMANCE

To meet the requirements of CMP legislation, VTA’s CMP was developed to conform to the Regional Transportation Plan, as well as the Metropolitan Transportation Commission’s Guidance for 2015 Congestion Management Programs. The CMP also conforms to the transportation-related provisions of the federal and California Clean Air Acts, and the regional Clean Air Plan.
MEMBER AGENCY RESPONSIBILITIES

The Congestion Management Program is a cooperative effort between VTA and the CMP Member Agencies – the 15 cities in the county, Santa Clara County, and VTA. Table E.1 outlines the element requirements and major responsibilities of VTA and Member Agencies in complying with the CMP.

THE DEVELOPMENT OF THE 2015 CONGESTION MANAGEMENT PROGRAM

As with all previous efforts, this CMP was developed through a collaborative effort among VTA and its Member Agencies, with occasional guidance from state and regional agencies. The policies contained in this document were initially developed by VTA with input from working groups of the Technical Advisory Committee. Since most elements of the CMP are designed to be implemented locally by Member Agencies, local input throughout the policy development process is crucial to the success of the Congestion Management Program.

After receiving Member Agency and public input, the VTA Board of Directors is responsible for making all policy decisions and for approving the final CMP.

DOCUMENT STRUCTURE & ORGANIZATION

The purpose of the document is to give the reader a comprehensive knowledge of the elements and goals of the VTA CMP. The CMP is organized into nine chapters: the CMP system definition and a chapter describing each element of the CMP. Table ES.1 presents a summary of each element. A number of appendices providing additional information are included at the back of this document. Appendix A provides a glossary of key terms, Appendix I includes the full text of the CMP Statute and related Statutes, and the remaining appendices provide additional technical or descriptive information.

In addition, VTA has compiled a set of documents entitled CMP Technical Standards and Procedures that contains all of the technical requirements and guidelines that Member Agencies must follow to comply with the CMP. The Technical Standards and Procedures contain the following documents: Requirements for Deficiency Plans, Transportation Impact Analysis Guidelines, Local Transportation Model Consistency Guidelines, Traffic Level of Service Analysis Guidelines, and Monitoring and Conformance Requirements.
<table>
<thead>
<tr>
<th>CMP Element</th>
<th>Requirement</th>
<th>Timing</th>
<th>Responsible Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transportation Analysis Standards Element</td>
<td>1) Monitor and submit report on the level of service on CMP roadway network intersections using CMP software and procedures.</td>
<td>Dec 1</td>
<td>Member Agencies</td>
</tr>
<tr>
<td></td>
<td>2) Monitor performance of CMP rural highways and freeways</td>
<td>Dec 1</td>
<td>VTA</td>
</tr>
<tr>
<td>Multimodal Performance Measures Element</td>
<td>Collect available transportation performance measurement data for use in land use analysis, deficiency plans and the CIP.</td>
<td>Ongoing</td>
<td>VTA</td>
</tr>
<tr>
<td>Transportation Demand Management and Trip Reduction Element</td>
<td>No current requirements</td>
<td></td>
<td>Member Agencies and VTA</td>
</tr>
</tbody>
</table>
| Transportation Model and Database Element | 1) Certify that the CMP model is consistent with the regional model  
2) Certify that Member Agency models are consistent with the CMP model                                                                          | Biennially | Trip Reduction and Transportation Demand Management Element MTC VTA and Member Agencies |
|                                      | 1) Prepare a Transportation Impact Analysis (TIA) for projects that generate 100 or more peak hour trips and submit to the CMP according to TIA Guidelines schedule  
2) Submit relevant conditions of approval to VTA for projects generating TIAs  
3) Prepare quarterly report on VTA comments and local agency adopted conditions for VTA Board, CMPP and PAC, TAC, CAC, and BAC  
4) Prepare and submit land use monitoring data to the CMP on all land use projects approved from July 1 to June 30 of the previous year | Ongoing    | Member Agencies                         |
| Land Use Impact Analysis Element |                                                                                                                                            | Ongoing    | Member Agencies                         |
|                                      |                                                                                                                                            | Ongoing    | VTA                                     |
|                                      |                                                                                                                                            | Oct 1      | Member Agencies                         |
| Capital Improvement Program Element | Develop a list of projects intended to maintain or improve the level of service on the designated system and to maintain transit performance standards                                                         | Biennially | Member Agencies with VTA               |
| Monitoring and Conformance Element | Outline the requirements and procedures established for conducting annual auto LOS and land use monitoring efforts. Support the Transportation Analysis Standards and Land Use Impact Analysis Elements | Dec 1      | Member Agencies and VTA                |
| Multimodal Improvement Plan Element | 1) Prepare Deficiency Plans for facilities that violate CMP traffic LOS standards or that are project to violate LOS standards using the adopted Deficiency Plan Requirements.  
2) Submit Deficiency Plan Implementation Status Report as part of annual monitoring.                                                                                       | As Needed  | All Affected Member Agencies           |
|                                      |                                                                                                                                                                                            | Dec 1      | Member Agencies with Deficiency Plans   |
CHAPTER 1 | CMP TRANSPORTATION SYSTEM DEFINITION

This chapter describes the Congestion Management Program (CMP) Transportation System. The CMP System consists of a roadway network, a transit network, and a bicycle network.

BACKGROUND

In 1990, the State of California enacted legislation to create Congestion Management Agencies (CMAs) in urbanized counties, following voter approval of Proposition 111. Each CMA is responsible for establishing a Congestion Management Program (CMP), envisioned as a comprehensive multimodal approach to solve transportation problems and reduce congestion at the regional scale. In contrast to the previous strategy of continually expanding roadway capacity, the CMP was designed to provide increased and more efficient transit services, increased efficiency of the existing roadway system, reduced traffic demand, and an improved land-use decision making process.

Beginning in 1991, with the enactment of the landmark Intermodal Surface Transportation Efficiency Act (ISTEA), federal transportation funding programs have also encouraged a more coordinated, regional, multimodal approach to transportation planning. ISTEA provisions allowed state and metropolitan planning organizations to take a broader view of the transportation system and its performance. Like Proposition 111, ISTEA shifted a major portion of transportation planning and priority setting from the state to regional agencies, CMAs, and local governments. This overarching philosophy has carried forward to subsequent federal transportation funding bills, including the most recent bill, MAP-21 (Moving Ahead for Progress in the 21st Century Act).

With the adoption of Plan Bay Area in July 2013, ten performance targets guide transportation planning in the Bay Area. These include required targets related to climate protection and adequate housing and voluntary targets related to healthy and safe communities, open space and agricultural preservation, equitable access, economic vitality, and transportation system effectiveness.

The state of California also has adopted three legislative mandates to guide the development of transportation analyses, plans and strategies. These bills are summarized below:

- **AB 32 (Nunez) California Global Warming Solutions Act of 2006.** This bill requires the California Air Resources Board to adopt regulations to require the reporting and verification of Statewide greenhouse gas emissions and to monitor and enforce compliance with this program.
• SB 375 (Steinberg) Transportation Planning: Travel Demand Models; Sustainable Communities Strategy; Environmental Review, 2008. SB 375 instructs the California Air Resources Board to set regional greenhouse gas emissions reduction targets from passenger vehicles. The Metropolitan Planning Organization for each region must then develop a “Sustainable Communities Strategy” (SCS), as part of its regional transportation plan, integrating transportation, land use and housing policies to plan for achievement of the emissions target for their region. Plan Bay Area includes the first Sustainable Communities Strategy for the Bay Area, as well as the 2040 Regional Transportation Plan.

• SB 743 (Steinberg) Environmental quality: transit oriented infill projects, judicial review streamlining for environmental leadership development projects, and entertainment and sports center in the City of Sacramento, 2013. Senate Bill (SB) 743, approved by the California legislature in September 2013, included changes to California Environmental Quality Act (CEQA) and CMP law related to the analysis of transportation impacts. Most significantly, the bill directs the Governor’s Office of Planning and Research (OPR) to develop alternative metrics to the use of vehicular “level of service” (LOS) for evaluating transportation impacts for purposes of CEQA. These changes are expected to take effect in 2016 at the earliest, at which point the CMP and related Technical Guidelines may be updated for consistency.

CONGESTION MANAGEMENT PROGRAMS

Propositions 111 and 108 together increased funding for California’s transportation system by billions of dollars. With this new funding came the requirement that urbanized counties create or designate a CMA that is responsible for preparing and implementing a Congestion Management Program (CMP) every two years. An additional gas tax was created to fund transportation improvements and CMA activities. The majority of the funds are transferred from the CMA to Cities and the County through gas tax subventions, but Member Agencies must be found in conformance with the CMP to receive these subventions.

Although the primary focus of the congestion management program was originally envisioned as reducing congestion and thus improving mobility for persons and freight, the requirements of the CMP recognize the inextricable links between transportation, land use, and air quality. Over time, CMPs in the Bay Area have evolved to emphasize an overall reduction in single-occupant vehicle trips and increase in pedestrian, bicycle and transit mode share in addition to managing congestion. Moreover, the statute acknowledges that these policy issues are not only functionally interrelated, but jurisdictionally interrelated as well. Accordingly, the statute requires cities and counties to work together to find cooperative solutions to these multi-jurisdictional problems. By operating as a “bridge” between local agencies and the regional and
state levels of government, CMAs play a key role in overcoming fragmented planning and effectively integrating transportation and land use planning at the county level.

The CMP pursues the interrelated goals of managing congestion, reducing single-occupant vehicle trips and improving alternative modes through a combination of capital roadway, transit, bicycle and pedestrian improvements, which are designed to maintain the existing transportation system where possible, and only add new travel lanes where road-widening is the only solution available to improve the transportation network. In addition, the CMP is intended to improve land use planning, develop strategies to reduce traffic demand, and when necessary, establish Multimodal Improvement Plans\textsuperscript{3} to address deficiencies according to CMP standards. By addressing these congestion, transportation demand, land use and transportation decision-making issues early on, larger problems that could result in more expensive and less effective solutions may be avoided.

The CMP benefits the local governments, employers, businesses, developers, environmentalists and labor unions in the region. The CMP gives local governments the ability to establish a rational transportation funding process with clear priorities that makes transportation funding more reliable and brings it one step closer to home. A seven-year Capital Improvement Program (CIP) was established to give employers the confidence that local transportation facilities well be maintained and improved as needed. Businesses are assured that transportation investments will contribute to the efficient movement of freight throughout the region, which will improve the economic climate of the county. The CMP creates a “level playing field” that ensures all new development projects in the county are evaluated equally and equitably. On the environmental side, the CMP evaluates individual and cumulative transportation, land use, and air quality impacts due to new development projects. And lastly, the CMP maximizes local, state, and federal transportation dollars to create new construction jobs that will ultimately improve mobility.

The establishment of CMAs, in conjunction with changes in State and Federal transportation funding procedures, shifted decision-making from the State to the regional and local levels. Not only does this mean more money is available for local planning projects, but it also means that local governments have more flexibility and autonomy to spend this money on projects that benefit their local communities. It also gives citizens an opportunity to provide meaningful input in the decision-making process.

\textsuperscript{3} VTA will uses the term “Multimodal Improvement Plan” for “Deficiency Plan” as defined by state legislation, to highlight the range of multimodal solutions available to Member Agencies that have a traffic LOS deficiency. See Chapter 9 for more details.

\textsuperscript{4} This service is termed ‘BRT 1’ in VTA’s \textit{Service Design Guidelines}. 

VTA CONGESTION MANAGEMENT PROGRAM

The CMA Statute states that all urbanized counties may create or designate a CMA by resolution of the County Board of Supervisors and a majority of City Councils representing a majority of the population in the incorporated county. Santa Clara County was the first county in the state to form a CMA, and the only county in the state to form a CMA prior to the passage of Proposition 111 in 1990. This accomplishment was possible only after months of collaborative effort by a joint committee of elected officials who were members of the County Transportation Commission and the Golden Triangle Task Force.

The committee met weekly from December 1989 to May 1990 to develop a consensus on the purpose, structure, and goals of the new agency. Their vision for the CMA - “A United Proposal for a Congestion Management Agency for Santa Clara County” - was submitted to all city councils and the Board of Supervisors for ratification. By July 1990, the proposal had been ratified by all 15 cities and a majority of the population in Santa Clara County. As a result, the Santa Clara County CMA was formed. In August 1991 the CMA Board subsequently drafted and adopted a joint powers agreement, which was ratified by the 15 cities/towns and the County Board of Supervisors.

In December 1994, the fifteen cities/towns and the County of Santa Clara passed resolutions designating the Santa Clara County Transit District as the CMA for Santa Clara County. On January 1, 1995 the two agencies formed what was to become the Valley Transportation Authority (VTA). Staff within VTA’s Planning & Program Development Division now performs the functions previously performed by the CMA staff.

The VTA Board of Directors consists of twelve voting members, two ex-officio (non-voting) members, and five alternates. Ten of the twelve voting members are local elected officials who represent Santa Clara County’s fifteen cities. The other two members are county supervisors who represent the County of Santa Clara.

VTA’s Board of Directors is advised by five primary advisory committees: a Policy Advisory Committee (PAC), a Technical Advisory Committee (TAC), a Citizens Advisory Committee (CAC), a Bicycle and Pedestrian Advisory Committee (BPAC), and a Committee for Transit Accessibility (CTA). The PAC consists of one elected official from each of the County’s 15 cities and one County Supervisor. The TAC consists of one management level staff member from each of the 15 cities and the County (generally the public works or planning director). The CAC consists of seventeen members representing CMP Member Agency cities, specified business and labor groups, and specified environmental and community interest groups. The BPAC consists of sixteen members, one from each city and the County, representing local bicycle and pedestrian advisory committees or individuals interested in bicycle and pedestrian issues. The CTA consists
of nine representatives of Human Services Organizations, and twelve appointed individuals with disabilities.

Over the past several years, VTA has worked with its Member Agencies to develop policies, programs, and methodologies to promote multimodal transportation planning and land use/transportation integration. A representation of these efforts and how they relate to the CMP is provided in Figure 1.1, below. Some of the initiatives have included:

- Developing a Transit Sustainability Policy (TSP) that sets the policy framework for monitoring existing transit service and implementing new transit service in Santa Clara County;

- Working with local agencies to plan for infill development around existing transit stations through the Joint Development Program;

- Working with local agencies to update the CMP Deficiency Plan Requirements and Transportation Impact Analysis (TIA) Guidelines;

- Promoting the principles and design criteria included in the Community Design and Transportation (CDT) Manual of Best Practices for Integrating Transportation and Land Use;

- Working with ABAG and MTC to encourage infill development around the core transit network through the Priority Development Area (PDA) Investment & Growth Strategy.
FIGURE 1.1 | OVERVIEW OF VTA’S CONGESTION MANAGEMENT PROGRAM

OVERVIEW OF VTA’S CONGESTION MANAGEMENT PROGRAM
Updated April 6, 2015

Legend
- Initiatives/Projects
- Reports
- Standards/Guidelines

List of Acronyms:
- BART: Bay Area Rapid Transit
- BTG: Bicycle Technical Guidelines
- BRT: Bus Rapid Transit
- CDT: Community Design and Transportation Program
- CIP: Capital Improvement Program
- CMP: Congestion Management Program
- LOS: Level of Service
- LRT: Light Rail Transit
- LUTI: Land Use Transportation Integration
- MTC: Metropolitan Transportation Commission
- PDA: Priority Development Area
- PTD: Pedestrian Technical Guidelines
- SB 743: Senate Bill 743
- SOM: Systems Operations & Management
- TDM: Transportation Demand Management
- TIA: Transportation Impact Analysis
- TSMP: Transportation System Monitoring Report
- VTP: Valley Transportation Plan

VTA’s Congestion Management Program (CMP)

- Programming & Grants, Project Development
  - Capital Projects (e.g. BRT, LRT, Highways), Grant Programs, Corridor Studies
  - Programmed Projects Quarterly Reports, Environmental Documents
    - CMP Document, CIP

- Multimodal Performance Measures and Planning
  - Pedestrian Access to Transit Plan, Countywide Bike Plan, Complete Streets Program
  - CMP Monitoring Report
    - BTG, PTD, CDT Manual

- Performance Monitoring
  - CMP Monitoring Program, SB 743, Multimodal Measures, SOM Working Group
  - CMP Monitoring Report, TSMP, Ridership Reporting

- Multimodal Improvement Plans/Deficiency Plans
  - City-Led Plans: Sunnyvale City-Wide, North San Jose
  - Deficiency Plan Implementation Status Reports (CMP Monitoring Report)
    - VTA Deficiency Plan Requirements

- Travel Demand Modeling
  - Modeling for Capital Projects and VTP, Model Updates, Land Use Database
  - VTA Submittal for MTC Model Consistency Checklist

- Land Use and Transportation Integration
  - Development Review Program, Joint Development, LUTI Working Group, CDT Program, PDA Planning
    - CDT Manual, TIA Guidelines

- TDM and Trip Reduction
  - TIA Guidelines Update, TDM Data Sharing, Clearinghouse (Future)
  - CMP Monitoring Report (Future)

- VTA Local Model Guidelines

- Policies, Planning Initiatives, Project Lists
CMP ROADWAY NETWORK

The CMP Statutes require that all state highways and principal arterials be part of the CMP roadway network. The statute also specifies that roadways can be added to the CMP roadway network in the future. However, once a roadway is added to the network it may not be removed.

Figure 1.2 and Figure 1.3 show the CMP roadway network and intersections, respectively. The network consists of four types of facilities: freeways, county expressways, urban arterials, and rural highways. The roadway network was adopted as part of the 1991 CMP. Since 1991 improvements have been made to the network, including:

- In 1995, SR 85 was completed, Highway 87 was extended from Almaden Expressway to SR 85, and Highway 237 was upgraded to full freeway status from Highway 101 in Mountain View to Highway 880.
- In 1998, Wolfe Road between Stevens Creek Boulevard and I-280 in Cupertino was added to the network.
- Between 2005 and 2007 carpool lanes were added on Highway 87.
- In 2012 the SR 237/I-880 connector express lane opened.
- In 2013 carpool lanes were added to I-880 between SR 237 and US 101.

Appendix B lists the roadway segments that are part of the roadway network. The CMP roadway network is monitored regularly to ensure that the roadway network conforms to the CMP auto level of service standard.

The definition of principal arterial is left to individual CMAs. VTA defines urban arterials as roadways that connect with the freeway and/or county expressway system and principal arterials. To be classified as a principal arterial the road must meet one of the following criteria:

- State highway;
- Six-lane facility; or
- Non-residential arterial with average daily traffic (ADT) of 30,000 vehicles per day or greater.
FIGURE 1.2 | CMP ROADWAY NETWORK
FIGURE 1.3 CMP INTERSECTIONS
CMP TRANSIT NETWORK

The CMP statute does not require adoption of a transit network, but does emphasize the importance of transit service. Furthermore, legislation enacted in 1994 requires that CMPs include multimodal transportation system performance measures which incorporate “measures established for the frequency and routing of public transit, and for the coordination of transit service provided by separate operators.” (Gov. Code 65089 (b) (2)). As a result, the VTA CMP contains a transit network. The CMP transit network consists of rail transit service (Caltrain, Light Rail, and future BART service) and bus service (grid routes and regional routes). The CMP transit network is illustrated in Figure 1.4. Appendix C lists the routes that are part of the transit network.

EXISTING TRANSIT SERVICE

Santa Clara County is currently served by two major transit operators: the Santa Clara Valley Transportation Authority (VTA) and Caltrain. VTA operates public transit buses, light rail, shuttles, and paratransit within Santa Clara County, as well as providing transit service to major regional destinations and transfer centers in adjoining counties. There are a number of other operators that provide some service within Santa Clara County. Brief descriptions of the different existing services and operators are provided below.

VTA Light Rail — VTA currently operates a 42-mile light rail system linking South San Jose, East San Jose, Downtown San Jose, North San Jose, Campbell, Santa Clara, Milpitas, Sunnyvale, and Mountain View.

VTA Core/Grid Bus Routes — Operated by VTA, core grid routes are the lifeblood of the bus route network. These routes are typically long mainline routes that operate along major corridors and serve the urbanized areas of Santa Clara Valley. They are relatively straight, evenly spaced bus routes operate from early morning into the late evening. Line 22, a grid line, provides the highest ridership line in the bus system. This route provides east-west service along El Camino Real, Santa Clara Street, and Alum Rock Avenue between the Eastridge Shopping Center in San Jose and the Palo Alto Transit Center.

VTA Regional Bus Service — Regional bus routes serve intercity, long distance trips. Three regional bus routes are currently included in the CMP transit network: Route 181 is operated by VTA and connects downtown San Jose and Milpitas with the Fremont BART Station; and Highway 17 Express and the Dumbarton Bridge Express (described below) are operated and funded jointly with neighboring counties and transit operators.

Dumbarton Express Bus (DB) — VTA is a member of a consortium including Alameda-Contra Costa Transit District (AC Transit), BART and Union City Transit. This group is responsible for funding and overseeing the operation of the Dumbarton Bridge (DB) weekday express bus services, DB and DB
FIGURE 1.4 | CMP TRANSIT NETWORK
1. These express buses link the Union City BART station in Alameda County to the Palo Alto Transit Center, Stanford University and the Stanford Research Park.

**Highway 17 Express Bus Service** — VTA and the Santa Cruz Metropolitan Transit District (SCMTD) jointly fund and oversee the operation of the Highway 17 Express bus service between the cities of Santa Cruz and Scotts Valley, and downtown San Jose.

**Caltrain** — Caltrain operates 77 miles of commuter rail service between San Francisco and San Jose throughout the day and extended rail service from San Francisco to Gilroy during commute periods. The service is operated under the authority of the Peninsula Corridor Joint Powers Board (JPB) consisting of VTA, SamTrans and San Francisco MUNI. SamTrans acts as the operator of the service on behalf of the JPB. On an average weekday, Caltrain operates 92 trains - including 22 Baby Bullet trains, which provide limited stop service along the corridor.

**SamTrans** — San Mateo County Transit District (SamTrans) provides bus service in San Mateo County, including connections at the Palo Alto Transit Center in Santa Clara County.

**AC Transit Service** — Alameda-Contra Costa Transit District (AC Transit) provides bus service within Alameda County and provides connections to VTA transit facilities in Milpitas, providing connections to VTA’s LRT and local buses at the Great Mall Transit Center. **Altamont Corridor Express (ACE)** — The Altamont Corridor Express rail service is overseen by a Joint Powers Authority created by the Alameda County Congestion Management Agency, VTA, and the San Joaquin Regional Rail Commission. ACE service extends approximately 85 miles from Southern San Joaquin County through the Tri-Valley area and Alameda County to Santa Clara County’s Great America, Santa Clara University and San Jose Diridon stations. The service operates four round trips daily during the weekday peak commute periods. The trains operate in the peak direction only, originating in Stockton during the morning peak period and leaving San Jose Diridon Station during the evening peak period. Eight ACE Shuttle routes, operated by VTA, provide “last mile” connections from the Great America station to destinations throughout northern Santa Clara County.

**Capitol Corridor Intercity Rail Service** — Capitol Corridor is 170 mile commuter rail service that links Sacramento, Oakland and San Jose (Santa Clara/Great America and San Jose Diridon). The service is managed by BART and VTA is a member of the Joint Powers Board, which oversees the service. The Capitol Corridor intercity rail service provides seven daily round trips from Sacramento via Oakland to San Jose and additional daily round trips from Sacramento to Oakland with connecting motorcoach bus service to San Jose.

**PLANNED TRANSIT IMPROVEMENTS**

There are a number of transit improvements and capital projects planned within Santa Clara County in the coming years. The following is a description of several planned improvements. This section is not
meant to be an exhaustive list, but rather to highlight key projects in the planning and/or design stages.

**BART Silicon Valley** – VTA has partnered with BART to develop an extension of the rail system from Fremont to Santa Clara via Milpitas and San Jose. The planned 16.1-mile extension of the BART system would operate along the existing railroad alignment south of the under construction BART Warm Springs Station in Fremont, continue in a tunnel through downtown San Jose, and end near the Santa Clara Caltrain Station. The BART extension from Fremont to Warm Springs is now under construction; this 5-mile extension is planned to be complete by late 2015. The extension from Warm Springs to Santa Clara County will be delivered in two phases. The first phase of the extension, from Warm Springs to Berryessa, broke ground in 2012 and is expected to be complete by 2018. VTA is currently beginning the environmental analysis of the second section in the BART to Silicon Valley project, a 6-mile link from Berryessa to Downtown San Jose, Diridon Station, and the Santa Clara station near the Mineta San Jose International Airport. This section includes 5 miles of tunnel construction.

**Light Rail Enhancement Project** — VTA’s Light Rail Enhancement Project is advancing a series of capital improvements and service changes that were recommended in the 2010 Light Rail Improvement Plan. These changes are necessary to support anticipated growth in the county, including increased density in key areas identified by local governments, as well as the recent opening of the San Francisco 49ers Levi’s Stadium, and the upcoming extension of BART service to Silicon Valley. Investment in these capital improvements and new service will enable VTA to meet increased ridership demand and improve the system for current riders. Current modeling projects demonstrate that these changes, when fully implemented, will result in travel time savings of as much as 20 - 30% between key origins and destinations.

Two projects to enhance system-wide speed and reliability have advanced to construction:

- Double Tracking the Mountain View single track segment (currently under construction)
- Constructing a Pocket Track in Santa Clara west of Levi’s Stadium (completed in late 2014)

The Light Rail Enhancement Project will focus on the following key improvements:

- Initiating a new operating plan to serve the anticipated increase and ridership from the BART Silicon Valley Extension. This will include adding a “Northern Express” line to the Light Rail system to provide a direct connection from the future Milpitas BART station to destinations in Santa Clara, Sunnyvale and Mountain View.
- Speed and reliability improvements along North First Street in San Jose.
- Signal timing and other speed improvements system-wide.
Bus Rapid Transit — Bus Rapid Transit (BRT) refers to a combination of improvements, technologies, and transit priority measures designed to provide faster, more efficient service than standard bus transit while still using rubber-tired vehicles. VTA’s Rapid 522 is a first phase of BRT implementation in Santa Clara County, and features limited stop service on El Camino Real, The Alameda, Santa Clara Street and King Road between Palo Alto and the Eastridge Shopping Center in San Jose.

VTA prepared a BRT Strategic Plan, adopted in May 2009, which outlines VTA’s plan for BRT service and describes this unique transit mode, the process for selecting the BRT alignments, and the proposed operating and capital infrastructure components of the project. The Plan studied six corridors in Santa Clara County for possible BRT implementation and ultimately recommended three of the six corridors for near-term implementation – Santa Clara-Alum Rock, El Camino Real, and Stevens Creek.

The Santa Clara-Alum Rock BRT project is under construction and anticipated to start operating from Downtown San Jose to the Eastridge Transit Center in early 2016. VTA has completed the environmental analysis of project alternatives for BRT along El Camino Real on the current Rapid 522 route, with the goal of beginning operation in 2018. VTA is also planning to upgrade the Limited 323 service along Stevens Creek Boulevard and West San Carlos to Rapid 523 service as an early deliverable of the Stevens Creek Boulevard BRT project, with the upgraded service planned to open in conjunction with BART Silicon Valley in late 2017.

Caltrain Modernization Program – This project includes the electrification of the existing Caltrain corridor between the Transbay Terminal in San Francisco and Tamien Station in San Jose, upgrades to Caltrain’s signaling system, and the replacement of Caltrain’s diesel trains with high-performance electric trains. These improvements will support a blended High Speed Rail/Electrified Caltrain rail system on the existing two track configuration. These investments will realize early implementation of modernized electrified Caltrain service by 2020, reduce noise and air pollution, minimize impacts on surrounding communities, reduce project costs, and expedite the implementation of High Speed Rail.

High Speed Rail - VTA has also coordinated with the State High Speed Rail Authority (HSRA) on their efforts to develop high-speed rail service from Southern California to San Francisco. VTA’s stake in High Speed Rail (HSR) comes in several areas:

• VTA will work with the HSRA, the JPB and local cities on planning and engineering studies defining capital improvements in the alignment and an ultimate corridor “footprint”.
• VTA will work with the JPB and local cities on specific HSR projects, such as grade separations, impacting local road systems and the rail alignment.

4 This service is termed ‘BRT 1’ in VTA’s Service Design Guidelines.
• VTA will work with cities on station area plans and land use issues.

**CMP BICYCLE NETWORK**

Bicycles play a significant role in the transportation system. They provide direct transportation as well as access to transit services. Therefore, while not a requirement of the CMP Statute, VTA has included a bicycle network as part of its CMP Transportation System.

In 2008, VTA adopted an updated Santa Clara Countywide Bicycle Plan (CBP). The update included additions to the Cross County Bike Network, an intermodal trail system, and identified barriers to bicycle route connectivity such as freeways and railroad tracks, which require improvements. The information was used to create a master list of projects needed to complete the Cross County Bicycle Corridors and the Across Barrier Connections (ABC’s). The Countywide Bicycle Plan established 24 cross-county bicycle corridors, which form the CMP bicycle network. The 24 cross-county bicycle corridors are shown in Figure 1.5 and Table 1.1, below.

The 2008 Countywide Bicycle Plan formed the basis for the bicycle projects considered for VTP 2040. The Bicycle Expenditure Program (BEP), the financially constrained bicycle element of the VTP, was updated to reflect the projects identified for funding by the BEP through 2040. Projects that were completed on the BEP list were removed and the BEP allocations to all uncompleted projects were reevaluated and new cost estimates prepared.

VTA remains committed to providing direct and convenient bicycle trips within the 24 cross-county bicycle corridors. VTA has recently initiated an update of the Countywide Bicycle Plan and will continue to identify opportunities to fund bicycle improvements throughout the County.
<table>
<thead>
<tr>
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<th>Description</th>
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<tr>
<td>Corridor 1</td>
<td>Highway 101 Corridor from San Mateo County to San Benito County</td>
</tr>
<tr>
<td>Corridor 2</td>
<td>Alma Street/Caltrain Corridor from San Mateo County to Santa Clara</td>
</tr>
<tr>
<td>Corridor 3</td>
<td>Dumbarton – East/West Connector Corridor from North Palo Alto to Los Altos</td>
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<td>Corridor 4</td>
<td>El Camino – Grand Boulevard Corridor from San Mateo County to Downtown San Jose</td>
</tr>
<tr>
<td>Corridor 5</td>
<td>Shoreline – Miramonte/El Monte Corridor from Mountain View to Los Altos</td>
</tr>
<tr>
<td>Corridor 6</td>
<td>Tasman/Alum Rock Light Rail Corridor from Mountain View to East San Jose</td>
</tr>
<tr>
<td>Corridor 7</td>
<td>Old Highway 9 Corridor from North Sunnyvale to Los Gatos</td>
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<td>Corridor 8</td>
<td>Homestead/Hostetter/Brokaw Corridor from Southern Los Altos to Northeast San Jose</td>
</tr>
<tr>
<td>Corridor 9</td>
<td>Wolfe Road/Borregas Corridor from Sunnyvale to Saratoga</td>
</tr>
<tr>
<td>Corridor 10</td>
<td>North of Highway 280/Stevens Creek Boulevard Corridor from the Cupertino to Northern East San Jose</td>
</tr>
<tr>
<td>Corridor 11</td>
<td>Calabazas Creek/Winchester Boulevard Corridor from Sunnyvale to Los Gatos</td>
</tr>
<tr>
<td>Corridor 12</td>
<td>South of Highway 280 Corridor form Cupertino to Hillview, East San Jose</td>
</tr>
<tr>
<td>Corridor 13</td>
<td>Bowers/Kiely/Saratoga Corridor from Northern Santa Clara to Skyline Boulevard</td>
</tr>
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<td>Corridor 14</td>
<td>Campbell/Curtner/Tully Corridor from Cupertino/Saratoga to Eastridge</td>
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<td>Valley Fair to Santa Teresa Corridor from Downtown Santa Clara to San Benito County</td>
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<td>Corridor 16</td>
<td>Blossom Hill Road Corridor from Saratoga to Southeast San Jose</td>
</tr>
<tr>
<td>Corridor 17</td>
<td>Highway 880/Highway 680 from Alameda County to Los Gatos</td>
</tr>
<tr>
<td>Corridor 18</td>
<td>San Martin East – West Corridor from Uvas Road to the East Side</td>
</tr>
<tr>
<td>Corridor 19</td>
<td>Highway 880 Corridor from Alameda County to Downtown San Jose</td>
</tr>
<tr>
<td>Corridor 20</td>
<td>Coyote Valley/Uvas Reservoir Corridor from South County to Highway 152</td>
</tr>
<tr>
<td>Corridor 21</td>
<td>Highway 680 Corridor to Silver Creek from Alameda County to South San Jose</td>
</tr>
<tr>
<td>Corridor 22</td>
<td>Highway 152 Corridor from the Santa Cruz County Line to Merced County Line</td>
</tr>
<tr>
<td>Corridor 23</td>
<td>Eastern South Valley Corridor from Morgan Hill to Gilroy</td>
</tr>
<tr>
<td>Corridor 24</td>
<td>Ridge Line Corridor from Los Gatos to Mount Madonna</td>
</tr>
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</table>
CHAPTER 2 | TRANSPORTATION ANALYSIS STANDARDS ELEMENT

This chapter describes VTA’s Congestion Management Program (CMP) transportation analysis standards. It includes the following five sections:

- CMP Transportation Analysis Standards – Current Practice and Potential Future Updates
- CMP Auto Level of Service Standards
- CMP Auto Level of Service Evaluation Techniques
- CMP Roadway Network Level of Service
- Compliance and Conformance

CMP TRANSPORTATION ANALYSIS STANDARDS – CURRENT PRACTICE AND FUTURE UPDATES

BACKGROUND

For the purpose of congestion monitoring and management, the CMP statute requires that CMAs develop a minimum auto level of service (LOS) standard for CMP Network roadways. Government Code Section 65089 (b) states that the CMP shall contain “Traffic level of service standards established for a system of highways and roadways designated by the agency.” In addition, the CMP statute states that “In no case shall the LOS standards established be below the level of service E or the current level, whichever is farthest from level of service A.” Thus, the statutes also allow for CMP System facilities that were operating at LOS F during the baseline year to remain at LOS F.

The CMP statute was amended in 1994 (Assembly Bill (AB) 1963, Katz) to require that the CMP include multimodal transportation system performance measures. Although VTA satisfied this requirement by establishing CMP Performance Measures for Santa Clara County (see Chapter 3), these performance measures are informational in nature and are not used to determine Member Agency conformance with the CMP in the Monitoring or Land Use Impact Analysis Programs. The CMP auto LOS standard is the only transportation analysis standard used to determine conformance with the CMP.

The CMP auto LOS standard is used by Member Agencies to analyze transportation impacts and mitigation measures for CMP facilities both when preparing a Transportation Impact Analysis (TIA) report for CMP purposes and when analyzing environmental impacts of a project per the California Environmental Quality Act (CEQA). The CEQA Guidelines establish the link between CEQA and the CMP by including the following question in the Appendix G Checklist:
“Would the project... b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?”

SENATE BILL (SB) 743 – CHANGES TO TRANSPORTATION ANALYSIS IN CEQA

In September 2013, the California legislature enacted Senate Bill (SB) 743, directing the Governor’s Office of Planning and Research (OPR) to develop new significance criteria to evaluate transportation impacts under CEQA. Notably, the bill states that once the new criteria are adopted, “Automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion, shall not be considered a significant impact on the environment” in the locations where the new criteria will apply (21099 (b) (2)). SB 743 gave OPR discretion to determine the specific metric(s) to replace LOS, based on the criteria that the new metric(s) “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses” (21099 (b) (1)). In addition, the bill required that the new metric(s) apply within Transit Priority Areas but allowed OPR to apply the new metrics in other locations as well. OPR released a Preliminary Evaluation of Alternative Methods of Transportation Analysis in December 2013, which included an initial discussion of various alternative metrics such as vehicle miles traveled (VMT), automobile trips generated, multimodal level of service, fuel use, motor vehicle hours traveled, and a presumption of less than significant impacts based on location.

Recognizing the magnitude of this change to transportation analysis on the horizon, VTA brought informational presentations on SB 743 to the Systems Operations & Management (SOM) and Land Use / Transportation Integration (LUTI) Working Groups, VTA Advisory Committees and the Congestion Management Program and Planning Committee (CMPP) in early 2014. VTA staff also participated in Bay Area CMA staff-level working groups on SB 743 and was involved in discussions of SB 743 through the Bay Area CMA Directors and Bay Area CMA Planning Directors meetings. In addition, VTA staff engaged the Governor’s Office of Planning and Research (OPR) directly through phone calls and submitted a comment letter in April 2014 addressing potential statewide implementation of new metrics, threshold-setting, and impacts to transit facilities.

In August 2014, OPR released a Preliminary Discussion Draft of Updates to the CEQA Guidelines Implementing Senate Bill 743. This document indicated that OPR intended to replace LOS with VMT in the evaluation of transportation impacts, and that the new criteria would apply statewide. Specifically, the document suggested the following transportation impact thresholds:

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5 See Appendix A – Glossary for definition.
• Land use development projects that result in vehicle miles traveled greater than the regional average for that land use type may indicate a significant impact. Projects within ½ mile of frequent transit service, projects that reduce area-wide VMT, and land use plans that are consistent with the applicable Sustainable Communities Strategy may be presumed to have less than significant impacts.

• Transportation projects that include new general purpose highway or arterial lanes, and other projects that induce vehicle travel, may have significant impacts. Projects to primarily improve safety or operations and multimodal (transit, bicycle or pedestrian) improvements may be presumed to have less than significant impacts.

The Preliminary Discussion Draft also included guidelines for the analysis of safety impacts, mitigation measures and alternatives.

VTA continued the process of engagement with Member Agencies, other Bay Area CMA's and OPR, and submitted a comment letter on the Preliminary Discussion Draft in November 2014. Overall, VTA supported OPR’s effort to shift the emphasis of transportation analysis from LOS to VMT and apply the new criteria statewide. VTA also provided detailed comments on the link between CEQA and the CMP, the analysis of VMT impacts of land use and transportation projects, safety impacts, impacts on bicycle, pedestrian and transit facilities, mitigation measures, and the implementation process.

In July 2015, OPR convened a meeting with Bay Area CMA staff to discuss the latest developments in implementing SB 743. OPR indicated that recommendations related to VMT methodology and threshold-setting in the Preliminary Discussion Draft would be moved to a Technical Advisory document rather than the body of the CEQA Guidelines. They also provided an update on the implementation process, indicating that a second draft of updates to the CEQA Guidelines would be released in late summer/early fall 2015 for public comment, following which OPR would incorporate comments received into a final draft to be submitted the Natural Resources Agency for the rulemaking process. Based on these discussion, VTA expects that mandatory statewide implementation of VMT analysis to replace LOS analysis in CEQA will be phased in over the coming years. VTA will continue to monitor the SB 743 implementation process and provide assistance to Member Agencies in updating local CEQA standards as appropriate.

POTENTIAL UPDATES TO THE CMP IN RESPONSE TO SB 743

As noted above, the current CEQA Guidelines include an explicit linkage between the CMP and CEQA within the Appendix G Checklist. One question that remains to be resolved as SB 743 implementation moves forward is whether this link will be retained. However, with or without the
explicit linkage, it will be desirable for the transportation analysis required by the CMP to be compatible with the transportation analysis required by CEQA.

During the discussions with Member Agencies, Bay Area CMAs and OPR described above, the issue was raised that a CEQA requirement to analyze and mitigate VMT impacts could be in conflict with the requirement in the CMP to maintain certain transportation facilities at LOS E. For example, a VMT threshold in CEQA leads to the goal to reduce the overall amount of vehicle travel generated by the project, which could incentivize developers to locate projects in infill locations within walking distance of existing jobs, homes, retail, services and transportation facilities. However, this strategy could result in additional traffic on CMP facilities already at LOS E or F due to auto trips associated with existing development, which could result in significant impacts according to CMP criteria. Similarly, to mitigate a facility back to compliance with the CMP LOS standard could require adding auto capacity in the form of additional turn lanes or through lanes, but such mitigation measures could also induce additional vehicle travel and degrade conditions for pedestrian, bicycle and transit modes, thereby exacerbating the VMT impacts of the project.

In February 2015, legislation (AB 1098) was introduced that would amend California Statutes related to the CMP for consistency with the new CEQA metrics under development per SB 743. However, this bill is unlikely to be adopted in the current legislative session. VTA will continue to monitor this and other legislation affecting the CMP in collaboration with other Bay Area CMAs.

Regardless of the timing of amendments to the CMP statutes, VTA intends for the CMP to be compatible with the transportation analysis requirements of CEQA and support the stated goals of SB 743 to “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” The CMP auto LOS standard described in the remainder of this chapter should be considered one piece of the overall CMP toolkit for evaluating land use developments and transportation capital projects along with the Multimodal Performance Measures (Chapter 3), Transportation Demand Management (Chapter 4), Land Use and Transportation Integration efforts (Chapter 6), and Multimodal Improvement Plans (Chapter 9). Altogether, these elements of the CMP are designed to support a sustainable multimodal transportation system for Santa Clara County.

**CMP AUTO LEVEL OF SERVICE STANDARDS**

Auto Level of Service (LOS) describes the operations of roadway segments or intersections in terms of vehicle speed, volume and capacity, freedom of movement, and traffic delay. LOS measurements are given by letter designations, from A (least congested) to F (most congested).

The LOS standards for Santa Clara County were established in October 1991. The minimum level of service is LOS E, except for facilities grandfathered in at LOS F. The performance of the CMP
facilities is monitored at a minimum every two years. If the minimum level of service cannot be maintained on a CMP roadway, Member Agencies must develop Multimodal Improvement Plans to remain in conformance with the CMP. For complete descriptions of the LOS grading scales for the CMP Roadway Network refer to Appendix E.

The LOS of each CMP facility was originally evaluated in the base year of 1991. Baseline trips were defined as the total number of vehicles trips for existing year 1991 traffic plus new trips generated from all approved projects. The baseline auto LOS is the point of comparison for determining conformance with the CMP auto LOS standard. Approved project traffic was included in the 1991 baseline to ensure that all traffic which would be added to CMP roadways was included in the analysis and to ensure that development projects that had received final land use approval would not penalized by the CMP. Existing 1991 data and any anticipated project traffic data were provided by Member Agencies.

The VTA CMP auto LOS standards consist of the following:

1. The CMP auto LOS standard is LOS E. This standard applies across the CMP roadway network, including freeways, urban arterials, County Expressways, and rural highways.

2. Facilities that have a baseline (1991) LOS F for the AM or PM peak period are allowed to remain at LOS F. These facilities are listed in Tables 2.1 and 2.2 and shown in Figures 2.1, 2.2, and 2.3 below. It is important to note these facilities are not exempt from California Environmental Quality Act (CEQA) and National Environmental Protection Act (NEPA) review requirements when applicable.

3. If the auto LOS for a CMP facility is currently LOS F and the facility is not included in an approved Multimodal Improvement Plan, then a project is said to impact the facility if it will cause changes to traffic conditions greater than the following thresholds:

   - **Intersections at LOS F:** addition of the project traffic increases the average control delay for critical movements by four (4) seconds or more, and project traffic increases the critical volume-to-capacity ratio (v/c) by 0.01 or more.

   - **Freeway Segments at LOS F:** the number of vehicle trips added by the project is more than one percent of the freeway capacity (the calculation shall be for each direction of travel).

   - **Rural Highway at LOS F:** the number of vehicle trips added by the project is more than one percent of the rural highway capacity.

It is important to emphasize that local land use and mitigation decisions can be made based on a stricter LOS standard if established by a Member Agency.
FIGURE 2.1 | FREEWAY SEGMENTS OPERATING AT LOS F IN THE 1991 BASELINE AM PEAK PERIOD
FIGURE 2.2 | FREEWAY SEGMENTS OPERATING AT LOS F IN THE 1991 BASELINE PM PEAK PERIOD
<table>
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<th>From/To</th>
<th>Miles</th>
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</table>
FIGURE 2.3 | INTERSECTIONS OPERATING AT LOS F IN THE 1991 BASELINE PM PEAK PERIOD
### TABLE 2.2 | INTERSECTIONS OPERATING AT LOS F IN THE 1991 BASELINE PM PEAK PERIOD

<table>
<thead>
<tr>
<th>ID</th>
<th>CMP System Roadway</th>
<th>Cross Street</th>
<th>Location</th>
<th>Jurisdiction</th>
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<td>State</td>
</tr>
<tr>
<td>3108</td>
<td>Hwy 17 (SB)</td>
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<td>Campbell</td>
<td>SC County</td>
</tr>
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<td>Campbell Av.</td>
<td>Campbell</td>
<td>SC County</td>
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<tr>
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<td>Cupertino</td>
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<tr>
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<td>Milpitas Blvd.</td>
<td>Milpitas</td>
<td>Milpitas</td>
</tr>
<tr>
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<td>Capitol Av.</td>
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<td>SC County</td>
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<td>Milpitas Blvd.</td>
<td>Milpitas</td>
<td>SC County</td>
</tr>
<tr>
<td>5625</td>
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<td>Main St./Old Oakland Rd.</td>
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</tr>
<tr>
<td>5801</td>
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<td>McCarthy Blvd./O'Toole Av.</td>
<td>Milpitas/San Jose</td>
<td>SC County</td>
</tr>
<tr>
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<td>Montague Exp.</td>
<td>Trade Zone Blvd./McCandless</td>
<td>Milpitas/San Jose</td>
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<tr>
<td>3031</td>
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<td>Foothill Expwy.</td>
<td>Palo Alto</td>
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<tr>
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<td>Blossom Hill Rd.</td>
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<tr>
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<td>Branham Ln.</td>
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<td>Coleman Rd.</td>
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<td>Hwy 237</td>
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<td>San Jose</td>
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<tr>
<td>5807</td>
<td>Hwy 237</td>
<td>Great America Pkwy (South)</td>
<td>San Jose</td>
<td>State</td>
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<tr>
<td>5808</td>
<td>Hwy 237</td>
<td>Zanker Rd. (North)</td>
<td>San Jose</td>
<td>State</td>
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<tr>
<td>5809</td>
<td>Hwy 237</td>
<td>Zanker Rd. (South)</td>
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<td>5734</td>
<td>Montague Exp.</td>
<td>Trimble Rd.</td>
<td>San Jose</td>
<td>SC County</td>
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<tr>
<td>3027</td>
<td>Monterey Hwy. (Rte. 82)</td>
<td>Curtner Av.</td>
<td>San Jose</td>
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In addition to adopting a Level of Service standard, the CMP statute requires that a uniform methodology be used to evaluate LOS on CMP System roadways. As part of the 1991 CMP development, the Technical Advisory Committee evaluated various LOS techniques and recommended that the Santa Clara County CMA use methodologies described in the 1985 Highway Capacity Manual (HCM) to evaluate LOS. The current VTA Traffic LOS Analysis Guidelines (2003) are based on the 2000 HCM.

The most recent edition of the HCM (2010) contains minor modifications to the methodologies for calculating automobile LOS on roadways, and also introduces new methodologies for evaluating level of service for non-auto modes including pedestrians, bicycles and transit. From 2011 to 2013, VTA staff engaged in an extensive program of testing, education and outreach on the new multimodal performance measures included in HCM 2010. Based on these activities as well as input from Member Agency staff, VTA staff concluded that the measures are not ready to be required for all CMP analysis, but could provide valuable information in certain cases, such as for development projects that propose changes to street geometry. For more information on HCM 2010 Multimodal Level of Service and other multimodal performance measures, see Chapter 3.

The CMP has two methods for monitoring the level of service of the CMP roadway network:

1. The CMP Monitoring and Conformance Report — A periodic study that collects level of service data on CMP roadways as well as land use approval data by Member Agencies.

2. Transportation Impact Analysis Requirement — The CMP requires cities and the County to prepare a Transportation Impact Analysis (TIA) that documents the impacts new developments would have on the CMP roadway network (as well as other parts of the transportation system) and the transportation improvements required to mitigate these impacts.
CMP LEVEL OF SERVICE METHODOLOGIES

The following section outlines specific auto LOS methodologies used in VTA’s CMP. The Traffic LOS Analysis Guidelines of the CMP Technical Standards and Procedures include more technical information on auto LOS measurement.

**Urban Arterials** — The 2000 HCM intersection analysis operations methodology, which is based on Average Control Delay, is used to monitor auto LOS on urban arterials (this includes expressways and principal arterials).

**Freeway Segments** — Freeway segments are evaluated based on the procedures of the 2000 HCM. Beginning in June 2003, VTA adopted density as the standard for monitoring traffic conditions and traffic impacts due to new developments. Prior to 2003, the CMP used travel speed as the criteria for monitoring traffic conditions.

**Rural Highways** — Procedures described in Chapter 20 of the 2000 HCM are used to measure the percent time-spent following and average travel speed, with appropriate inputs for peak hour and peak 15 minute traffic volumes, the percentage split between the two directions of traffic, the percentage of trucks in the traffic flow, and the type of terrain.

**CMP LOS CONFORMANCE EXCLUSIONS**

The CMP legislation excludes certain types of traffic and situations from the determination of conformance with CMP traffic LOS standards (California Government Code Section 65089.4 (f), provided in Appendix J of this document). Exclusions can include traffic caused by interregional travel, construction, ramp metering, traffic signal coordination, and traffic generated by certain types of land use development. The VTA CMP Traffic Level of Service Analysis Guidelines contains complete information on how each of these exclusions is to be addressed in a TIA.

While the traffic problems caused by these situations are technically exempt under statute, local jurisdictions should try to develop solutions for congested roadway facilities to improve traffic conditions on the CMP System. VTA will assist Member Agencies in the effort. In addition, it is important to note that although these projects or situations are exempt from CMP standards, these exemptions do not necessarily apply to the CEQA process.

**CMP ROADWAY NETWORK LEVEL OF SERVICE**

The CMP Monitoring and Conformance Report summarizes the Level of Service for the CMP Roadway network. The 2014 CMP Monitoring and Conformance Report, the most recent edition released as of fall 2015, includes data from the baseline year (1991) through the year 2014. Auto
Level of Service data is presented for the three types of roadway facilities included in the CMP roadway network: arterial roadways (CMP intersection data), freeways, and rural highways.

A brief summary of the results from the 2014 report is provided below.

**ARTERIAL ROADWAYS (CMP INTERSECTIONS)**

Auto LOS data was most recently collected and evaluated by VTA and Member Agencies in the fall of 2014. In 2014, there were seven CMP intersections that operated below the CMP level of service standard. Five of these intersections, Page Mill Road/Oregon Expressway and Foothill Expressway, San Tomas Expressway and Campbell Avenue, Capitol Expressway and Aborn Avenue, Montague Expressway and Main Street/Old Oakland Road, and Montague Expressway at McCarthy Boulevard/O’Toole Avenue, are exempt from meeting CMP conformance requirements due to operating at LOS F under 1991 baseline conditions. One intersection, Central Expressway & De La Cruz Boulevard, has been operating at LOS F since 1996, prior to which it was operating at LOS E.

The non-exempt intersection of Foothill Expressway and El Monte Avenue was found to operate at LOS F for the first time since 2001. The change in LOS may be in part due to changes in signal operations at the intersection. The County will work with VTA and the City of Los Altos to improve the LOS to an acceptable level while optimizing Expressway operations, or identify other offsetting measures.

Table 2.3 shows the percentage breakdown by level of service for all CMP intersections since 1991. The detailed listing of LOS levels at each CMP intersection is included in the 2014 Conformance and Monitoring Report.

**TABLE 2.3 | CMP INTERSECTION LEVEL OF SERVICE BY PERCENTAGE, 1991 – 2014**

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<td>10%</td>
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</tr>
</tbody>
</table>
FREeways

Auto LOS data was most recently collected and evaluated in the fall of 2014. In 2014, 84 segments, with a combined length of 86 miles, operated at LOS F in the AM peak hour and 77 segments, with a combined length of 70 miles, operated at LOS F in the PM peak hour. In total, 161 out of 313 directional miles of freeway segments were found to be operating at LOS F in at least one of the peak periods. This is about 12 more lane-miles than the 2013 results.

Of these miles, 24 miles during the AM and 25 miles during the PM were at LOS F in the baseline 1991 year and therefore considered LOS-exempt. The remaining 62 directional miles during the AM and 46 directional miles during the PM are considered deficient.

Figures 2.4 and 2.5 show the auto LOS on the freeway system in 2014 for the AM and PM Peak Periods, respectively. The detailed listing of LOS levels for each freeway segment is included in the 2014 Conformance and Monitoring Report.

RURAL HIGHWAYS

Traffic counts were conducted at the 12 rural highway locations during the fall of 2014. All 12 rural highways operated at LOS E or better in 2014. Two locations recorded minor changes in LOS in 2012 compared to 2010: Saratoga-Sunnyvale Road north of Big Basin degraded from LOS A operations in 2012 to LOS B operations in 2014; and SR 9 east of SR 35 degraded from LOS B operations in 2012 to LOS C operations in 2014. One rural highway, SR 152 west of Holscaw, saw a dramatic improvement from LOS E in 2012 to LOS B in 2014, because this facility was analyzed as a multilane highway rather than a two-lane highway to better match field conditions in 2014. LOS conditions for all other segments remained the same. For further details on rural highway LOS, refer to the 2014 CMP Monitoring and Conformance Report.

COMPLIANCE AND CONFORMANCE

To be in conformance with the VTA Congestion Management Program, Member Agencies are required to monitor and submit a report on the level of service on CMP intersections within their jurisdiction biennially. Intersections LOS must be calculated using software and procedures that are compliant with CMP adopted standards. Beginning with the 2012 Monitoring cycle, VTA conducts the monitoring and LOS analysis for CMP intersections on behalf of the Member Agencies.

VTA is responsible for monitoring the performance of CMP intersections, freeways and rural highways. VTA must also determine consistency with the LOS standards for the entire CMP roadway network. If a roadway segment is not conforming to the LOS standards based on the monitoring process, the affected local jurisdiction will be notified, and may elect to remedy the LOS problem or prepare a Multimodal Improvement Plan.
FIGURE 2.4 | 2014 FREEWAY MIXED FLOW LEVEL OF SERVICE IN THE AM PEAK PERIOD
FIGURE 2.5 2014 | 2014 FREEWAY MIXED FLOW LEVEL OF SERVICE IN THE PM PEAK PERIOD
CHAPTER 3 | MULTIMODAL PERFORMANCE MEASURES ELEMENT

This chapter presents the CMP Multimodal Performance Measures Element. The CMP statute was amended in 1994 (Assembly Bill (AB) 1963, Katz: Chapter 1146, Stats 1994) to require that the CMP include multimodal transportation system performance measures.

This chapter is divided into the following sections:

• Background
• Development of Multimodal Performance Measures
• VTA CMP Multimodal Performance Measures
• Use of Multimodal Measures in CMP Elements
• Compliance and Conformance

BACKGROUND

How a problem is defined often leads to how it is solved; and how a problem is defined is frequently a function of its measurement. Transportation problems are traditionally defined in terms of congestion at specific locations (measured in terms of auto level of service—or LOS), and traffic solutions are typically developed to reduce congestion at these specific locations to improve auto LOS.

However, solutions that improve auto LOS may simply shift congestion to another location, not necessarily improving the operation of the overall transportation system. Therefore, while traffic delay on a single roadway may be reduced, overall travel times may not be significantly affected. Over-reliance on auto LOS as a measure of congestion can lead to ineffective choices in capital improvement programs or land use decisions, and can contribute to sprawl or have other unintended consequences. Similarly, solutions designed to improve auto LOS may adversely impact pedestrian and bicycle travel, for example by widening streets and crossing distances or by eliminating bike lanes at the intersection approach to provide a right-turn only lane. These problems illustrate that Santa Clara County cannot build its way out of congested conditions. Instead, a balanced program of improvements beyond typical physical infrastructure—such as changes to land use development policies and pricing policies that discourage reliance on single-occupant vehicles—is needed to address transportation issues in the coming years.

The Multimodal Improvement Plan process (see Chapter 9) recognizes the inability of facility-based LOS evaluation to measure the performance of the overall transportation system and recognizes the need for implementing alternative actions in solving transportation problems.
Performance measures are important tools in addressing transportation problems and developing alternative transportation solutions because they provide an indication of how well the transportation system serves the traveling public. If multimodal transportation solutions are envisioned, then multimodal performance measures are essential analytic tools.

The 1994 amendment to the CMP statute (AB 1963) requires that the CMP include multimodal transportation system performance measures, and that these be used to develop the performance element described in Section 65089 of the statute, which was amended to include a multimodal performance measure. The Government Code Section 65089 (b) states:

“The program shall contain the following elements:

(2) A performance element that includes performance measures to evaluate current and future multimodal system performance for the movement of people and goods. At a minimum, these performance measures shall incorporate highway and roadway system performance, and measures established for the frequency and routing of public transit, and for the coordination of transit service provided by separate operators. These performance measures shall support mobility, air quality, land use, and economic objectives, and shall be used in the development of the capital improvement program required pursuant to paragraph (5), deficiency plans required pursuant to section 65089.4, and the land use analysis program required pursuant to paragraph (4). “

The VTA Board adopted the ten CMP Performance Measures as part of the 1995 CMP in compliance with AB 1963. The current CMP Performance Measures are summarized below, and technical documentation is provided in Appendix J.

In September 2013, the California legislature enacted Senate Bill (SB) 743, directing the Governor’s Office of Planning and Research (OPR) to develop new significance criteria to replace level of service (LOS) in the evaluation of transportation impacts under CEQA. OPR has indicated that LOS will be replaced by Vehicle Miles Traveled (VMT), with the new CEQA Guidelines expected to be adopted by mid-2016, with an “opt in” period allowing time for agencies to update their CEQA standards and thresholds until 2018.

Although SB 743 did not directly call for changes to the Transportation Analysis Standards Element or Multimodal Performance Measures Element of the CMP, it is expected that these Elements will be updated for compatibility with the new CEQA Guidelines once they are adopted. Specifically, VTA will be revisiting the CMP auto LOS standard (see introduction to Chapter 2) and considering providing further guidance for applying the performance measures described below, particularly VMT, for the analysis of the transportation impacts of land use and transportation projects. These efforts are expected to take place with the next update of the CMP in 2017.
DEVELOPMENT OF MULTIMODAL PERFORMANCE MEASURES

The development of appropriate performance measures is critical to demonstrate and compare the effects of alternative transportation plans or land use decisions. Performance measures provide a common framework in which to evaluate investments and strategies that might otherwise be difficult to compare. They allow an apples-to-apples comparison, illustrating tradeoffs between the alternatives as well as mitigation measures.

The purpose of multimodal performance measures is to evaluate how well Santa Clara County’s transportation system serves the traveling public. Individual performance measures may be applied to a specific geographic area or to a single mode type within the County. The measures can be capacity-based such as vehicle-trip or person-trip, duration based such as time or distance, or based on travel choice such as highway or transit. The results of these individual measures can be used to compare performance during a specific time period or under alternative investment strategies. However, because some measures will be more sensitive to changes that are specific to a particular type of improvement, mode or time, a comprehensive set of measures must be selected to capture the effects on the entire transportation system.

The key considerations when selecting performance measures are:

**Suitability** — Does the measure meet the goals and objectives of the plan or project they are evaluating?

After defining the suitability of the performance measure, it is important to determine if the following features are met:

**Clarity** — Is the measure understood by policy-makers, professionals, and the public?

**Measurability** — Is it possible to use available tools and resources to measure performance? What is the level of accuracy? Is the data reliable? Is the measure related to performance? Is it a measure of supply, demand, or both?

**Forecastability** — Can the performance measure be used to determine if alternatives are comparable? Can existing forecasting tools be used to measure performance?

**Multimodality** — Does the measure evaluate the travel modes being considered? Does it indicate meaningful tradeoffs between alternative modal investments?
**Temporal Issues** — Is the measure comparable over time? Is it capable of measuring the magnitude and location of temporal issues on travel demand? Can the measure differentiate between peak-period, off-peak, and daily travel demand?

**Geography** — Is the measure applicable to all areas of the County? Can it differentiate facility types? Can it be applied at a regional, subarea, corridor, or location specific level?

The first three criteria above: clarity, measurability, and forecastability are critical concepts that must be addressed across all performance measures. The remaining three criteria: multimodality, temporal issues and geography answer performance measure-specific questions; therefore, the degree these criteria are used will vary for each of the performance measures. As a result, some of the performance measures will be more sensitive to changes that relate to a particular type of improvement, mode choice, time of day, or place. To address each issue that affects the transportation system, a comprehensive set of performance measures must be selected.

**VTA EVALUATION OF HCM 2010 MULTIMODAL LEVEL OF SERVICE MEASURES**

In December 2010, the Transportation Research Board released the 2010 edition of the Highway Capacity Manual (HCM 2010). The HCM is a nationally-accepted resource that contains concepts, guidelines, and procedures for computing the capacity and quality of service of various roadway facilities, including freeways, arterial roads, signalized and unsignalized intersections, and rural highways. The 2010 edition of the HCM contains extensive new methodologies to evaluate level of service (LOS)/quality of service (QOS) for pedestrian, bicycle and transit modes on urban arterial roadways. One of the most significant elements introduced in HCM 2010 is a quality of service orientation in the methodologies, in which the evaluation is based on the perception of safety and/or comfort on the part of the pedestrian, bicyclist or transit rider, in addition to the capacity-based analysis methods presented in previous versions of the HCM.

VTA and Member Agency staff anticipated that the new multimodal LOS measures in HCM 2010 could be useful in evaluating the benefits and impacts of development proposals and roadway projects on pedestrians, bicyclists, and transit riders, as well as drivers. Therefore, to learn more about the multimodal LOS measures and consider potential applications in Santa Clara County, VTA and its Member Agencies engaged in an extensive program of education and testing from 2011-2013. These activities included pilot analyses of key intersections and corridors in the CMP network as well as studies to measure the magnitude of changes in multimodal LOS associated with hypothetical geometric modifications to roadway facilities. These activities were described in greater detail in the 2013 CMP and a Technical Memo prepared by VTA staff (March 2013). VTA staff continually updated the Systems Operations & Management (SOM) Working Group, the Land Use / Transportation Integration (LUTI) Working Group, and Advisory Committees as appropriate during this process, and organized two hands-on multimodal LOS training sessions for Member Agency staff.
The following is a summary of general observations on the HCM 2010 multimodal LOS measures by VTA and Member Agency staff based on the testing, education and outreach described above:

- Street modifications produce LOS changes in the direction (positive or negative) that generally aligns with the intuitive assumptions of VTA and Member Agency staff, with occasional anomalies.
- The magnitude of MMLOS changes are not as predictable as the direction, and require further evaluation.
- Proper application of HCM 2010 multimodal LOS methodologies may require consistent judgment calls and/or the development of guidelines for interpreting certain variables of street geometry.
- HCM 2010 formulas may need to be customized to adjust or disregard certain variables to bring multimodal LOS evaluations more in line with VTA and Member Agency assumptions (for example, results related to right turn islands and road diets). HCM 2010 explicitly states that formulas can be adjusted to reflect local conditions.

Based on the observations noted above, VTA identified the following next steps:

- The potential establishment of HCM 2010 multimodal LOS thresholds in the VTA CMP is not likely in the near term unless new industry standards for implementation and/or revised multimodal LOS formulas are released.
- The 2014 VTA Transportation Impact Analysis (TIA) Guidelines update included a new requirement for projects that modify roadway or intersection geometry to include an informational quality of service (QOS) evaluation of bicycle and pedestrian modes on the modified facility. The TIA Guidelines allow the Lead Agency latitude in selecting the QOS methodology but include the HCM 2010 Multimodal LOS measures as one option recommended for consideration. See Chapter 6 for more details on the 2014 TIA Guidelines update.
- VTA will continue to test and evaluate multimodal evaluation measures used in the Bay Area and elsewhere.

**VTA CMP MULTIMODAL PERFORMANCE MEASURES**

The 1995 CMP identified nine performance measures intended to meet specific statutory requirements unique to the CMP legislation. Through subsequent planning efforts, the performance measures have continued to evolve to meet the CMP statutory requirements while taking a more sensitive, effective, and efficient approach to measuring performance. In 2006 and 2007, VTA developed the Transit Sustainability Policy which identifies performance measures and thresholds for transit. The Policy ensures that investments in transit service are used efficiently.
and serve the corridors with the greatest transit demand. In 2014, the VTA TIA Guidelines were updated to include Pedestrian/Bicycle Quality of Service analysis for certain projects and Transit Vehicle Delay analysis for all projects.

This section describes the twelve CMP multimodal transportation system performance measures currently in use. These measures are summarized in Tables 3.1 and 3.2, and a more detailed discussion of each measure is provided below. A technical discussion of the measures and their application can be found in Appendix J.

**AUTO LEVEL OF SERVICE**

The Highway Capacity Manual defines Level of Service (LOS) as “…qualitative measures that characterize operational conditions within a traffic stream and their perception by motorists and passengers.” The terms used in describing auto LOS include speed and travel time, freedom to maneuver, comfort/convenience, and traffic interruptions. Auto LOS is categorized from A through F; with LOS A representing free-flow travel and LOS F representing congested traffic flow at specific intersections or along roadway segments. Chapter 2 of this document summarizes the VTA CMP auto LOS standards and describes which facilities are considered to be deficient according to these standards.

Auto LOS is a vehicle-based performance measure that is used to measure imbalances between traffic volume (demand) and capacity (supply) in specific locations on the roadway system. Adding lanes, modifying intersections, increasing transit infrastructure on parallel routes, and using ITS strategies such as signal synchronization, are some of the strategies to increase capacity and improve operations and through-put of roadway facilities. Changes in volume can be caused by intensification of development, mode shifts, time of day shifts, or changes in travel patterns (i.e. changing origins or destinations).

Auto LOS is a widely accepted measure of roadway and intersection performance. Auto LOS alone is a good indicator of trouble spots in the road network. When used in conjunction with other performance measures such as passenger throughput, auto LOS can be a much more meaningful performance measure. Nevertheless, auto LOS has significant shortcomings. An example of this is that a singular focus on traffic auto LOS may encourage the belief that a significant increase in roadway, intersection or interchange capacity is the most effective mitigation measure for traffic impacts. Using other performance measures in addition to auto LOS can help decision makers see the benefits of a wider range of improvements that encourage multimodal uses.
<table>
<thead>
<tr>
<th>Performance Measure</th>
<th>Mode(s) Analyzed</th>
<th>Brief Definition</th>
<th>Metric Improves If…</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auto Level of Service (LOS)</td>
<td>Auto</td>
<td>A measure of vehicle delay and traffic flow at intersections and along roadway segments</td>
<td>Congestion and delay decrease and traffic flows more smoothly at specific intersections or roadway segments.</td>
</tr>
<tr>
<td>Vehicle Miles Traveled (Per Capita, Employee or Person-Trip)</td>
<td>Auto</td>
<td>A measure of the total amount of auto travel (trips multiplied by average trip length), compared to all travel to a specific site or within a defined area</td>
<td>The total amount of auto travel to/from a specific site or within a defined area decreases, or grows more slowly than the number of residents or employees or the amount of travel by non-auto modes.</td>
</tr>
<tr>
<td>Modal Split</td>
<td>All Modes</td>
<td>The percentage of travelers using the major transportation modes (e.g. drive-alone auto, HOV, transit, pedestrian and bicycle)</td>
<td>The total number of trips by transit, pedestrian, bicycle, and HOV modes increases faster than the total number of auto trips to/from a specific site or within a defined area.</td>
</tr>
<tr>
<td>Pedestrian and Bicycle Quality of Service (QOS)</td>
<td>Pedestrian and Bicycle</td>
<td>A measure of features of the environment that affect the comfort and safety of pedestrians and bicyclists from the user's perspective.</td>
<td>Physical modifications to intersections or roadway segments provide a greater level of comfort and safety for pedestrians and bicyclists.</td>
</tr>
<tr>
<td>Transit Vehicle Delay</td>
<td>Transit</td>
<td>A measure of delay experienced by transit vehicles at specific intersections or along a transportation corridor</td>
<td>Transit vehicles experience reduced delay at an intersection or along a corridor, either through an overall decrease in congestion or through the implementation of transit priority measures.</td>
</tr>
<tr>
<td>Transit Accessibility</td>
<td>Transit</td>
<td>An aggregate index of transit frequency, accessibility and coordination to determine how well transit serves the population of Santa Clara County</td>
<td>Transit frequency, accessibility and/or coordination improve.</td>
</tr>
<tr>
<td>Air Quality</td>
<td>N/A</td>
<td>Countywide measures of specific pollutants emitted by mobile sources (e.g. autos, trucks and transit vehicles)</td>
<td>Travel patterns reflect lower overall vehicle miles traveled (see above), and/or changes to travel speeds, frequency of starting/stopping, or other factors reduce air pollutants.</td>
</tr>
<tr>
<td>Duration of Congestion</td>
<td>Auto</td>
<td>The length of time that a transportation facility is congested</td>
<td>The duration of congestion on a transportation facility decreases.</td>
</tr>
<tr>
<td>Hours of Delay/Person-Trip</td>
<td>Auto or Transit</td>
<td>The total amount of delay experienced by users of a transportation facility, divided by the total number of person-trips on the facility.</td>
<td>Transportation facility improvements result in reduced delay or the use of more efficient travel modes increases while delay stays the same.</td>
</tr>
<tr>
<td>Travel Time Index</td>
<td>Any mode, most often Auto or Transit</td>
<td>The amount of time to travel between two points by a particular mode, or the average across all modes</td>
<td>Travel time between two points by a particular mode or across all modes decreases.</td>
</tr>
<tr>
<td>Transit Sustainability Policy (TSP)</td>
<td>Transit</td>
<td>Ridership and revenue targets for VTA transit service</td>
<td>Average Boardings per Revenue Hour and Average Daily Boardings per Station increase to meet/exceed the target ranges identified in the TSP for each type of transit</td>
</tr>
<tr>
<td>Travel Pattern (in Person Trips)</td>
<td>All Modes</td>
<td>The total amount of directional travel between given geographic areas, such as Traffic Analysis Zones (TAZs), cities, or counties</td>
<td>N/A</td>
</tr>
</tbody>
</table>
### TABLE 3.2 | APPLICABILITY OF VTA 2015 CMP MULTIMODAL PERFORMANCE MEASURES

<table>
<thead>
<tr>
<th>Performance Measure</th>
<th>Member Agencies</th>
<th>VTA/Member Agencies</th>
<th>VTA</th>
<th>Transit Service &amp; Operations Planning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evaluation of Development Projects</td>
<td>Required</td>
<td>Required</td>
<td>Required</td>
<td>N/A</td>
</tr>
<tr>
<td>Evaluation of Long-Range Planning Efforts</td>
<td>Required</td>
<td>Required</td>
<td>Required</td>
<td>N/A</td>
</tr>
<tr>
<td>Evaluation of Transportation Capital Projects</td>
<td>Required</td>
<td>Required</td>
<td>Required</td>
<td>N/A</td>
</tr>
<tr>
<td>Countywide Transportation Plan</td>
<td>Required</td>
<td>Required</td>
<td>Under evaluation for future reporting with Big Data (See Ch. 8)</td>
<td>N/A</td>
</tr>
<tr>
<td>Monitoring &amp; Conformance</td>
<td>Required</td>
<td>Included</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Transit Service &amp; Operations Planning</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Auto Level of Service (LOS)</td>
<td>Required per CMP Transportation Analysis Standards</td>
<td>Required per CMP Transportation Analysis Standards</td>
<td>Required per CMP Transportation Analysis Standards</td>
<td>N/A</td>
</tr>
<tr>
<td>Vehicle Miles Traveled (Per Capita, Employee or Person-Trip)</td>
<td>Recommended for consistency with recent state legislation</td>
<td>Recommended for consistency with recent state legislation</td>
<td>Included; Anticipated updates in response to state legislation</td>
<td>N/A</td>
</tr>
<tr>
<td>Modal Split</td>
<td>Recommended</td>
<td>Recommended</td>
<td>Included</td>
<td>N/A</td>
</tr>
<tr>
<td>Pedestrian and Bicycle Quality of Service (QOS)</td>
<td>Required for per CMP TIA Guidelines changes to roadway geometry or signal operations; Recommended for other projects</td>
<td>Recommended</td>
<td>N/A</td>
<td>Key CMP facilities evaluated in pilot studies (2011/2012)</td>
</tr>
<tr>
<td>Transit Vehicle Delay</td>
<td>Required per the CMP TIA Guidelines</td>
<td>Recommended</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Transit Accessibility</td>
<td>N/A</td>
<td>Recommended</td>
<td>Included</td>
<td>N/A</td>
</tr>
<tr>
<td>Air Quality</td>
<td>Recommended; Often required in CEQA evaluation</td>
<td>Recommended; Often required in CEQA evaluation</td>
<td>Included</td>
<td>N/A</td>
</tr>
<tr>
<td>Duration of Congestion</td>
<td>N/A</td>
<td>Recommended</td>
<td>Included</td>
<td>N/A</td>
</tr>
<tr>
<td>Hours of Delay/Person-Trip</td>
<td>N/A</td>
<td>Recommended</td>
<td>Included</td>
<td>N/A</td>
</tr>
<tr>
<td>Travel Time Index</td>
<td>N/A</td>
<td>Recommended</td>
<td>Included</td>
<td>N/A</td>
</tr>
<tr>
<td>Transit Sustainability Policy (TSP)</td>
<td>N/A</td>
<td>Required</td>
<td>N/A</td>
<td>Included</td>
</tr>
<tr>
<td>Travel Pattern (in Person Trips)</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>
VEHICLE MILES TRAVELED

Vehicle Miles Traveled (VMT) is a measure of the total amount of vehicle travel on the roadway network. VMT is calculated by multiplying the total number of vehicle trips by the average distance of each trip. VMT can be normalized to reflect travel efficiency, such as measuring VMT per capita, employee or person-trip. Normalization is an important step to understand the meaning of a given change in VMT. For example, an absolute increase in VMT could indicate a greater number of single-occupant vehicle trips, or an increase in trip lengths; however, if the rise in VMT is slower than the rise in population (showing an overall decrease in VMT/capita), it would indicate that the usage of the transportation network is becoming more efficient over time.

VMT (per capita, employee or person-trip) is therefore a compound performance measure encompassing auto trip generation, average auto trip length, and modal split. This makes it a good indication of the overall efficiency of the multimodal transportation network, but not an ideal tool to identify specific problems in specific locations within the network. An improvement (e.g., a decrease) in VMT per capita, employee or person-trip could be an indication of any combination of the following:

- The total number of auto trips decreases;
- The average length of auto trips decreases;
- Usage of non-auto travel modes, such as transit, bicycle, pedestrian and high-occupancy vehicle (HOV) increases while auto usage stays the same or decreases.

The effects described above could be caused by:

- A more efficient land use pattern, bringing residences, work sites and retail/services in closer proximity to each other, leading to shorter auto trips and/or a greater share of trips by walking, bicycling and transit;
- Improvements to transportation infrastructure to make transit, bicycle and pedestrian travel faster, safer, and more attractive relative to auto travel;
- Transportation Demand Management (TDM) programs to incentivize other travel modes and reduce auto trips (see Chapter 4).

Conversely, an increase in VMT per capita, employee or person trip could be an indication that the total amount of auto travel is increasing and/or travel by transit, bicycle, pedestrian and HOV modes is decreasing, or not increasing as fast as auto travel. These effects could be caused by an inefficient land use pattern, a degradation of non-auto transportation infrastructure or a significant enhancement to auto infrastructure without equivalent investments in non-auto modes, a reduction in TDM incentives to residents or employees in an area, or any combination of these factors.
During the development of the 1995 CMP, the CMA Board selected VMT per Person-Trip (VMT/P-T) as one of the CMP Multimodal Performance Measures. With the passage of SB 743, VMT measures will take on greater prominence in transportation analyses for CEQA as well as CMP purposes (see intro sections to this chapter and Chapter 2). As such, VTA will revisit this performance measure to consider updates for future versions of the CMP.

**MODAL SPLIT**

Modal Split shows the percentage of travelers using the major transportation modes (e.g., drive-alone auto, HOV, transit, pedestrian and bicycle). Modal Split can be used in making programming decisions such as determining the trade-offs between highway, HOV, and transit improvements or it can be used to answer policy related questions such as measuring the effectiveness of increasing parking costs in a downtown area to encourage transit ridership. Some recent major development projects and long-term land use plans in Santa Clara County have set modal split targets, such as Apple Campus 2 in Cupertino, San Jose’s Envision 2040, and the North Bayshore Precise Plan in Mountain View.

Modal Split is useful in identifying transportation capital projects, transportation demand management (TDM) strategies and long-term land use planning alternatives that provide the greatest increases in transit, bicycle and pedestrian activity, relative to automobile usage. It is also useful in measuring long-term trends in the usage of various transportation modes in a specific area, within a city or countywide.

**PEDESTRIAN AND BICYCLE QUALITY OF SERVICE**

As part of the 2014 update of the VTA TIA Guidelines, VTA established a requirement for projects proposing changes to existing roadway or intersection geometry or changes to signal operations to include a Quality of Service (QOS) analysis for bicyclists and pedestrians. A QOS analysis is also recommended for other projects and for documenting existing conditions. QOS methodologies typically measure features of the environment that affect the comfort and safety of bicyclists and pedestrians from the user’s perspective, such as the presence and width of sidewalks and bicycle lanes, intersection crossing distance and delay, lateral separation from auto traffic, auto volumes, and the presence of landscaping or trees. These considerations are in contrast to capacity-based methodologies for evaluating pedestrian and bicycle conditions in the previous TIA Guidelines. The updated TIA Guidelines recommend a capacity-based analysis only for large or unique projects generating large volumes of pedestrian and/or bicycle trips.

The 2014 VTA TIA Guidelines provide informational summaries of six QOS methodologies, including the multimodal LOS approach presented in the Highway Capacity Manual (HCM) 2010 (see “VTA Evaluation of HCM 2010 Multimodal Level of Service,” above, for further information).
Lead Agencies have discretion to select appropriate methodologies for bicycle and pedestrian QOS analysis. **TRANSIT ACCESSIBILITY**

For the purpose of the VTA CMP, one measure of transit service performance is the local Transit Accessibility Index, which disaggregates transit performance by geographic zone. In contrast to the traditional mobility-based approach for the measurement of transit service performance, accessibility provides a place-based approach for understanding how transit service is divided between areas in Santa Clara County.

The Transit Accessibility Index indicates how well transit serves the population of Santa Clara County. This measure shows where changes in transit service parameters (such as headway and frequency) are desirable and highlights areas where the addition or elimination of existing transit routes and stops may be beneficial. The accessibility index is a sophisticated tool for measuring the effects of changing land uses and densities by striking a balance between zonal travel and employment figures. Because it is tied to Traffic Analysis Zones (TAZ), the index can be used to quickly analyze and incorporate both travel demand and demographic data into any accessibility analysis.

The index is derived from travel demand model data, so its outputs are fully in line with the travel model estimations and assumptions used in VTA’s transportation demand model. Furthermore, this method of evaluating transit accessibility encourages a systems approach to accessibility analysis through the combined estimation of multiple transit operator performance.

**AIR QUALITY**

Vehicle emissions of air pollutants are measured in tons of pollutants and are related to several factors. These factors include vehicle miles traveled, cold and hot starts and stops, speed changes, and idling time. The air quality performance measure is necessary for conformance with state CMP guidelines for air quality impacts, and is often required in CEQA evaluation.

Air Quality is measured countywide by pollutant type during the A.M. and P.M. peak hours using the VTA transportation model and Direct Travel Impact Model 3.1 (DTIM 3.1) designed by Caltrans. The pollutants measured include Carbon Monoxide (CO), Hydrocarbons (HC), Oxides of Nitrogen (NOx), and Particulate Matter (PM).

Air Quality is a good measure of the overall external impacts of transportation system operation, but it does not directly correlate to the benefits of an efficient multimodal transportation system. While increased traffic speed and a reduction in the amount of stopping and starting reduce most emissions, oxides of nitrogen tend to increase as travel speeds increase. In addition, reductions in air pollution have been achieved in recent years by modifying the composition of gasoline, improving the overall fuel economy of the vehicle fleet on the road, and taking measures to
reduce pollution of stationary sources (e.g. power plants, factories, etc). Therefore, it is difficult to
know whether improvements in Air Quality are due to efficient modal use or other factors.

Other performance measures related to Air Quality can be used to assess related environmental impacts. For example, energy and fuel consumption can measure the amount of energy required to perpetuate or operate an individual project or the transportation system in an area. For automobiles and buses, fuel or diesel fuel consumption can be a measure, and for light and heavy rail transit, electricity consumption can be used. VTA is proactively seeking opportunities to incorporate energy and air quality improvements into all aspects of VTA operations (See “VTA Activities Related to Energy and Air Quality,” Chapter 6).

DURATION OF CONGESTION

Duration of Congestion measures the length of time that particular transportation facilities are subject to congested conditions. When travel demand begins to exceed capacity, travelers have four possible ways to avoid the congestion:

1. Shift modes
2. Choose not to travel (e.g. telecommute)
3. Take alternative routes
4. Travel at less congested times

The first three options will not directly affect the Duration of Congestion; however, if travelers choose to shift travel to less congested times, the duration of congestion will increase over a longer period. This is sometimes referred to as “peak spreading.”

Duration of Congestion is an auto-oriented performance measure typically used on highway segments and arterial streets. Duration of Congestion can be affected by changes in travel demand (such as congestion pricing, land-use policies that result in shorter trip patterns, and mode shifts) or changes in transportation capacity (adding highway lanes, modifying intersections, increasing transit infrastructure, and using ITS strategies).

HOURS OF DELAY PER PERSON-TRIP

This measure identifies the system-wide hours of delay travelers experience due to congestion on the transportation system. It is generally measured for private vehicle users including SOV and HOV, but can also be used to measure delay experienced by users of transit or other modes. Delay is generally determined by comparing travel time on the transportation facilities during peak/congested conditions with off-peak/uncongested conditions. Dividing delay by person-trips accounts for the changes associated with population and job growth.
Delay tends to be more sensitive to mitigation efforts than auto LOS. For example, consider an intersection that is currently operating at LOS F with an average control delay of 100 seconds. An action (or group of actions) could improve the delay to 85 seconds, but LOS would remain LOS F.

Hours of Delay/Person Trip is a good supporting performance measure for freeway/expressway ramp and intersection improvements since most of the delays occur in queuing and stop-and-go situations. Hours of delay can be a good indicator of the effectiveness of adding roadway and transit capacity to a travel market or system-wide. It is also a good indicator for system management projects such as ramp metering and signal timing.

**TRAVEL TIME AND TRAVEL TIME INDEX**

Travel Time is measured for the selected travel markets for a base year and some future year. For autos, the difference in Travel Time indicates the change in congestion over time. For Transit, the different in Travel Time may reflect differences in congestion or changes to the amount of priority received by transit vehicles. Travel Time can be a more intuitive measure of mobility than delay because the traveling public thinks more about how long a trip takes than how long they have to wait in traffic at specific locations.

The Travel Time Index reports the travel time by a particular mode or the average travel time across modes. The index compares Travel Time over different years, between different alternatives, and between different modes. The strength of this measure is its ability to show the differences in point to point travel time by mode. Therefore, it is an effective measure to use for transit projects as well as roadway improvements.

**TRANSIT SUSTAINABILITY POLICY**

The Transit Sustainability Policy (TSP) is a ridership-based policy adopted by the VTA Board of Directors in February 2007 that provides a framework for the efficient and effective expenditure of transit funds, and for realizing the highest return on investment in terms of public good and ridership productivity. It is intended to assist the Board of Directors with its decision-making process by making available the most complete information possible regarding options, costs, benefits, and trade-offs of various transit projects and service proposals prior to a selection of mode and funding decisions.

The TSP implementation framework is comprised of three sections, one being the Service Design Guidelines (SDGs). These guidelines were developed to measure the performance of VTA’s transit service. The Service Performance standards are the primary criteria for the TSP evaluation and recommendation process and are applied to transit service changes, existing service performance, implementation of new transit lines and capital transit projects. In the case of existing services, the performance measures are used to identify underperforming lines and help form the
recommendation for system improvement. In the case of new service, the standards are used to
develop recommendations for service refinements, modal alternatives and/or system
implementation. The performance measures include the following:

- **Primary Standard.** The primary standard uses the Average Boardings per Revenue Hour.
  This standard applies to Community Bus, Local Bus, Bus Rapid Transit (BRT) and Light Rail
  (LRT).
- **Secondary Standard.** The secondary standard uses Average Daily Boardings per Station for
  BRT, LRT and Commuter Rail and the Average Boardings per Mile for BRT and LRT.
- **Express Bus Standard.** The Express Bus standard is 60% of the seated vehicle loading
capacity.

These performance measures are used to identify how transit lines are performing. An
improvement plan can be implemented for those station areas or routes that perform below the
applicable standard. However, if they continue to fall below the TSP standard, the station area or
route may be subjected to closure or termination. Service enhancements made as a result of the
evaluation may improve the percent transit modal split and reduce VMT.

**TRAVEL PATTERN (IN PERSON TRIPS)**

Travel Pattern measures the balance between people and activities such as employment,
recreation, and shopping. It is evaluated in terms of person trips, which provides a measure of
mobility; increasing person trips indicates increased mobility. The Bay Area and Santa Clara County
are divided into several subareas; travel patterns are used to capture the travel demand and
growth projection, in terms of person movements, among these subareas.

**USE OF MULTIMODAL MEASURES IN CMP ELEMENTS**

The CMP statute requires that the multimodal transportation system performance measures be
used to prepare the CMP Capital Improvement Program (CIP), the Land Use Impact Analysis
Program, and Multimodal Improvement Plans. At this point, the multimodal transportation
performance measures are not used to determine Member Agency conformance with the CMP,
except for auto LOS (see Chapter 2). Additionally, Member Agencies are not currently required to
use most of the performance measures in their evaluation of land-use development proposals,
general plans/general plan amendments, or specific plans. The 2014 VTA TIA Guidelines Update
included a requirement for Pedestrian/Bicycle Quality of Service analysis for certain projects and
Transit Vehicle Delay analysis for all projects. However, other multimodal performance measures
may be useful in implementing alternative mitigation measures associated with creating
pedestrian and transit-friendly development patterns as promoted in VTA’s Community Design
and Transportation (CDT) Program, and as pursued by Member Agencies in meeting their own
development goals.
VTA plans to use the multimodal performance measures described in this chapter in the development of the capital projects for the Countywide Transportation Plan, Capital Improvement Program, Land Use Analysis Program, and Multimodal Improvement Planning. In addition, as part of the TSP, VTA can use the information obtained from evaluating existing and proposed transit service to identify transit service productivity. In cases where capital investments in transit routes have already been made, it is the policy of VTA to increase ridership on these lines by working with cities to improve surrounding land uses and develop supporting policies. The following is a summary of the applicability of these measures to each of these programs:

**Countywide Transportation Plan** — VTA uses the CMP multimodal performance measures in the development of its long-range countywide transportation plan for Santa Clara County, Valley Transportation Plan. VTP includes an analysis of two scenarios (a) a baseline year, and (b) baseline plus project that includes the program of projects outlined in the plan including the 2000 Measure A projects. These performance measures were used to evaluate the systemwide effects of the two alternatives. A similar analysis will be calculated for VTA’s future long-range countywide transportation plans.

**Land Use Analysis Program** — Certain of these multimodal performance measures will serve to evaluate the effects of land use changes on the CMP Transportation System. Each year, land use data is collected and the countywide land use database is updated. The countywide transportation model will be used to calculate the performance measures which will be compared to performance measures for previous land use conditions. This comparison will be particularly useful as data is collected over the long term.

**Multimodal Improvement Plans** — The performance measures may be used to evaluate the alternative packages of improvements and actions considered for Multimodal Improvement Plans. While state law requires the application of performance measures to local Multimodal Improvement Plans, these particular measures may not be meaningful when applied to small geographic areas. Therefore, for deficiencies that occur on principal arterials located on the CMP System, the jurisdiction in which the deficiency occurs will be responsible for preparing a Multimodal Improvement Plan, which includes level of service as a performance measure and may propose other performance measures. The proposed performance measures must be approved by the VTA Board before the Multimodal Improvement Plan can be approved.

**COMPLIANCE AND CONFORMANCE**

VTA is responsible for collecting transportation performance measurement data for use in the countywide transportation plan, land use analysis, Multimodal Improvement Plans, and the CIP. Member Agencies are responsible for analyzing multimodal performance measures as required per the CMP and associated Technical Guidelines (see Table 3.2).
A DEFINITION OF TRANSPORTATION DEMAND MANAGEMENT

“Transportation Demand Management or TDM refers to various strategies that change travel behavior (how, when and where people travel) in order to increase transport system efficiency and achieve specific planning objectives.”

Transportation Demand Management programs range from simple marketing efforts, such as promoting ridesharing, to more complex public policies, such as developing site-design guidelines or parking pricing programs. These programs are designed to improve the overall performance of the CMP System through trip elimination, mode shifting, time shifting, or trip linking. To be successful, TDM programs must not only encourage ridesharing, transit, cycling, and walking, but also provide attractive alternatives to single-occupant vehicle trips.

TDM, AUTOMOBILE TRIP REDUCTION, AND VTA GUIDELINES

TDM programs play an important role in reducing automobile trips generated by new development. The goals of TDM strategies can vary from eliminating trips altogether (e.g. telecommuting, trip linking), shifting trips from single-occupancy-vehicle to other modes (carpool,
transit, walking, bicycling), or shifting trips away from the most congested routes and times of the day. All of these strategies, when successful, reduce the total number of automobile trips on congested facilities during rush hour. This can have important benefits for the transportation system, but can also provide incentives to developments by reducing the extent of transportation impacts found in their environmental review and Transportation Impact Analysis (TIA) processes. Some recent developments in Santa Clara County have applied aggressive trip reduction targets of 30% or more as part of their TDM programs, including annual monitoring and enforcement.

In response to this trend, VTA recently updated the CMP TIA Guidelines (October 2014) with automobile trip reduction as one of the primary focus areas. A TIA report is required for all development projects in the County that generate 100 or more net new automobile trips during either peak period. As such, the way that transportation impacts and mitigation measures are analyzed and reported in TIAs makes a meaningful difference in how congestion is addressed by major projects. See “Development Review Program,” Chapter 6, for further discussion about the TIA Guidelines and relationship to VTA Development Review.

Prior to the 2014 TIA Guidelines Update, the TIA Guidelines included a table of standard trip reductions for various project features, including a 5% reduction for TDM programs including financial incentives. The TIA Guidelines also noted that some projects could take larger trip reductions, but did not lay out a specific process for this to be achieved. In response to inquiries from Member Agencies and others, VTA retained the Standard Trip Reductions table but included two additional approaches to taking auto trip reductions in a TIA:

- **Target-Based Reductions** may be taken when the project applicant has entered into an enforceable agreement with the Lead Agency that limits the number of automobile trips traveling to and from the project site. The trip reduction program must include a commitment to monitor trip generation and determine whether targets are met, an enforcement structure, and a commitment to summary-level data sharing;

- **Peer/Study-Based Trip Reductions** may be taken when studies of similar projects, or of other sites occupied by the project applicant, have demonstrated comparable trip reductions through survey results or other data. The trip reduction program must include a commitment to monitor trip generation, and a commitment to summary-level data sharing.

The 2014 TIA Guidelines also include a requirement for projects to complete an Auto Trip Reduction Statement (ATRS) in the Executive Summary of a TIA Report. The ATRS is intended to provide a concise summary of all automobile trip reduction efforts, including any reductions claimed in the Trip Generation section of the TIA and any additional trip reduction efforts undertaken to mitigate or lessen project impacts.
Over the coming years, VTA intends to work with Member Agencies to gather data on TDM and Trip Reduction efforts by major projects utilizing the “Target-Based” and “Peer/Study-Based” approaches to auto trip reductions in TIAs. This data will be used to create a “TDM Clearinghouse” of data for Member Agencies and others to analyze the usage and effectiveness of various TDM strategies in Santa Clara County.

VTA also envisions taking on a more prominent role in coordinating TDM strategies across multiple jurisdictions in high-growth areas of the county, such as taking an active role in the formation of Transportation Management Associations (TMAs). VTA will work proactively with Member Agencies to identify such opportunities to help establish TDM programs or strengthen existing TDM programs with VTA assistance.

**TDM AND LEGISLATION**

California Government Code section 65089(b)(3) requires that the CMP contain a Travel Demand Element that promotes alternative transportation methods and improves the balance between jobs and housing. TDM strategies are a crucial part of meeting the requirements of the California Clean Air Act (CCAA). The TDM Element of the VTA CMP is designed to conform to the requirements of the State CMP statute, and the Federal and California Clean Air Acts.

The CMP statute states in Government code section 65089 (b)(3) that the CMP should contain the following element:

“A travel demand element that promotes alternative transportation methods, including, but not limited to, carpools, vanpools, transit, bicycles, and park-and-ride lots; improvements in the balance between jobs and housing; and other strategies, including, but not limited to, flexible work hours, telecommuting, and parking management programs. The agency shall consider parking cash-out programs and congestion pricing during the development and update of the travel demand element.”

The CMP statute also requires that the CMP be responsive to the California Clean Air Act (CCAA) and the requirements of the regional Clean Air Plan. Specifically, the CMP must consider the potential effect of regional air quality measures in the Trip Reduction and Transportation Demand Element, the Capital Improvement Program, and the Multimodal Improvement Plan Element. Appendix F provides a summary of references to air quality included in the CMP statute.

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD) TRIP REDUCTION REQUIREMENTS**

The Bay Area Air Quality Management District (BAAQMD), also referred to as the Air District, recommends programs to reduce solo commuting such as guaranteed ride home programs,
shuttles to transit, ride-matching for carpools and vanpools, subsidy programs for transit passes, parking charges, and effective advertising and marketing programs.

In Fall 2012, California Senate Bill 1339 was signed into law authorizing the Air District and MTC to jointly adopt a regional commute benefit program. Pursuant to SB 1339, the Air District and MTC developed the Bay Area Commuter Benefits Program (Program) to promote the use of alternative commute modes such as transit, ridesharing, biking and walking. The Program requires employers with 50 or more full-time employees in the Bay Area to offer commute benefits to employees who work 20 hours or more per week. Employers can meet the requirement by offering any of the following benefits:

- Allow employees to pay for transit, vanpool or bicycle expenses with pre-tax dollars
- Directly subsidizing transit or vanpool costs up to $75 per month
- Provide employer-operated transit, shuttle or vanpool services
- Provide an alternative benefit that would be equally effective in reducing auto trips

TRANSPORTATION REQUIREMENTS OF THE CALIFORNIA CLEAN AIR ACT (CCAA)

The CCAA of 1988 expanded the scope and accelerated the pace of air pollution control efforts in California. The intent of the Act was to establish a planning process that would result in attainment of the State’s health-based ambient air quality standards at the earliest practicable date.

Each Air District is required to adopt a Clean Air Plan (CAP) that contains a strategy for attaining air quality standards. The Bay Area Air Quality Management District’s (BAAQMD’s) first CAP was adopted in October 1991. In September 2010, the Air District Board adopted the Bay Area 2010 CAP. The 2010 CAP serves to update the Bay Area ozone plan in compliance with the requirements of the California Health & Safety Code. In addition, the 2010 CAP provides an integrated, multi-pollutant strategy to improve air quality, protect public health, and protect the climate. The 2010 CAP will reduce ozone pre-cursors, as well as particulate matter (PM), toxic air contaminants, and greenhouse gases, in order to improve public health and protect our environment and climate.

Recognizing the impact of transportation on ozone, the 2010 CAP includes 17 Transportation Control Measures (TCMs) aimed at reducing motor vehicle emissions due to ozone, particulate matter, air toxics, and greenhouse gas emissions. The TCMs most relevant to TDM are TCM C-1, which calls for supporting voluntary employer-based trip reduction programs, and TCM E-2, which pursues parking policies and strategies. Appendix G contains a list of the 17 TCMs in the Bay Area 2010 CAP.

A significant overlap between the California Clean Air Act and Congestion Management Program’s statute occurs in the area of Transportation Demand Management (TDM) ordinances and
programs. TDM implementation is a major feature of the region’s Clean Air Plan. VTA administers funding for TDM projects that are aimed at improving air quality. VTA will determine throughout the development and update of its TDM Element that the projects are consistent with the TCM requirements of the State Clean Air Plan.

**CATEGORIES OF TDM STRATEGIES**

There is a variety of TDM practices that employers, developers, and local agencies can adopt to manage congestion on the transportation network such as providing cash subsidies, commute options and services, flexible work schedules, and other approaches. The following discussion provides examples of these programs.

**PRICING**

Pricing strategies aim to adjust the cost of various forms of transportation to encourage more efficient use of the transportation system. These strategies can encourage mode shifts away from single occupant automobile use by adjusting the relative costs of driving and alternative modes. Strategies that raise the price of transportation during the peak period can also shift automobile trips to other times of the day, thus redistributing traffic outside the most congested period of the day.

**Parking Cash-Out Program** — A parking cash-out program is defined as an employer-funded program under which the employer provides a cash allowance to an employee equivalent to the parking subsidy that the employer would otherwise pay to provide the employee with a parking space. Under California state law, “parking subsidy” means the difference between the amount out-of-pocket costs paid by an employer on a regular basis to secure the availability of an employee parking space not owned by the employer, and the price, if any, charged to an employee for use of that space. A 1997 survey of eight Southern California businesses using parking cash-out programs found that they reduced single-occupancy commuting by an average of 17% and reduced carbon dioxide emissions by 807 pounds per employee per year. This study also found that the parking cash-out programs were considered fair and efficient by employers and employees, had a benefit/cost ratio exceeding 4.0, and led to increased income tax revenue.

Since 1993, California state law (Section 43845 of the Health and Safety Code) has required businesses with at least 50 employees in air basins designated as non-attainment areas to offer parking cash-out. Amendments to the CMP statute adopted in 1992 also require consideration of parking cash-out programs in CMPs. However, the original California parking cash-out legislation

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(Section 43845) only authorized the California Air Resources Board to enforce the law, and the Board in the past has not had the resources for enforcement. Senate Bill 728 (Lowenthal), approved in October 2009, amended the law to shift enforcement to the local level, by allowing cities, counties and local air districts to impose penalties for violation of the parking cash-out law. These changes to the legislation can be a powerful tool for local agencies to encourage the use of alternative modes, reduce Vehicle Miles Traveled, and reduce GHG emissions due to vehicle use.

The California Air Resources Board (CARB) has developed an informational guide for the implementation of parking cash-out programs. This guide is found in Appendix H.

Unbundled Parking in Residential Developments – While it has historically been commonplace for on-site parking to be provided automatically as part of the rental or purchase price of a residence, some developers are taking up the practice of charging for parking spaces separately. This is known as “unbundling” the price of parking from the price of housing. This practice allows residents who choose to own fewer cars than average for the development to save money by not having to pay for parking spots they are not using, and thus encourages lower rates of car ownership and usage.

Parking Management and Pricing — Charging drivers to pay for parking on city streets or in off-street parking facilities, or increasing the parking costs on city streets and facilities are effective ways to reduce automobile travel. As costs go up, commuters are likely to find alternate ways to reach their destination without paying for parking, such as taking transit to their destination, or carpooling with other commuters. This option is especially useful in dense urban areas where traffic congestion and demand for parking are greatest, and where transit, walking and biking options are typically most available. VTA has recently partnered with the Metropolitan Transportation Commission to provide information and assistance to the Member Agencies in Santa Clara County who may wish to pursue parking management and pricing initiatives.

Subsidizing Ridesharing — Employers can encourage carpooling by reimbursing the fuel costs, or by subsidizing, by a pre-determined dollar amount per day, those who choose to carpool. Note, however, that any cash given to carpoolers is taxable income. Employers can encourage vanpooling by subsidizing the cost of the vehicle either directly or indirectly. With vanpools, employers can contribute a certain amount per month tax-free. Employers can also encourage both carpooling and vanpooling by providing preferential parking spaces for these modes close to building entrances.

Employee Pre-Tax Commuter Benefits — Financial incentives for employees through tax credits and other mechanisms are important elements to encourage the use of public transit and other alternatives to driving alone. Promoting such alternatives is critical to reducing traffic congestion and improving air quality. Through changes in federal tax law in the 1990s, employers are free to
offer a range of commute fringe benefits without fear of tax consequences. These benefits can either be offered in addition to an employee’s base salary, or the employer can offer the benefit “in lieu of compensation.” Providing a portion of an employee’s income in the form of a transit voucher cuts taxes for both the employer (less FICA tax) and the employee (less income tax).

The Federal TEA-21 legislation clarified that the value of any transportation fringe benefit—including free parking, transit passes or vouchers, and vanpool benefits—is not counted as taxable income if an employee is offered a choice between taxable cash benefits and any combination of transportation fringe benefits. The total amount employers are allowed to offer as a tax free commuter benefit has fluctuated over time; as of 2015, federal legislation allows up to $130.

Transit Subsidies — Some employers and residential developments located near transit are now offering free or discounted transit passes to employees and residents. Programs like VTA’s Eco Pass allow employers and residential projects to purchase these passes in bulk to encourage greater usage of the transit system (See the next section, “Programs That VTA Implements” for more details). Caltrain’s Go Pass offers a similar program.

Alternative Cash Incentive Programs — These programs allow employees to participate in an incentive program where they are rewarded with gifts and prizes for using alternative commute modes. An example of this program is for companies to hold a monthly raffle for all employees that participate in alternative forms of commuting. In Santa Clara County, many employers offer similar programs to reward employees for not driving alone. For example, Stanford University’s Commute Club is a well-established, extensive alternative commuter incentive program. This type of program is a fun and rewarding way to get an entire company or organization involved in promoting alternative commute options.

Road Pricing/ Congestion Pricing — Road pricing charges drivers a direct cost for driving on a particular roadway or in a particular area. The related concept of congestion pricing seeks to keep congestion levels on the transportation system below an acceptable threshold by charging users a variable fee. Pricing can encourage some drivers to consider alternative modes of travel, travel times or travel routes, thereby relieving pressure on the most congested facilities at peak hours. This scheme is especially effective in reducing single occupancy commute trips if there are alternative commute options such as transit service and ridesharing to choose from.

Express Lanes — Express Lanes are modified HOV lanes that allow non-carpool drivers to use the lane for a fee that varies depending on traffic conditions. This strategy takes advantage of excess capacity in HOV lanes, making more efficient use of the existing roadway system, and has the added benefit of raising revenue for future corridor improvements, including express bus services operating in those lanes.
ALTERNATIVE MODES

Providing options and services to travelers makes it easy for them to change their travel mode. The following is a list of strategies that can reduce the number of travelers that drive alone to their destination.

Bicycle and Pedestrian Improvements – Perhaps the most basic improvement to encourage a shift away from single occupant automobile travel is an enhanced environment for pedestrians and bicycles. These strategies make the streets safer, more vibrant, and attractive for those who arrive at a destination without a car. Bicycle and pedestrian improvement strategies include traffic calming and complete streets policies; provision of a complete sidewalk and walking path network; bike lanes, racks and other facilities; and publicity campaigns that encourage drivers to share the road safely.

Carpools and Vanpools—An alternative to driving alone is to find other commuters heading to the same or similar destinations and form a carpool or vanpool. This saves commuters money on gas, allows them to partially avoid the stress of driving every day, and reduces congestion and carbon emissions by taking some cars off the road. Employers and other organizations can help employees form carpools by maintaining a central database of potential carpoolers. This database can be web-based to provide easy access to company employees. Additionally, 511.org maintains a free to the public regional ride-matching database for the nine-county Bay Area, and provides employer-exclusive ride-matching. The 511.org web-based matching system allows individuals to instantly access a list of commuters – and a link to their email – with which they could share their commute.

Vanpooling is a convenient and popular way to get to work, especially for people who work far from home. “Official” vanpools have seven to 15 passengers, including the driver (who usually rides for free!), and the vehicle may be owned by one of the vanpoolers or leased from a vanpool rental company. 511.org also helps individuals join an existing vanpool, as well as helps individuals or companies start their own vanpools.

Car Sharing Programs — Car sharing programs make vehicles available to people on a per-use basis. They allow people to use a car when they need it without incurring fixed costs. Fees are paid based on how much the driver uses the car. Lots are conveniently located throughout the urban area, and reservations are quick and easy, and available on-line.

Car sharing expands mobility options by providing people access to a car when they need one, but frees them from having to select it as the habitual mode of choice. Car-sharing has a multitude of benefits:
• Fewer parking spaces are needed for automobile storage, since multiple people use the same car. This reduces the costs of housing since fewer parking spaces would be required for each dwelling unit.
• Developers are able to build more housing on the same amount of land because fewer parking spaces are required.
• Residents and employees are given access to an entire fleet of cars conveniently located throughout the area.
• Companies have access to fleets of vehicles for meetings outside the office, only incurring charges per hour and/or per mile use.

And as usage grows so does convenience of access to the shared cars, since more people accessing the system means more pick-up and drop off locations.

Bike Sharing Program — Bike sharing programs make bicycles available to people on a per-use basis. Similar to car-sharing programs, in a bike sharing program users generally pay fees based on how long they use the bicycle. Bicycles are conveniently located in “pods” throughout an area, usually near transit stations and major trip generators, and payment is accomplished conveniently with a credit or debit card.

Guaranteed Ride Home — Often employees are not interested in using alternative modes because they are perceived as being inflexible. Without a guarantee that they will be able to get around in an emergency, many employees will continue to drive alone to work. Guaranteed Ride Home (GRH) programs are designed to address this issue. Employees who enroll in GRH programs receive access to transportation such as taxi service in the event of a personal emergency, for a limited number of times every year. GRH programs have found that while enrollees rarely use the program they, perhaps more importantly, gain peace of mind from the enrollment and are more willing to commit to alternative forms of transportation.

First and Last Mile Connections — First and last mile services are an integral component of building a viable transit network in a suburban environment. First and last mile conditions can be improved with good park-and-ride facilities and innovative shared-ride and parking strategies, strong bicycle and pedestrian connections with both residential and employment areas, and the application of new technologies or programs such as car and bike sharing.

Park and Ride Lots — These lots provide convenient locations for workers who do not live within easy walking distance of a transit stop to drive to a nearby parking lot and take transit the rest of the way to work. This increases the appeal of the transit system by making it useful even to people who live in outlying, low density areas that are difficult for transit to serve directly.
EMPLOYMENT AMENITIES AND SERVICES

These strategies rely on employers to provide amenities that encourage alternative modes or allow flexibility in where and when work gets done, opening up the possibility of reducing the transportation demand during the most congested periods of the day.

**On-Site Amenities and Services** — Offering employees the amenities they need at or near their work site can make alternative commute modes more desirable. Popular amenities include bicycle facilities, pedestrian friendly networks, and employee-serving uses (e.g., restaurants, ATMs, postal services) both on-site and off-site. Employers also have the opportunity to provide their employees with transportation services that take their employees offsite such as shuttle services to activity centers during lunch, or the use of company vehicles for personal trips during the day.

**Flexible Schedules and Work Arrangements** — Simply allowing workers to set their own work hours, or setting staggered working hours, can change the company’s peak travel period and reduce peak-period demand on the roadway system.

**Telecommuting** — Some companies have provided hardware and software so that employees can access the company network from home. Hooked into the network from home, these employees may not need to show up at the office at all. While it may not be reasonable or desirable to send employees home all the time, making telecommuting an option for some employees a few days out of the workweek can significantly reduce a company’s overall peak-period trips.

**New Working Arrangements** — Some companies have begun to question the traditional model of maintaining a central office where workers converge every day. For workers whose primary work is done on a computer rather than at a factory, the traditional office model is not necessarily the only workable one. Evidence suggests that some workers have already discarded the model of going to the office every day.

JOBS/HOUSING BALANCE AND MIXED USES

This category covers a range of strategies that bring the places people go throughout the day – employment sites, shopping, entertainment, etc. – closer to where people live, thus requiring fewer and/or shorter trips to accomplish daily tasks. This requires a fundamental shift in thinking about the purpose of transportation, which has generally been conceived over the past few decades in the United States to be mobility – or the ability to move unimpeded throughout the region at consistently high speeds. A new paradigm focuses instead on access, the ability to reach destinations. Under this paradigm, some amount of localized congestion in dense, urban activity centers can be a good thing if it results from a mixed use built environment where people are able to get around by walking, biking, transit, and short car trips. In the long run, the region as a whole
will experience reduced vehicle travel and improved air quality as a result of such development. See Chapter 6 for more information on VTA’s efforts in these areas.

PROMOTIONS AND MARKETING

Public knowledge and attitudes have strong effects on travel behavior, so these strategies are important to TDM implementation. As a general distinction, promotion strategies aim to increase awareness of information people need to participate in TDM programs, while marketing strategies seek to understand, guide and influence travel behavior.

Promotion strategies include: bike, pedestrian, and transit maps that are widely available; education programs for public officials, businesses, and employees about TDM; websites or smartphone applications to provide information about transit and alternative travel options; wayfinding systems that make the transit system easier to understand; signage programs or publicity campaigns that encourage drivers to “share the road” with cyclists and pedestrians; and school programs that educate children about modes of transportation (for example, bicycle education is part of the standard curriculum in elementary schools in the Netherlands).

Marketing campaigns include: events such as a “bike to work week” or “eco-commute challenge”; surveys to determine travel preferences, knowledge and opportunities among the population of an area; campaigns that highlight the benefits of alternative modes and seek to change public attitudes; temporary discounts or free service on public transit to encourage people to try the system; and campaigns that connect transportation mode choice to environmental objectives, such as the Bay Area’s “Spare the Air” campaign.

TDM PROGRAMS THAT VTA IMPLEMENTS

VTA’s current countywide transportation plan, VTP 2040, and its Community Design & Transportation (CDT) Program encourage the development and continuation of successful trip reduction efforts through partnerships and incentive programs. Over the years, public agencies have taken the role of enforcing performance standards during the development review process. Developers that are not able to conform to these standards are able to implement TDM measures as a way of mitigating or lessening impacts. In addition, even in the absence of a government mandate to enforce TDM practices, some companies are willing to maintain TDM programs as community and employee benefits, and may commit to trip reduction measures when applying to build new or expanded facilities. VTA, through its Development Review Program (described in Chapter 6), works with local agencies to review and comment on transportation and environmental analyses of development proposals, and offers recommendations regarding TDM measures where appropriate. In addition, VTA maintains several successful TDM programs, listed below.
ECO PASS

The Eco Pass program allows employers, developers, educational institutions, management companies or homeowners associations the ability to purchase VTA transit passes at a bulk discount rate to provide to employees or residents to encourage transit usage. Eco Passes are good for unlimited use of VTA Bus and Light Rail services, seven days a week. The program also includes an “Emergency Ride Home” provision that allows Eco Pass holders to take a taxi home if they need to leave work in the middle of the day.

SHUTTLE PROGRAM

VTA operates eight shuttle lines from the Altamont Commuter Express station in Santa Clara as well as a Downtown Area Shuttle (DASH) in downtown San Jose. These shuttles help solve the “first and last mile” dilemma that may prevent some commuters from choosing transit when the station is too far from where they live or work. These shuttles bridge the gap and connect commuters to job sites in Sunnyvale, Santa Clara, Mountain View, Palo Alto, Milpitas, North San Jose, and downtown San Jose.

PARK AND RIDE LOTS

VTA maintains 41 park and ride lots in 12 different cities throughout Santa Clara County. The lots connect commuters with VTA’s light rail system, Caltrain, Capitol Corridor, Altamont Commuter Express, and several express bus routes.

BIKE SHARING PROGRAM

VTA is one of six agencies participating in a regional effort led by BAAQMD to implement the Bay Area Bike Share Pilot Program. The pilot program will deploy approximately 1,000 bikes along the peninsula Caltrain corridor, in the cities of San Jose, Mountain View, Palo Alto, Redwood City and San Francisco. A main goal of the pilot program is to test the potential of bike sharing to provide first/last mile connections to and from transit facilities, and test its viability to serve as a standalone transportation mode for short trips.

The Bay Area Bike Share Pilot Program launched in August 2013, deploying a fleet of approximately 700 bikes and 70 stations region-wide, with 280 bikes and 28 stations (40% of the system) in San Jose, Mountain View and Palo Alto. The pilot is set to conclude in June 2016 after which the program will be transitioned to the Metropolitan Transportation Commission (MTC) to oversee the next phase of expansion. Bay Area Bike Share will grow ten-fold from 700 to 7,000 bikes by 2017 and will include the cities of Berkeley, Oakland and Emeryville.

The Bike Share program is intended to:
Provide access to the first and last mile from major transit stations
• Supplement VTA and employer shuttles between transit and employer sites
• Relieve overcrowding and the routine “bumping” of passengers with bicycles on Caltrain (and on VTA buses)

HOV LANES AND EXPRESS LANES

VTA, in cooperation with Caltrans, plans for and maintains HOV lanes throughout Santa Clara County to encourage more efficient use of highways. Santa Clara County has the most extensive HOV network of any county in the Bay Area with 190 miles of HOV lanes.

In 2008 the VTA Board of Directors approved the Silicon Valley Express Lanes Program. As part of the Program, the Express Lanes projects will implement a roadway pricing system to allow solo commuters to use the available capacity in the carpool lanes for a fee. The fee would change dynamically in response to existing congestion levels and available capacity in the carpool lanes.

On March 20, 2012, VTA opened the first express lane in Santa Clara County on the SR 237/I-880 connector ramp. During FY 2013, over 2,760,000 vehicles used the express lane including over 620,000 solo drivers (about 22%). The express lane produced toll revenues of $1,049,000 during FY 2013, far exceeding the projection of $592,000, while the total expenses incurred were below projections at $535,000. Preliminary data shows that the express lane has successfully improved travel speeds, reduced congestion, increased traffic throughput and provided overall improved traffic operations in the corridor.

The Silicon Valley Express Lanes program includes additional express lane projects under development in Santa Clara County, including US 101, SR 85, and SR 237 Phase II.

FUNDING FOR TDM PROGRAMS

Transportation Demand Management programs can be funded by a wide variety of public and private sources, some of which require VTA involvement or coordination in Santa Clara County.

VTA administers several funding programs that support TDM and alternative modes of transportation: the BAAQMD’s Transportation Fund for Clean Air (TFCA), the Santa Cara County Vehicle Emissions Based at Schools (VERBS) Program, the State’s Transportation Development Act (TDA), and the Congestion Mitigation and Air Quality (CMAQ) Program. These funding sources are described below, along with descriptions of the federal funding sources which fund the STIP. See Chapter 7 (Capital Improvement Program Element) for more information on these funding programs.
Transportation Fund for Clean Air — The Transportation Fund for Clean Air (TFCA) grant program is funded by a surcharge on vehicle registrations. Assembly Bill (AB) 434 (Sher, 1991), signed into law by Governor Wilson in 1991 added Section 44241 to the California Health and Safety Code, and gave the BAAQMD the authority to collect a surcharge of up to $4 on motor vehicle registration fees paid within its jurisdiction. These funds are administered by BAAQMD and used for programs that will reduce motor vehicle emissions.

Sixty percent (60 percent) of TFCA monies are retained by BAAQMD and distributed on a regional, competitive basis. The remaining forty percent (40 percent), also known as “Program Manager Funds,” are returned to the county of origin for allocation within the county on a discretionary basis. VTA is the designated program manager for Santa Clara County.

By statute, only the following project types are eligible for TFCA funds:

1. Implementation of ridesharing programs.
2. Purchase or lease of clean fuel buses for school districts and transit operators.
3. Provision of local feeder bus or shuttle service to rail stations, ferry stations and airports.
4. Implementation and maintenance of local arterial traffic management, including, but not limited to, signal timing, transit signal preemption, bus stop relocation and “smart streets.”
5. Implementation of rail-bus integration and regional transit information systems.
7. Implementation of a “smoking vehicles” program.
8. Implementation of bicycle facility improvement projects that are included in an adopted countywide bicycle plan or congestion management program.
9. The design and construction by local public agencies of physical improvements that support development projects that achieve motor vehicle emission reductions. The projects and the physical improvements shall be identified in an approved area-specific plan, redevelopment plan, general plan, or other similar plan.

Legislation AB 414 (1995) references the trip reduction requirement in the CMP legislation and states that Congestion Management Agencies in the Bay Area that are designated as AB 434 program managers “shall ensure that those funds are expended as part of an overall program for improving air quality and for the purposes of this chapter (the CMP Statute).”
The Air District has interpreted this language to allow a wide variety of transportation control measures now eligible for funding by program managers, including an expansion of eligible transit, rail and ferry projects.

Applications for the regional TFCA (60 percent) funds are made directly to BAAQMD in May of each year. The maximum project award is $1.0 million. The VTA Congestion Management Program, subject to BAAQMD approval, administers the funds for the remaining 40 percent program.

While there is no maximum award in the 40 percent program, Santa Clara County generally receives about $2.0 million per year for the entire program. Member Agencies apply to VTA in late January.

Santa Cara County Vehicle Emissions Based at Schools (VERBS) Program — Within the Climate Initiative Program, the Metropolitan Transportation Commission (MTC) created a Safe Routes to School discretionary funding program focused on reducing greenhouse gases by promoting walking, biking, transit, and carpooling to school. As the Congestion Management Agency for Santa Clara County, VTA is the program administrator. All county agencies may submit applications during the call for projects.

The purposes of the program are to: 1) facilitate the planning, development, and implementation of a project and/or activity that will reduce traffic, fuel consumption and air pollution in the vicinity of schools; 2) reduce traffic related injuries and fatalities to school children; 3) enable and encourage children, including those with disabilities, to walk and bicycle to school; and 4) make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age.

Transportation Development Act (TDA), Article 3 Projects — The State’s Transportation Development Act includes several sections or articles – each with a separate project emphasis. Article 3 funds pedestrian and bicycle facilities. TDA funds are derived from a quarter-cent gas tax, returned to the County of origin.

The application and distribution process varies by County. In Santa Clara County, approximately 70% of the annual TDA Article 3 allocation is distributed to member agencies on a prorated basis according to population. The remaining 30% is distributed as discretionary funding on a countywide competitive basis. All TDA Article 3 applications are subject to MTC approval.

Member Agencies submit applications to MTC and VTA in mid-January. Projects are evaluated and prioritized by VTA and Member Agency staff, the Bicycle & Pedestrian Advisory Committee, the
Technical Advisory Committee, the Policy Advisory Committee, and VTA Board of Directors. VTA submits the TDA Article 3 priority list of projects to MTC.

**Congestion Mitigation and Air Quality Program (CMAQ)** — CMAQ funds are to be used to implement the transportation provisions of the 1990 Federal Clean Air Act. These funds are only available to areas designated as non-attainment areas. The Bay Area was briefly designated as an attainment area in 1995. That status was subsequently lost in late 1998 after a series of ozone exceedances in the summers of 1995, 1996, and 1997. Both of these funds are described in more detail in Chapter 7.

The Metropolitan Transportation Commission (MTC) has final programming authority over CMAQ funds. Programming is coordinated at the County level by the CMAs. TDM projects are fundable as system management projects.

**Other Sources of TDM Funding** — Appendix H provides information on other sources of TDM funding, such as Benefit Assessment Districts, Developer funding, Transportation Impact Fees, and other programs.

**COMPLIANCE AND CONFORMANCE**

VTA does not require local jurisdictions to implement TDM programs in order to be in conformance with the Congestion Management Program. However, the VTA Multimodal Improvement Plan process encourages TDM-oriented actions in cases where a CMP facility has fallen or is forecasted to fall below the CMP standard where it is infeasible or undesirable to mitigate the impact by increasing capacity. These actions form the basis of a Multimodal Improvement Plan (see Chapter 9). In addition, as noted previously, two Multimodal Improvement Plans have been adopted in Santa Clara County to date which include TDM measures in their program of offsetting improvements. VTA will monitor the status of the implementation of the measures in these Plans through the Implementation Status Reports submitted by local agencies (described further in Chapter 9).
CHAPTER 5 | TRANSPORTATION MODEL AND DATABASE ELEMENT

This chapter describes the VTA CMP Countywide Transportation Model and Database Element. It contains the following sections:

- CMP Transportation Model and Database Requirements
- Overview of the CMP Transportation Models
- Transportation Model and Database Maintenance
- Compliance and Conformance

Transportation models are analytical tools that can be used to assess the impacts of land use and development decisions on the transportation system. Transportation models are based on a complex interaction of relationships between variables: a simple example might be the relationship between changes in the price of gasoline and the number of vehicle-miles traveled or transit ridership. They are tools that can be used to project future transportation conditions to determine the need for and effectiveness of transportation projects and infrastructure improvements. As long as the basic relationships established in a base year model validation remain well behaved over time, a well-designed and validated transportation model should predict transportation conditions with some degree of confidence.

The CMP transportation database consists of data that describes existing and future transportation network conditions and socioeconomic characteristics in a quantitative manner. The databases are a basic input for the VTA Countywide model (CMP model) and are typically updated based on updates to the regional socioeconomic data sets provided by the Association of Bay Area Governments (ABAG) and through periodic updates of the transportation networks during updates of the regional and countywide long-range transportation plans.

The CMP model serves several purposes:

1. Evaluating the transportation impacts of major capital improvements on the countywide CMP System—including those contained in the CMP Capital Improvement Program (CIP).
2. Establishing transportation system characteristics for use by Member Agencies in performing transportation impact analyses, developing local transportation models, and preparing deficiency plans.
3. Providing roadway volume and transit ridership forecasts to support planning studies, environmental analysis, project engineering and design.
4. Helping summarize the relationship between land use decisions (approved development projects) throughout the County and the CMP transportation system.
As this list indicates, the CMP model serves as a fundamental tool for achieving the goals of the CMP: improving transportation conditions and air quality in Santa Clara County.

**CMP TRANSPORTATION MODEL AND DATABASE REQUIREMENTS**

The CMP Statute requires VTA to develop a uniform database and model for evaluating transportation impacts. The Statute specifies the following three requirements for the CMP database and model, which are discussed in detail below:

1. VTA must develop a uniform database and model for use throughout the County.
2. VTA must approve computer models used by local jurisdictions to determine the transportation impacts of land use decisions on the CMP System.
3. The CMP database and model must be consistent with the Metropolitan Transportation Commission (MTC) regional transportation databases and model.

**UNIFORM DATABASE AND MODEL**

The legislative requirement for a uniform countywide model and database is critical to the success of the overall Congestion Management Program. The CMP model is used to assist in the land use impact analysis program, to help evaluate projects for inclusion in the Capital Improvement Program; to evaluate system-level improvements to the CMP System due to deficiency plans; and to assist with VTA service and project planning.

In 2005, VTA completed the latest major CMP model update, which has improved overall effectiveness by adding detail to Traffic Analysis Zones expanding the number of internal zones from 385 to 1490 and adding zones associated with four new external counties (San Joaquin, Santa Cruz, Monterey, and San Benito) and consistency with the MTC regional model, expanded geographical extent that incorporates surrounding counties, and updated travel patterns and socioeconomic data that reflects Census 2010 data. The 2005 model has since been improved and is referred to herein as the current model. These specific improvements will be described in later sections of this chapter.

**LOCAL MODEL CONSISTENCY**

In addition to the requirement for developing a countywide model, the CMP Statute requires that models developed by Member Agencies to project local transportation conditions be consistent with the CMP model and database. This is a logical requirement that helps assure that all Member Agencies are using uniform techniques to evaluate the impacts of development projects.

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8 California Government Code Section 65089 (c)
Returning to the concept of transportation models as tools, it is clear that local transportation models will serve a similar purpose. Local models, however, operate on a different scale. While a countywide model may be able to predict future traffic volumes on a roadway, a local model would be capable of predicting the number of vehicles that turn left at a specific intersection. In general, since local transportation models are able to include more background information they provide more detailed “city-specific” information than a countywide model.

The CMP Technical Standards include Local Transportation Model Consistency Guidelines. These guidelines provide guidance to jurisdictions in developing or modifying their transportation models for consistency with the CMP models. They identify characteristics required of local models and the relationship of transportation models to traffic impact analyses. The most recent version of the Local Transportation Model Consistency Guidelines was adopted by the VTA Board in 2009.

REGIONAL TRANSPORTATION MODEL AND DATABASE CONSISTENCY

Consistency with the regional transportation model and database is one of the most important requirements of the CMP Statute. This section describes the regional model and database and consistency requirements.

MTC Regional Transportation Model — The Metropolitan Transportation Commission (MTC) is responsible for developing the Bay Area’s regional transportation model. MTC has been developing a series of transportation models since the mid-1960s. MTC has recently converted the regional models from trip-based to tour-based models (MTC Travel Model One) and is expected to refine the full transition to activity-based models in the very near future. MTC is currently updating the travel analysis zone structure and transportation networks of the regional models. The CMP models are based on the previous version of the MTC transportation planning models known as BAYCAST-90. The BAYCAST-90 travel model demand system was originally developed using 1990 Census data and data from the 1990 regional household travel survey incorporating travel diary data from more than 10,000 households.

ABAG Database — The MTC models use input socioeconomic data prepared by the Association of Bay Area Governments (ABAG). ABAG projections provide estimates of employment, land use, housing, population, and household income at regional, county and census tract levels. ABAG updates its database forecasts every four years. These updates are based on surveys of local land use and development policies as well as revised national, state, and regional forecasting assumptions. The most recent version of ABAG’s officially adopted database for congestion management application is Projections 2013 (P2013). The P2013 series provide forecasts at five-year intervals from year 2010 to the year 2040. The P2013 regional socioeconomic data represents
the Sustainable Communities Strategy scenario as required by California SB 375, and was used in the recently adopted MTC Regional Transportation Plan Bay Area.

The CMP model currently uses the P2013 data set developed by ABAG. The P2013 ABAG Census Tract level allocations were sub-allocated to the smaller CMP zones based on local development characteristics to reflect the most recently adopted General Plans and specific plans for the cities of San Jose, Santa Clara, Milpitas and Gilroy, and based on the locations of approved development projects, developed in coordination with local jurisdictions. City-level control totals of households, employed residents and jobs were maintained for each jurisdiction in Santa Clara County, however, allocations at the census tract level were different than ABAG.

VTA tracks major development project construction activity through an informal data collection process of tracking media reports, visiting sites in the field and communicating with Member Agency staff. During late 2014 and early 2015, VTA utilized this process to develop a “2018 Land Use Scenario” providing a reasonable projection of growth through the year 2018 based on projects under construction or recently completed since early 2014 throughout the county. The year 2018 was selected as the horizon year to coincide with the opening of Phase I of the BART Silicon Valley Extension. This land use projection is being used to evaluate proposed transit and transportation improvements planned to open the same year, including proposals under the Light Rail Enhancement Project (see Chapter 1). VTA intends to continue tracking growth and development in the county to assist in future transportation forecasting efforts.

**CMP Model and Database Consistency** — The CMP model and database are developed to be consistent with the MTC BAYCAST-90 model equations and the ABAG P2013 databases. MTC has recently updated the consistency requirements for the CMP. The revised MTC Checklist for Modeling Consistency is used to evaluate the 2015 CMP. Summaries of the checklist outputs are provided to MTC in a separate submittal. More details regarding specific consistency issues are described in the following sections.

**Model and Database Improvements** — This section outlines steps currently being taken to improve the consistency of transportation modeling at the regional and subregional (county) levels.

VTA participates with the Congestion Management Agency (CMA) Association of the Bay Area and the Bay Area Partnership in the development of guidelines to be used by MTC to evaluate the consistency of transportation planning models for the CMPs. The items identified for consistency evaluation are developed with the cooperation and participation of representatives from MTC and

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9 Appendix B of MTC Resolution No. 3000, June 2011, *MTC Checklist for Modeling Consistency for CMPs*
ABAG. The intent of the guidelines is to enable CMAs to conduct a self-evaluation of the technical aspects of their transportation planning models, identify technical differences with the MTC model, and provide a mechanism where such differences may be discussed and resolved.

Within Santa Clara County, VTA continues to work on resolving problems concerning the ability of local jurisdictions to verify ABAG data to ensure development of an accurate data set for use in the Congestion Management Program. Part of this effort has involved working with ABAG and Member Agencies to reconcile the different units used by ABAG and local jurisdictions in measuring and projecting development at the census tract level. This process of forecast reconciliation is an on-going biannual process that occurs when ABAG releases the Projections series data sets at the census tract level. The current forecasts are based on ABAG’s Projections 2013. With the formal adoption of the ABAG Projections 2013 datasets, VTA completed the allocation of census tract totals from ABAG to VTA Countywide model TAZs, and the results were provided to member agency staff for review and comment.

**CONSISTENCY WITH MTC MODEL**

As noted previously, the CMP model was designed to be consistent with the previous MTC Travel Demand Model forecasting system BAYCAST-90 model. The next section provides a general overview of the CMP models and also describes several basic modeling characteristics that are shared between the models.

**OVERVIEW OF THE CMP TRANSPORTATION MODELS**

The CMP models developed for Santa Clara County and currently in use have undergone a series of revisions and enhancements since the original CMP models developed by the Santa Clara County Center for Urban Analysis (CUA) in 1991. The CUA models were a subarea model with a focus on travel patterns in Santa Clara County for 385 zones with travel into and out of the county treated as volumes to and from approximately 100 external zones. This structure was essentially maintained until early 2001 when the 1099 zone MTC regional model, with an addition of about 100 zones in Santa Clara County, was used to develop forecasts for the BART extension to Santa Clara County feasibility study. Shortly thereafter, a complete restructuring of the CMP models, also referred to as the VTA Countywide model, was developed in 2003 using the 1454 zone MTC BAYCAST-90 regional model as the foundation with significant zone and network detail added within Santa Clara County. That version of the VTA Countywide models also included the addition of transit submodes in the mode choice models, as well as expansion of the model region to include 4 addition counties of Santa Cruz, Monterey, San Benito and San Joaquin. The current VTA Countywide model is quite similar to the models developed in 2003, and has had a variety of improvements to more accurately capture markets not modeled in the MTC BAYCAST-90 models (air-passenger trips, truck vehicle trips and bicycle assignments) and to reflect Federal Transit Administration (FTA) recommendations for purposes of New Starts ridership forecasting. The
following sections describe the most important characteristics of the VTA Countywide models (referred to as the CMP model).

**Transportation Analysis Zones (TAZ’s)** — The current CMP model has a more refined zone system in Santa Clara County and San Mateo County than the MTC regional models. Additional zones were added to more accurately reflect and support the added roadway network and to provide more detail in transit rich corridors and dense central business districts. In all, an additional 1,122 zones were added in Santa Clara County, and 156 zones were added in San Mateo County. The new model maintains the use of MTC’s zone system in the remaining seven Bay Area counties, but enlarges the full model region and zones to include Santa Cruz, San Benito, Monterey, and San Joaquin Counties.

**Highway Network and Transit Network** — The roadway network used by the CMP model includes additional detail in both Santa Clara and San Mateo Counties. The current CMP model also includes detailed stop, station and route detail in the transit networks for San Mateo and Santa Clara Counties, yet maintains the MTC roadway and transit networks in the remaining Bay Area counties. The Association of Monterey Bay Area Governments (AMBAG) provided the basis for roadway networks in Monterey, San Benito, and Santa Cruz counties and the San Joaquin County COG provided roadways for San Joaquin County, however, the detailed networks were simplified to match the coarser zone structure in each of those four added counties. Express lane facilities, representing the MTC ‘Backbone’ express lanes system for 2035, were also coded in the network with a toll facility indicator based on the highway corridor segment and the direction of travel. Differential toll facility codes were required in order to apply specific toll rates to optimize utilization of the express lanes to preserve level-of-service for free carpool users. A recent enhancement added to the CMP model is the explicit assignment of bicycle trips to the bicycle subnetworks. Bicycle travel speeds are a function of observed speeds collected using GPS-enabled devices and the mode choice models were revised to directly consider changes to bicycle travel times based on bicycle infrastructure improvements.

**Capacities and Speed** — The current CMP model incorporates the area type and assignment group classification system published by MTC in BAYCAST-90. Input free-flow speeds for expressways are slightly lower in the CMP models to more accurately match the travel time for the expressway segments during model validation and improve the assignment match of estimated to observed expressway volumes.

**Trip Purposes** — The current CMP model uses the same trip purposes used in the BAYCAST-90 model and also uses additional trip purposes not modeled by MTC. CMP model trip purposes include the following:

- Home-based work trips
• Home-based shop and other trips
• Home-based social/recreation trips
• Non-home-based trips
• Air-passenger trips to SFO, San Jose Mineta and Oakland International airports,
• Home-based school: grade school, high school, and college trips
• Light, medium and heavy duty internal to internal zone truck trips

The CMP model uses MTC BAYCAST-90 trip generation equations for trip production and trip attraction functions for all trip purposes listed above. In order to address special markets not included in the MTC trip purposes, the CMP model includes several additional trip purposes beyond those modeled by MTC, including:

• Air-passenger trips to San Francisco International (SFO) Airport and San Jose/Mineta International Airport (SJC) and
• Light, medium and heavy-duty external truck trips

**Market Segments** — The CMP model adopts the BAYCAST-90 disaggregate travel demand model four income group market segments for the home-based work trip purpose in trip generation, distribution and mode choice. In addition, the CMP model also maintains the three workers per household (0, 1 and 2+ workers) and three auto ownership markets (0, 1 and 2+ autos owned) used in the MTC worker/auto ownership models. Trips by peak and off-peak time period are also stratified in the trip distribution, mode choice and highway and transit assignment models.

**External Trips** — The CMP model uses a different approach for incorporating inter-regional commuting estimates than MTC. For external zones coincident with the MTC model, MTC interregional vehicle volumes were applied for base year 2000 and adjusted to the future by assuming a 1 percent growth rate per year. For external gateways from San Joaquin County and Santa Cruz, Monterey and San Benito Counties, the incorporation of those counties as internal modeled areas obviated the development of external vehicle volumes for those areas of the CMP models.

**Pricing** — The CMP model uses MTC pricing assumptions for transit fares, bridge tolls, parking charges, and auto operating costs as assumed in the current 2013 MTC Regional Transportation Plan (RTP) and Sustainable Community Strategies (SCS) update. All prices are expressed in year 1990 dollar values in the models. The CMP model also uses regional express lane toll charges for the AM and PM peak periods that are based on optimizing the level-of-service in the carpool lanes through an iterative process in the highway assignments. Depending on the level of utilization, these toll charges vary by direction, time of day and by specific corridor.
**Auto Ownership** — The current CMP model applies BAYCAST-90 for auto ownership models to estimate the number of households with 0, 1, and 2+ autos by four income groups in each traffic analysis zone. Walk to transit accessibility measures were incorporated in the auto ownership models consistent with MTC BAYCAST-90 to more logically associate low auto ownership households with transit services. The auto ownership models were last calibrated to match 2005 American Community Survey workers per household and auto ownership by county.

**Mode Choice** — The mode choice models for BAYCAST-90 include the use of nested structures for most trip purposes, however, explicit estimation of nested structures to consider transit submodes were not included in the model specification\(^{10}\). The CMP model adds a nesting structure for transit submodes of local bus, express bus, Bus Rapid Transit (BRT), light rail, heavy rail and commuter rail underneath the MTC BAYCAST-90 nested structures. Consistent with the BAYCAST-90, mode choice coefficients are preserved by constraining the model to the BAYCAST-90 parameters, except those in transit submode structure. While the CMP model includes a transit submode nest for Bus Rapid Transit (BRT), which is an emerging transit technology in the region, BRT is treated as a local bus mode primarily due to limitations from the combined frequency process in the transit travel time builder used in the CMP models.

**Peak Hour and Peak Periods for Highway Assignments** — The CMP model uses a three-hour peak period (6 AM to 9 AM) as the basis for determining drive alone, shared-ride, and transit travel times for input to the trip distribution and mode choice models. This was assumed since peak hour travel volumes tend to produce extremely congested conditions for forecast years producing unrealistic volume to capacity ratios and travel times, thus significantly overestimating forecast transit probabilities. The highway assignments produce AM and PM peak hour volumes, AM and PM peak period volumes (5 AM to 9 AM and 3 PM to 7 PM, respectively – each coincident with the time periods of operation for carpools), midday volumes (9 AM to 3 PM) and evening volumes (7 PM to 5 AM). The four time period volumes are then added together to develop daily vehicle volumes.

**Vehicle and Transit Assignments** — The current CMP model incorporates a methodology analogous to the MTC “layered,” equilibrium assignment process, which distinguishes standard mixed-flow lanes from high-occupancy-vehicle (HOV) lanes. The equilibrium assignment process used in the current CMP model is functionally equivalent to the MTC methodology. The CMP model includes additional vehicle classes in the highway assignments for park-and-ride vehicles and drive-alone and carpool toll vehicles.

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\(^{10}\) A nested structure partitions the alternatives into groups (nests) of similarity. The groups can be further generalized into subgroups (subnests) and so on, which has the form of an inversed tree.
Drive-alone and carpool toll vehicles for AM and PM peak periods are estimated using a toll model post-processor that estimates toll volumes based on a comparison of the non-toll and toll travel times and costs. This procedure assumes that toll choice occurs after the decision to choose auto versus transit has already been considered, and therefore does not influence transit mode choice. A toll choice constant for drive-alone and carpool modes was developed based on a calibration of toll volumes estimated by application of the toll model to the I-680 Express Lane and SR 237 Express lane facilities, and a comparison of estimated to observed express lane volumes. It should be noted that by 2035, in order to maintain the operational feasibility of implementing regional express toll lanes, it was assumed that only 3+ occupant carpools would be allowed to travel in the carpool lanes for free. This was assumed for all carpool facilities in the model region, regardless of the presence of express lanes.

In the current CMP model, transit passengers are assigned with a methodology analogous to that used by MTC, with separate assignments for each transit submode and access mode. Assignments are also performed separately for peak and off-peak conditions. A total of eighteen separate transit assignments are run to cover the full combination of transit submode and access modes as well as to estimate transit ridership for air-passengers and external home-based work transit trips from the San Joaquin (ACE, BART and San Joaquin SMART bus) and AMBAG (Caltrain and Monterey Express) model regions.

Model Validation with 2013 Traffic and Transit Volumes — The current CMP model is validated to year 2013 traffic volumes for city jurisdiction level and county-level vehicle-miles stratified by facility type. Four time periods are validated: AM peak hour and peak period (5 AM to 9 AM) and PM peak hour and peak period (3 PM to 7 PM). Daily transit boardings were validated for the year 2013 at the system level for major regional transit operators (Caltrain, BART, MUNI, VTA and AC Transit) and at the route level for VTA light rail, local bus and express bus routes.

TRANSPORTATION MODEL AND DATABASE MAINTENANCE

It is critical to maintain and update a transportation model and database on a regular basis. Elements of the CMP model are updated on an annual basis subject to availability of data used to refine different components of the models. For example, the base year of the CMP Model was changed from 2000 to 2005 and revalidated in 2013 with the availability of new traffic and transit count data. VTA has recently updated the CMP models to reflect new 2010 Census data, data from the American Community Survey as well as incorporating the new ABAG P 2013 data sets. This section describes the local data sources that are used in updating the model as well as the updating process itself.
LOCAL DATA

The CMP annual monitoring process provides a significant amount of local data that is used to update the CMP model. The two main sources of local data are described below.

**Observed Traffic Volumes** — The VTA CMP and Member Agencies prepare regular reports of actual traffic volumes at CMP System intersections for the PM peak hour conditions; the CMP, as part of the monitoring program, reports traffic volumes at selected freeway locations for both AM and PM peak period (3-hour) conditions. VTA has recently started to collect bicycle and pedestrian data at CMP intersections for the PM peak hour, which will be used to validate the CMP models. MTC and Caltrans also provide observed data on freeways and state highway for total volumes as well as carpool volumes. These data are used to update the countywide database of observed traffic conditions in order to verify relationships and parameters included in the CMP model.

**Land Use Trip Assumptions** — As part of the Land Use Impact Analysis Program, Member Agencies provide a summary of approved projects and major planning decisions, such as General Plan Amendments, made during the past year. Annual data for the Land Use Impact Analysis Program is submitted in terms of housing and development square feet by use. This data is used by the CMP to develop population and employment changes for use in refining at a more local level the socioeconomic data allocations ABAG provides at the census tract level. VTA also uses parcel data purchased from private companies to verify the base year 2010 and 2013 land use data employment values, based on application of job rates to development square footage by land use classification.

REGIONAL DATABASE AND MODELING UPDATES

CMP Statute requires that the CMP model remain consistent with the ABAG regional database and MTC model. To achieve this, the CMP model is updated on an on-going basis to remain consistent with the regional database and model. Six specific update efforts are described below.

**Santa Clara County Land Use Database** — To facilitate future planning, Member Agencies and VTA staff have developed an independent, locally generated, and managed land use database. This database will provide information for use in the CMP as well as help to make future ABAG projections more accurate. The database was initialized from parcel data obtained from the Santa Clara County Assessor, and will be improved as Member Agencies verify their existing land use data and as approved projects are added as part of annual land use data submittals.

As Member Agencies complete their verification, the land use database will represent the most accurate, consistent database for current and near-term land use. The database will assist ABAG by providing accurate inputs to floor area, housing, and acreage inventories for their projections.
This database is available in the CMP’s Geographic Information System (GIS). VTA has recently updated the model databases to reflect the recently adopted ABAG P 2013 data sets.

2010 Census Data Analysis — The Census Bureau, through the American Community Survey, has released 2010 data that was used to update the CMP models for auto ownership, trip distribution and mode choice. VTA has recently recalibrated the CMP models to reflect data from the 2010 Census and American Community Survey.

MTC Transportation Model Changes — MTC periodically issues data, analysis, and projections of information pertinent to the CMP model and assumptions, such as projections of pricing assumptions such as auto operating costs and parking costs. The CMP model and database are modified as needed to remain consistent with those developed by MTC for its model system, which are typically distributed when the MTC Regional Transportation Plan is updated.

ABAG Data and Projections — The most recent ABAG projections, P2013, has been updated and incorporated into the CMP model databases.

Parking Facilities and Pricing Inventory — MTC maintains an inventory of peak and off-peak parking charges at the zone level. A current and complete inventory of parking facilities and pricing is required for the internal zone system for the CMP model. The CMP model is consistent with the most recent MTC parking charges used in the RTP 2040 update, Plan Bay Area.

GEOGRAPHIC INFORMATION SYSTEMS MAINTENANCE

VTA maintains model database information in Geographic Information System (GIS) layers, or coverages. Layer information includes roadway and transit networks, bus stop and transit station locations, land-use information including parcel level data, General Plan information, key production and attraction features such as schools, shopping centers, government offices, major employers and employment centers, parks, water features, and open spaces. These GIS layers are periodically updated and refined.

COMPLIANCE AND CONFORMANCE

To be in conformance with the Congestion Management Program, Member Agencies must ensure that their models are consistent with the CMP model using the CMP Local Model Consistency Guidelines. VTA encourages the use of the CMP model by the local Member Agencies in order to ensure consistency, however, member agencies are free to develop their own local models but will be required to produce documentation to demonstrate consistency with the CMP models.

VTA must also ensure that the CMP models are consistent with the MTC regional models. To demonstrate compliance and conformance, MTC has developed a checklist of outputs that are to
be produced from the CMP models and compared to a comparable MTC regional forecast year model run. CMP has prepared the checklist outputs from the most recent 2040 model runs and will provide the results in a separate submittal to MTC.
CHAPTER 6 | LAND USE IMPACT ANALYSIS ELEMENT

This chapter describes VTA’s CMP Land Use Impact Analysis Program. The chapter includes the following sections:

- Statutory Requirement and VTA Policy
- Development of the CMP Land Use program
- Elements of the CMP Land Use Program
  - Development Review Program
  - Land Use and Transportation Integration Partnerships
  - Community Design and Transportation (CDT) Program
  - CMP Land Use Database
- Other VTA Activities Related to Land Use
  - VTA Activities Related to Energy and Air Quality
  - Joint Development Program
- Relationship to Regional Initiatives
  - Priority Development Area (PDA) Investment & Growth Strategy
  - Plan Bay Area and SB 375
  - MTC Resolution 3434 TOD Policy
  - AB 1358 – Complete Streets Act
- Compliance and Conformance

STATUTORY REQUIREMENT AND VTA POLICY

An underlying reason for merging the Santa Clara County Transit Agency and the Santa Clara County Congestion Management Agency and creating VTA was to better integrate land-use and transportation decision-making. Accordingly, a primary goal of VTA’s Strategic Plan is the integration of transportation and land use. Both the Transit Agency and the Congestion Management Agency were engaged in various land use and transportation integration efforts, and it was intended that these efforts be enhanced under a combined agency.

The CMP statute (California Government Code: 65089 (b) (4)) requires that the CMP include:
“A program to analyze the impacts of land use decisions made by local jurisdictions on the regional transportation system, including an estimate of the costs associated with mitigating those impacts.”

The Santa Clara County CMA Governing Board discussed the land use impact analysis program requirement of the CMP Statute in detail during development of the 1991 CMP. It realized that the effective integration of land use and transportation had to occur on multiple levels, and that an advocacy role was also needed to influence policy development and community form. The Governing Board adopted a two-stage approach to the land use program. These stages were:

Stage I — Member Agencies utilize a consistent methodology for evaluating the impact of specific development projects on the CMP System and submit a summary of all specific projects approved to the agency as part of the CMP’s annual monitoring process; the agency adds approved development projects to the countywide model and performs a cumulative transportation analysis for informational purposes.

Stage II — State law (AB 1619) vests the entity responsible for the CMP with responsibility for that county’s countywide transportation plan. As part of VTA’s countywide long-range transportation planning process, VTA and its Member Agencies developed land use policies and called for the creation of a new program to influence land use polices and provide incentives for planning future growth in a manner that minimizes the potential negative impacts of development on the countywide transportation system. As a result, the Community Design and Transportation (CDT) Program was created and adopted by the VTA Board of Directors in 2002 as its primary program for integrating transportation and land use. By 2004, all Member Agencies had endorsed the program through formal Council/Board Actions.

The CDT Program includes a comprehensive toolkit for Member Agencies to use in all aspects of transportation and land-use planning, and in developing both public and private development projects. It includes a foundation of key concepts, guiding principles, and specific practices and actions that Member Agencies can use to improve community form and the operation of the transportation systems.

The Stage I Land Use Impact Analysis Program was initiated as part of the 1991 CMP. The Stage II Land Use Program was developed as part of the Valley Transportation Plan 2020 adopted in 2000, and was augmented with the VTA Board adoption of the CDT Program in November 2002. Subsequent updates to VTP have continued to emphasize the importance of the CDT Program.
DEVELOPMENT OF THE CMP LAND USE PROGRAM

The CMP statute clearly intends that local jurisdictions retain their legal authority to make land-use decisions. However, the Statute also makes cities and counties more accountable for the impacts that their land use decisions have on transportation facilities than they have been in the past, both within and outside their boundaries.

Under the CMP Statute, local land use decisions may not degrade Auto Level-of-Service (LOS) below the adopted standard for VTA’s CMP Roadway Network (LOS E). If a LOS standard violation is found during the monitoring process, the Member Agency within whose boundaries the violation occurs will be responsible for taking corrective actions or the Member Agency could be found in nonconformance with the CMP.

One potential problem with a strict interpretation of the CMP Statute is that it could encourage new development in outlying areas where there are large tracts of undeveloped land, and where the transportation system is relatively underutilized; that is, where LOS violations are least likely to occur and the impacts of development can be absorbed without triggering mitigation measures. This interpretation of the CMP Statute could be problematic for cities working carefully to manage urban development by encouraging infill development and reducing sprawl. Recognizing this as a potential impediment for focusing growth and infill development in major transportation corridors and cores, the State Legislature has amended the CMP statutes.

The VTA CMP continues to promote the increased use of alternative transportation modes, such as transit, bicycling, and walking. In addition to encouraging infill housing, transit-oriented development, or mixed-use commercial development in core areas and around major transit facilities it promotes the removal of regulatory barriers. It also underscores the need to balance level of service standards for traffic with the need to build infill housing and mixed-use commercial developments within walking distance of transit facilities, downtowns, and town centers. The VTA CMP seeks to give greater flexibility to local governments to balance these sometimes competing needs.

LONG-RANGE OBJECTIVES

The long-term objective of the CMP Land Use Element is to develop land use and transportation initiatives that improve transportation conditions, community livability, and air quality—including the reduction of greenhouse gas emissions—while supporting community goals. For example, many of Santa Clara County’s larger cities have relatively mature commercial and residential centers. In these cities, the planning emphasis has shifted from new land development to planning for balanced development within already developed centers—a form of urban revitalization. These cities are pursuing programs of infill, adaptive-reuse, renewal, mixed-use development, and...
increasing their density and housing supply. This is often occurring in areas that were formerly devoted to low-density industry.

Smaller and less-developed cities may have different planning goals than the larger cities. However, these smaller cities are equally interested in planning objectives that ensure appropriate development, maximize the use of transportation investments and, to the extent possible, prevent unwanted traffic.

In addition to specific land-use planning efforts, VTA, the County and some cities have aggressively pursued and built new transportation facilities that could have a major impact on land-use plans. For example, the light rail system – as well as the existing Caltrain line – offer excellent opportunities for new transit-oriented mixed-use development. In the long run, transit-oriented development projects in these transit corridors can be expected to optimize the overall benefit of transportation investments.

Application of the CMP Statute in Santa Clara County must recognize the importance of these new land use and transportation initiatives (urban revitalization and transit oriented development) and encourage these initiatives in the future. The long-range (25-year) transportation plan for Santa Clara County, Valley Transportation Plan (VTP) 2040 prepared by VTA, reaffirms VTA’s commitments to land use programs and investment strategies. The CDT Program is an integral part of this plan, and land use and transportation integration will remain a key component in future updates of the long-range transportation plan for Santa Clara County.

VTP 2040’s objective for integrating transportation and land use through the CDT Program includes the following aspects:

- Designing and managing the transportation system to support concentrated development in selected locations
- Reducing energy use and greenhouse gas emissions
- Providing connectivity in road, bike and pedestrian networks so travelers can choose among many routes and modes
- Using land efficiently and supporting concentrated development with strategies including land use intensification and reuse, transportation investments that minimize right-of-way requirements and limiting land area dedicated to surface parking
- Developing an urban vision that creates sense of place, human scale buildings, vibrant public spaces and as many activities as possible within easy walking distance of each other and transit stops
- Promoting street design standards that consider function and land use context, and providing interconnected multimodal options
• Supporting investments concentrated within the CDT Program’s Cores, Corridors, and Station Areas

• Promoting robust partnerships with member and regional agencies

RESEARCH EVIDENCE ON THE IMPORTANCE OF CONCENTRATED DEVELOPMENT AROUND TRANSIT

Recent research at the national, state and local level has demonstrated the transportation benefits of concentrated development near transit. The following is a brief snapshot of key highlights of this research relevant to VTA’s efforts in these areas.

On the residential side, a 2008 Transit Cooperative Research Program study (TCRP Report 128) noted transit-oriented development (TOD) households typically own fewer cars because they have smaller households and because they may forgo extra cars due to transit’s proximity. The study found that TOD households are also almost twice as likely to not own a car, and own almost half the number of cars of other households. In addition, over a typical weekday period, the study found that 17 surveyed TOD housing projects averaged considerably fewer vehicle trips than estimated by the Institute of Transportation Engineers manual.¹¹ A study by researchers at the University of California Transportation Center (UCTC) in 2009 looked at parking supply versus demand at 31 multi-family housing projects near rail transit stations in the East Bay and the Portland, Oregon region, and found that parking supply exceeded demand by 25% in the East Bay and 30% in Metro Portland.¹² And a collaborative research project conducted by San Jose State University and VTA in 2010 indicated that residential TOD properties near rail stations in Santa Clara County may be ‘over-parked’, with supply exceeding demand by more than 20 percent on average.¹³

On the employment side, the literature review included in TCRP Report 128 notes that the location of jobs accessible by transit influences transit ridership. The report notes that “Systems that generate the highest commute ridership have a high percentage of regional jobs accessible by fast transit. For work trips, proximity to rail stations is a stronger influence on transit use than land use mix or quality of walking environment. Thus, the most effective strategy to increase TOD ridership is to increase development densities in close proximity to transit. Employment densities

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at trip ends have more influence on ridership than population densities at trip origins. It is critical to locate jobs near transit in order to attract households to TODs.14

ELEMENTS OF THE CMP LAND USE PROGRAM

The Land Use Impact Analysis Program was implemented as part of the 1991 CMP, was modified in 1997, and has been augmented with the development of the Community Design and Transportation Program. Member Agencies have complied with the requirements of the Land Use Impact Analysis Program annually from 1991 to the present.

DEVELOPMENT REVIEW PROGRAM

VTA’s Development Review Program encompasses two separate, yet interrelated efforts to review and comment on development and transportation projects occurring in and adjacent to Santa Clara County: 1) the review of environmental documents and development proposals submitted by Member Agencies; and 2) the review of Transportation Impact Analysis (TIA) reports for proposed projects meeting the Congestion Management Program (CMP) TIA Guideline requirements.

The objectives of the Development Review Program include improving land use/transportation coordination, promoting alternative travel modes, and encouraging a balanced approach to addressing congestion.

There are three tracks under which development review occurs:

1. Projects that require a Transportation Impact Analysis (TIA) Report per CMP guidelines, but do not require environmental clearance. For this type of project, VTA may receive a stand-alone TIA from a member agency, and the review requirements are defined by VTA Congestion Management Program standards.

2. Projects undergoing environmental clearance per the California Environmental Quality Act (CEQA). For this type of project, the public notification and review requirements are defined by the CEQA as well as member agency and VTA standards. A TIA is typically prepared during the environmental process, and the environmental document usually includes the TIA as an appendix.

3. Additional referrals sent to VTA at the discretion of the Member Agency, such as a site plan review or an administrative draft of a planning document. For these referrals, the process and deadlines are established by agreement between VTA and Member Agency staff.

14 TCRP Report 128.
VTA staff prepares a quarterly report summarizing Member Agency projects (both TIAs and Development Review referrals) that are submitted to VTA for review, comments submitted to Member Agencies by VTA staff, as well as projects that VTA previously commented on which were approved during the past quarter and any responses to VTA comments or conditions of approval related to transportation.

**2014 TIA Guidelines Update and Relationship to Development Review**

VTA requires that Member Agencies analyze the potential transportation impacts of their land use decisions on the CMP System using the Transportation Impact Analysis (TIA) Guidelines adopted by VTA Board of Directors for all development projects that generate 100 or more net new A.M. or P.M. peak-hour trips. As part of these analyses, Member Agencies must evaluate project impacts and effects on the multimodal transportation, including roadways, transit, and pedestrian and bicycle facilities.

Over the 2012-2014 timeframe, VTA engaged in a comprehensive update of the TIA Guidelines document in response to a number of trends and changes affecting transportation and land use planning in the county and statewide:

- Progress on implementation of Senate Bill (SB) 375 and the Sustainable Communities Strategy with the corresponding emphasis on reductions in automobile trips and Vehicle-Miles-Traveled (VMT) (see “Relationship to Regional Initiatives” below);
- The 2010 updates to the California Environmental Quality Act (CEQA) Transportation checklist, which allowed agencies more flexibility in determining how to perform transportation analysis;
- The release of the 2010 Highway Capacity Manual (HCM), including new Multimodal Level of Service measures (see discussion in Chapter 3);
- Additional emphasis on Complete Streets policies in General Plan Circulation Elements (see “Relationship to Regional Initiatives” below);
- A trend for major development projects in Santa Clara County to pursue aggressive reductions in automobile trip generation (see Chapter 4).

VTA staff began this update process by identifying goals and desired outcomes as well as key areas to address, and gathering input on these topics from VTA’s Member Agencies and other stakeholders. VTA conducted an extensive outreach process of over two years incorporating input from:

- Transportation/engineering and planning staff through the Systems Operations & Management (SOM) and Land Use / Transportation Integration (LUTI) Working Groups of
the VTA Technical Advisory Committee (TAC);

- An ad hoc TIA Guidelines Update Technical Working Group (TWG) consisting of Member Agency and Caltrans representatives, who provided input through two web surveys and three in-depth meetings in October 2013, January 2014, and April 2014;
- VTA Advisory Committees and the Congestion Management Program and Planning Committee (CMPP);
- Advocacy, business, development, and policy groups active in Santa Clara County; and
- Major transportation and environmental consulting firms who work in Santa Clara County.

Two of the most important goals of the TIA Guidelines Update were to 1) Emphasize the reduction of automobile trips, and 2) Improve the analysis of alternative modes.

To address the first goal, the updated TIA Guidelines include a new requirement to include a 2-page Auto Trip Reduction Statement (ATRS) at the beginning of each TIA to highlight measures by the project to reduce auto trips, in a format easy to read and understand for decision-makers and the public. VTA also added new options for projects to document trip reductions, including Target-Based Reductions for projects that establish a TDM program with a target for auto trip reduction, monitoring and enforcement; and Peer/Study-Based Reductions when studies of similar projects or similar sites occupied by the project applicant demonstrate comparable trip reductions through survey results or other data.

To address the second goal, VTA updated the requirements for pedestrian, bicycle and transit modes to remove the requirement to analyze demand and capacity except for projects that generate unusually large numbers of trips on these modes. For pedestrian and bicycle analyses, the updated TIA Guidelines shift to a Quality of Service (QOS)-based approach, with the specific methodology at the discretion of the Lead Agency. For transit analysis, the updated TIA Guidelines focus on transit delay and transit access/facilities. See Chapter 3 for more information on Pedestrian/Bicycle QOS and Transit Delay as Multimodal Performance Measures.

The CMP TIA Notification and Review Process is illustrated by the flow chart in Figure 6.1. The complete CMP process is described in the CMP TIA Guidelines.
LAND USE AND TRANSPORTATION INTEGRATION (LUTI) PARTNERSHIPS PROGRAM

VTA initiated the Land Use and Transportation Integration (LUTI) Partnerships Program in response to a series of discussions with VTA Advisory Committees, Congestion Management Program and Planning Committee (CMPP) and the Board of Directors in 2014. The purpose of
FIGURE 6.1 | TRANSPORTATION IMPACT ANALYSIS (TIA) NOTIFICATION AND REVIEW PROCESS

Lead Agency submits TIA Notification
Form for projects with 100+ net new
peak hour trips

VTA and other interested agencies comment
on TIA notification within 15 calendar days

Lead Agency submits TIA
at least 20 calendar days prior to
expected project hearing date

VTA and other interested agencies
respond with comments on TIA report
within 15 calendar days

Lead Agency responds to comments
on TIA as appropriate

Lead Agency staff analyzes project
and makes recommendation

Lead Agency decision-making
body takes action on project

Project approved with condition(s)  Project not approved

Lead Agency encouraged to send VTA
any conditions imposed on project

VTA reports on development activity (VTA
comments and approved project conditions)

[Legend: □ Lead Agency Action  □ VTA or other Agency Action]
the program is to build on existing VTA initiatives to enhance VTA’s involvement in land use decision-making. A key objective is to create opportunities for VTA and Member Agencies to work together earlier in the process of planning and development to produce more effective and meaningful collaborative outcomes. This relationship is mutually beneficial; VTA’s transportation investments greatly influence many aspects of city livability and sustainability, and the local land use decisions influence the effectiveness of the various types of travel (e.g., car, walk, bike, and transit) - and both efforts attain greater value working together through each phase of development.

VTA staff offers three broad categories of outreach and assistance to Member Agencies:

- Knowledge-building: trainings, blog series, policy discussions;
- Research: reporting on trends and development tracking;
- Technical assistance: providing project-based expertise on land use, urban design, and transportation issues.

Beginning in late 2015, VTA will be highlighting major areas of development throughout the county at presentations to VTA Committees and the Board, in collaboration with Member Agency staff. A key component of this effort will be to identify transportation solutions to address the cumulative impacts and effects of growth on the multimodal transportation system, ultimately feeding back into VTA’s long-range transportation planning efforts.

COMMUNITY DESIGN AND TRANSPORTATION (CDT) PROGRAM

The Community Design and Transportation (CDT) Program was developed to provide a unified framework for VTA’s various land use activities. In 2002, the VTA Board of Directors adopted the CDT Program as its primary program to integrate transportation and land use, and adopted the CDT Manual of Best Practices for Integrating Transportation and Land Use. Within the next two years, every VTA Member Agency formally endorsed the CDT Program through Board or Council action, pledging to work to implement the guidelines laid out in the CDT Manual in future development. One key element of the CDT Program is the Cores, Corridors and Station Areas (CCSA) framework, which shows VTA and Member Agency priorities for supporting concentrated development in the County. The CCSA framework continues to play an important role in VTA land use activities such as the Development Review Program and VTA’s participation in regional initiatives such as Plan Bay Area and the PDA Investment & Growth Strategy (see below for more details about these programs).
The CDT Program has several purposes, including providing a framework where VTA can:

- Influence the design and programming of developments as early as possible in the development process.
- Enhance the effectiveness and efficiency of VTA projects
- Be an advocate for planning and design practices that enhance community livability
- Encourage an increase in non-greenhouse gas-emitting mode shares
- Assist local jurisdictions with planning and developing projects
- Foster joint planning and project development efforts, have more meaningful interaction and coordination with cities and the county regarding land use policy
- Provide leadership through policy, planning, design, and technical innovations
- Assist member agencies with planning, design, research, education and outreach involving the interactions between transportation systems, land use and urban design
- Foster a favorable policy setting to assist decision-makers with supporting the CDT Program, and provide a venue for improved dialogue and partnerships with all stakeholders.

Partnerships and cooperation are fundamental requirements for the long-term effectiveness of the program. To be successful, the CDT Program will work to keep all stakeholders—VTA, member agencies, developers, the business community, and the public—focused on the cumulative benefits of implementing best practices. While immediate payoff opportunities may occasionally surface, incorporating CDT best practices within each new project and implementing incremental changes continually over time will yield the greatest returns. This requires active commitment from both member agencies and VTA.

VTA intends to update the CDT Manual over the coming years to reflect the most recent research and best practices in integrating transportation and land use. This effort will be undertaken in partnership with Member Agencies and other VTA stakeholders to ensure that the program is as useful and effective as possible.

**CMP LAND USE DATABASE**

One of the most critical aspects of the Land Use Program is gathering information on existing and planned land uses throughout the county. VTA maintains a uniform database of planning-level land use information, which was developed from 1997 to 1999 and is revised annually by Member Agencies as part of the annual CMP monitoring process.
In addition, the land use database assists Member Agencies in their efforts to revise regional land use forecasts. Many Member Agencies have questioned the accuracy of land use forecasts developed by the Association of Bay Area Governments (ABAG). These forecasts are used in the MTC’s Regional Transportation Model and must be used in the CMP countywide transportation model (according to the CMP statute). The CMP land use database has been designed to be consistent with ABAG’s needs in order to facilitate improved information exchange.

Hence, in order to maintain the land use database, the second requirement of the Land Use Impact Analysis Program is that Member Agencies provide VTA with data on two categories of land use decisions:

**Approved Projects** – Site-specific land use actions that have a sponsor and that have been approved for development according to a defined schedule; and

**Major Land Use Planning Changes** – Changes in general land use designations for which project-level approval decisions will be required before any construction can begin. Major land use planning decisions include General Plan Amendments, specific plans, area plans, and major zoning revisions.

**OTHER VTA PROGRAMS AND INITIATIVES RELATED TO LAND USE**

**VTA ACTIVITIES RELATED TO ENERGY AND AIR QUALITY**

Through partnerships between VTA and its partner agencies, VTA has initiated several activities to support the conservation of natural resources, reduction of greenhouse gases, prevention of pollution and use of renewable energy and materials. These activities also support existing legislative mandates such as AB 32 and SB 375.

Principles that inform VTA’s approach to energy and air quality include:

- Look toward existing and new technology for applications in VTA operations
- Place high emphasis on demand for fuel efficient and alternative fuel vehicles
- Encourage private and public organizations to pursue green actions
- Support the development of locally produced green energy sources

VTA’s activities in these areas include:

- Proactively implementing VTA’s Sustainability Program
- Exploring support from private sector development through its capital and ongoing operating programs
• Supporting regional and local advocacy efforts related to land use and transportation integration
• Improving transit by focusing on key corridors where local jurisdictions are committed to land use intensification and on first/last mile connections
• Supporting State and local building codes that require LEED certified construction such as insulation, energy efficient design and passive and active solar design elements

VTA JOINT DEVELOPMENT PROGRAM

VTA envisions its station areas and transit corridors as vibrant, prosperous community assets that create a strong sense of place for transit, pedestrians, and the surrounding community, and are destinations in their own right.

VTA’s Joint Development Program furthers the VTP land use goal and objectives as well as the objectives of the CDT Program. The program was adopted by the VTA Board in January 2005 and is designed to secure the most appropriate private and public sector development of VTA-owned property at or adjacent to transit stations and corridors. The VTA Board of Directors adopted a revised Joint Development Policy and Implementation Plan in April 2009. The revised Joint Development Policy provides the appropriate framework to maximize the respective economic values of each real estate asset through consensus-driven, site-appropriate development that also increases transit ridership, creates vibrant community assets and enhances the long-term life of VTA’s facilities.

The Joint Development Policy provides a framework for creating and pursuing the highest and best opportunities for development around station areas and corridors. The policy is intended to establish guidelines and procedures for identifying such opportunities to optimize return on investment to VTA. VTA’s efforts related to Joint Development also include coordination with local jurisdictions in station area land use planning to establish development patterns that enhance transit use.

RELATIONSHIP TO REGIONAL INITIATIVES

VTA’s efforts regarding land use and transportation integration work together with and reinforce initiatives that are occurring at the regional level in the San Francisco Bay Area.

PRIORITY DEVELOPMENT AREA (PDA) INVESTMENT & GROWTH STRATEGY

To encourage a shift towards higher density growth patterns, protect the environment, reduce vehicle miles traveled, and encourage investment in transit, ABAG, along with BAAQMD, MTC, and the Bay Conservation and Development Commission (BCDC) established the FOCUS Program in 2006 and 2007. FOCUS established Priority Development Areas (PDAs) with
incentives for transit oriented development and provided a bridge between local land use
decisions and regional development. As part of the update of the Bay Area’s Regional
Transportation Plan, MTC and ABAG initiated the Priority Development Area (PDA) Investment
& Growth Strategy as the successor to FOCUS. Over the past several years, VTA has been
working with its Member Agencies, advocacy groups and other interested parties to craft a PDA
Investment & Growth Strategy that will be a useful tool to identify needs and resources for the
PDAs and allow cities to target improvements to these areas. The first report was completed in
spring 2013 and was adopted by the VTA Board of Directors in June 2013. Each year, VTA will
work with its partners to produce a PDA Investment & Growth Strategy Report that will
highlight these needs and identify the resources required to address growth.

On May 17, 2012, MTC and ABAG adopted the One Bay Area Grant (OBAG) program to
distribute federal funds for transportation projects. As part of OBAG, MTC and ABAG adopted
general programming policies for the distribution of funds, including a requirement that at least
70% of OBAG investments be directed to PDAs for projects located either in, or serving the
PDAs. For future grant cycles, funding may be distributed to those local agencies that have
PDAs.

Through the CDT Program, which preceded FOCUS and the PDA Investment & Growth Strategy,
VTA and its member agencies have already made a commitment to developing communities
that have focused development served by transit. While several good examples of this type of
development have been built in Santa Clara County, much work remains to be done. The
coming updates of the CDT Manual will assist Member Agencies in these efforts. The CDT
Program Cores, Corridors, and Station Areas are included as PDAs in the PDA Investment &
Growth Strategy, and some Santa Clara County cities have had other areas designated as PDAs.
These locations will be supported by technical and financial assistance from both ABAG and
MTC to help plan and develop into complete communities based on the goals of transit
connectivity, housing availability and economic vitality.

**PLAN BAY AREA AND SB 375**

In July 2013, MTC and ABAG adopted ‘Plan Bay Area,’ which includes the region’s Sustainable
Communities Strategy and 2040 Regional Transportation Plan. Plan Bay Area marks the Bay
Area’s first long-range transportation plan to meet the requirements of California’s 2008 Senate
Bill 375 (Steinberg), which requires each of the State’s 18 metropolitan areas to reduce
greenhouse gas (GHG) emissions from cars and light trucks. Under SB 375 each region must
develop a Sustainable Communities Strategy (SCS) or Alternative Planning Strategy (APS) that
promotes compact, mixed-use commercial and residential development that is walkable and
bikeable and close to mass transit, jobs, schools, shopping, parks, recreation and other
amenities.
The land use distribution of Plan Bay Area was developed to meet performance targets based on SB 375:

- Help the region achieve its GHG emissions reduction target of reducing per-capita CO2 emissions from cars and light-duty trucks by 7 percent by 2020 and by 15 percent by 2035; and
- House 100 percent of the region’s projected 25-year population growth by income level (very-low, low, moderate, above-moderate) without displacing current low-income residents.

To help achieve these goals, Plan Bay Area envisions 80% of all new housing and 66% of all new jobs to be located in PDAs.

VTA, as the Congestion Management Agency for Santa Clara County, was actively involved in the development of the SCS and the RTP and served as a liaison between the regional agencies and VTA’s Member Agencies in these efforts. Through VTA’s own initiatives including the CDT Program, Land Use Impact Analysis Program, and Joint Development Program, VTA has long supported the goal of integrating land use and transportation planning that the SCS and RTP strives to achieve. VTA is committed to supporting local and regional efforts intended to give people more transportation choices, create more livable communities and reduce energy consumption and the pollution that causes climate change.

**MTC RESOLUTION 3434 – REGIONAL TRANSIT EXPANSION PROGRAM AND TOD POLICY**

As part of the 2001 update to the Regional Transportation Plan (RTP), MTC developed an associated Regional Transit Expansion Program (RTEP) that identified a list of high-priority rail and express/rapid bus improvements to improve mobility and enhance connectivity throughout the Bay Area. MTC adopted a Transportation and Land Use Platform that calls for supportive land use plans and policies to support transit expansions in Resolution 3434. In 2005, MTC amended Resolution 3434 to include a Transit-Oriented Development Policy that establishes specific housing thresholds for these transit extensions, requires station area plans, and establishes corridor working groups.

One transit extension project in Santa Clara County is identified in the MTC Resolution 3434 TOD Policy – the BART extension from Fremont to San Jose/Santa Clara. The TOD Policy calls for a minimum threshold of 3,850 housing units per station area, averaged for the corridor starting from the existing end station (Fremont) to the end of the extension (Santa Clara). The TOD Policy specifies that to meet the corridor level thresholds, within a half mile of all stations a combination of existing and planned land uses must meet or exceed the overall corridor threshold for housing. New below-market housing units will receive a 50 percent bonus toward
meeting the corridor threshold (i.e., one planned below-market housing unit counts for 1.5 housing units for the purposes of meeting the corridor threshold).\(^{15}\)

VTA, as the sponsor for the BART extension project to Milpitas, San Jose, and Santa Clara, is actively working with the cities along the corridor and other stakeholders to plan for future housing and employment intensification, station access needs, pedestrian- and bicycle-friendly design, and infrastructure improvements in the vicinity of the six stations in the BART Silicon Valley extension. As of 2015, station area planning efforts have been completed for Milpitas Station, Santa Clara Station, and Diridon Station in San Jose. Planning efforts are also ongoing for the Berryessa Station and the Alum Rock Station in San Jose, involving coordination between VTA, the City of San Jose, CommUniverCity, San Jose State University, several neighborhood associations, and local land owners.

**AB 1358 - COMPLETE STREETS ACT**

The California Complete Streets Act of 2008 requires counties and cities making revisions to the circulation element of their general plans from January 2011 onward to plan for a balanced, multimodal transportation network that meets the needs of all users of the roadways. These users include bicyclists, pedestrians, motorists and persons of all ages and abilities. The intent of Complete Streets is to provide multimodal networks that are safe, convenient and well maintained with the goals of reducing greenhouse gas emissions and vehicle miles traveled and improving public health.

VTA and its member agencies support this initiative and are currently in development of a comprehensive Complete Streets program that will complement the update of the CDT Program. This program will assist member agencies in planning, designing and implementing projects that include the following key elements:

- Multimodal design – Incorporating street designs that accommodates all travel modes where appropriate
- Capacity/Continuity – Maximizing efficient use of the roadway and implementing consistent street designs on corridors that travel through multiple cites
- Technology – Using technology to improve safety and roadway operations
- Connectivity – Improving access for all transportation modes to major destinations
- Maintenance – Including plans for preserving the multimodal networks

**COMPLIANCE AND CONFORMANCE**

Member Agencies provide data to VTA annually in the CMP Monitoring Report following the process described in the CMP Monitoring and Conformance Requirements. The data provided includes all approved development projects and major land use planning changes made during the past year. This data is used to update the CMP countywide transportation model. In order to conform to the CMP, Member Agencies must submit the Annual Land Use Monitoring Report to VTA for the year ending June 30, by December 1 of each year.

When VTA’s cumulative analysis of all approved projects produces a finding of potential nonconformance caused by project-related trips on the CMP System, the Member Agency or Agencies will be advised that nonconformance – the actual violation of Auto LOS Standards on an intersection or road segment of the CMP System – is imminent. Under those circumstances, the Member Agencies may be required to identify strategies to maintain conformance. These strategies will affect projects that have not yet been approved that could further degrade the LOS on the same intersection or road segment. Member Agencies may propose to add mitigation measures, to defer approvals, or to prepare Multimodal Improvement Plans that contain system-wide or multimodal improvements.

If the analysis of a land use planning decision shows that the proposed land use changes may contribute to a future violation of Auto LOS standards, subsequent reports must demonstrate that future land use plans and/or transportation improvements will prevent LOS violations, or that an approved Multimodal Improvement Plan will be applied to achieve systemwide improvements.
CHAPTER 7 | CAPITAL IMPROVEMENT PROGRAM

This chapter describes Santa Clara County’s CMP Capital Improvement Program (CIP). It contains the following sections:

• Introduction
• Capital Improvement Program Funding
• CIP Project Lists

INTRODUCTION

The Capital Improvement Program (CIP) is a list of capital projects designed to improve transportation conditions and air quality in Santa Clara County. The CIP describes major transportation projects proposed by Member Agencies and Caltrans and includes projects funded by a variety of funding sources. The CIP does not include transit projects funded solely through Federal Transit Administration (FTA) formula funds (Sections 5307 and 5309) or Transportation Development Act (TDA) Sections 4 and 4.5 funds. These projects are included in the VTA, Caltrain and ACE Short Range Transit Plans (SRTPs).

The CMP statute requires that the CMP contain a Capital Improvement Program that accomplishes the following objectives:

• Maintains or improves the performance of the multimodal system for the movement of people and goods.
• Mitigates the impacts of land use decisions on the Regional Transportation System.
• Conforms to air quality mitigation measures included in state and federal air quality plans.
• Preserves the investment in existing facilities.

LOCAL POLICIES FOR CIP DEVELOPMENT

In 1992, the Santa Clara County CMA Governing Board adopted several specific policies (in addition to the statutory requirements for CIP projects) to guide the development of the Capital Improvement Program. These policies were used in conjunction with the regional criteria for project selection and other program-specific criteria to develop the CIP. The VTA Board of Directors revised these policies as a result of the November 2001 election and January 2009 adoption of its long-range Countywide Transportation Plan, Valley Transportation Plan 2035 (VTP 2035). They are listed as follows:

• Future discretionary Federal and State programming is limited to pedestrian, bicycle and roadway projects (Adopted October 5, 2000).
• Santa Clara County’s STIP submittal will be formulated to be consistent with the adopted long-range Countywide Transportation Plan.

• Project sponsors in Santa Clara County will provide at least twenty percent of total project cost in local matching funds where appropriate.

• All projects submitted for funding must be on or benefit the adopted CMP System.

• Transportation improvements should support higher density development around transit stations, thus promoting the use of transit and other alternatives to the single-occupant vehicle in Santa Clara County.

• Improvements that make existing developments more pedestrian and bicycle-friendly, support HOV and transit users, and improve passenger safety and convenience are encouraged.

• Transportation improvements should support land-use policies that encourage well-designed infill and mixed-use development.

• Whenever possible, roadway projects shall improve, or at least not reduce, outside lane widths (or bicycle lanes) to provide for safe bicycle travel.

**CAPITAL IMPROVEMENT PROGRAM FUNDING**

The VTA Board adopted the Valley Transportation Plan 2040 (VTP 2040) in October 2014. VTP 2040 addresses transportation-related projects and actions in Santa Clara County that involve participation by VTA and its associated agencies, impact inter-jurisdictional travel, or are regional in nature. These investments are location-specific improvements for four modes of travel: roadway (including HOV and ITS), transit, bicycle, and pedestrian. The following sections describe funding programs for the 2015 CIP.

**SURFACE TRANSPORTATION PROGRAM (STP) / CONGESTION MITIGATION - AIR QUALITY PROGRAM (CMAQ)**

STP funds are used to address congestion problems by funding planning, rehabilitation and improvement projects across all transportation modes. CMAQ funds are used to implement the transportation provisions of the 1990 Federal Clean Air Act and are allocated only to areas designated as non-attainment areas. The Bay Area is currently a non-attainment area.

The STP and CMAQ funding programs are part of MAP-21, the Moving Ahead for Progress in the 21st Century Act (P.L. 112-141), which was signed into law by President Obama on July 6, 2012. MAP-21 expired on October 1, 2014. The Congress has passed a series of short-term continuing resolutions since then. Funding levels have remained essentially the same since 2012.
REGIONAL IMPROVEMENT PROGRAM (RIP) AND INTERREGIONAL IMPROVEMENT PROGRAM (IIP)

Senate Bill 45 (SB-45) was signed into law in 1997. This legislation directed funds from the State Highway Account (SHA) into three funding categories:

1. Regional Improvement Program (RIP) – 75 percent
2. Interregional Improvement Program - Rural Interregional – 15 percent
3. Interregional Improvement Program - Discretionary – 10 percent

Seventy-five percent of the consolidated funds are allocated to the regions as Regional Improvement Program funds. The Metropolitan Transportation Commission (MTC) programs these funds through the State Transportation Improvement Program (STIP) process, with final approval by the California Transportation Commission (CTC).

The remaining 25 percent is allocated to the two categories of the Interregional Improvement Program (IIP). Fifteen percent is allocated to projects outside of the urbanized areas (IIP – 15 percent Category). The remaining 10 percent may be programmed on any interregional project at the discretion of Caltrans and CTC. All IIP funds are programmed by Caltrans, through the Interregional Transportation Improvement Plan (ITIP) process, with final approval by CTC. The regions may work with Caltrans for combined RIP and IIP funding of projects in the ITIP and/or petition for the nomination of particular projects in the ITIP. However, the ability to nominate projects for the ITIP rests solely with Caltrans. In the past, Caltrans has nominated and the CTC has programmed IIP funds to projects within Santa Clara County.

TRAFFIC CONGESTION RELIEF FUND

On July 6, 2000, the governor signed Assembly Bill 2928 into law. This bill established the Traffic Congestion Relief Fund (TCRF) to provide funding for specific congestion relieving transportation projects around the State. The bill made $914.5 million available for projects and to Santa Clara County; TCRF funding was prioritized for Prop. 42 funds until 2008, however Prop. 42 funds were diverted on multiple occasions and the prioritization period ended with a significant back-log of un-allocated funds. The CTC adopted a TCRP allocation plan in 2008 based on Prop. 42 payback schedules and tribal gaming receipts that were anticipated at the time, and prioritized the remaining projects into two tiers based on their delivery schedules. The Prop. 42 payback revenues are directed to the first tier, with anything remaining in a given year, and the tribal gaming receipts directed to the second tier. VTA’s BART extension project is in the first tier, and accounts for half of each year’s guaranteed revenues until 2015. VTA received the final allocation in July 2015.
2000 MEASURE A AND 2008 MEASURE B SALES TAX FUNDS

In November 2000, the voters of Santa Clara County approved Measure A, a 30-year countywide ½-cent sales tax to be collected by VTA and used to fund specific transit projects and programs. 2000 Measure A took effect in April 2006, immediately after the expiration of the 1996 Measure B ½-cent sales tax, and will continue for 30 years until 2036.

In November 2008, the voters of Santa Clara County approved Measure B, a 1/8–cent sales tax for the purpose of funding the operations and maintenance of the 16.1 mile BART extension into Santa Clara County and for providing VTA’s contributions to BART’s system wide capital reserve. The tax is limited to 30 years.

TRANSPORTATION FUND FOR CLEAN AIR

The Transportation Fund for Clean Air (TFCA) is generated by a $4.00 surcharge on vehicle registrations. The Bay Area Air Quality Management District (BAAQMD) administers these funds in the nine-county Bay Area. Funds are available for allocation to alternative fuels, arterial management, bicycle, and trip-reduction projects that reduce vehicle emissions.

BAAQMD returns 40% of these funds to the county in which they are collected for allocation by a “program manager.” This fund is called the TFCA Program Manager Fund. VTA is the program manager for Santa Clara County and project sponsors apply directly to VTA for funding. The VTA Board of Directors allocates these funds to projects in Santa Clara County, following criteria developed by VTA and its Member Agencies and subject to approval by BAAQMD. The remaining 60% of the funds are dedicated to a regional discretionary program managed directly by the BAAQMD; projects are funded on a regional discretionary basis.

2006 PROPOSITION 1B

Proposition 1B, the Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act was approved by California voters as on November 7, 2006. A 10-year program, Proposition 1B provides bond funding for six programs within Santa Clara County. The six programs are: The Corridor Mobility Improvement Account (CMIA); the STIP Augmentation; State Local Partnership Program (SLPP); Public Transportation Improvement and Service Enhancement Account; Highway Railroad Crossing Safety Account; and the Local Street and Road Congestion Relief and Traffic Safety Account. As of Fall 2015, all CMIA, STIP Augmentation funds have been expended. All SLPP funds due to Santa Clara County have been programmed and allocated to BART to purchase rail cars to operate the VTA Silicon Valley BART extension. All PTMISEA funds have been programmed, and VTA is awaiting payment through 2016.

SANTA CLARA COUNTY EXPRESS LANES REVENUE

In 2004, the State passed legislation (AB 2032, Dutra) giving VTA the authority to implement express lane operations in up to two routes in Santa Clara County. VTA completed an Express
Lane Study that identified candidate routes, which are listed below as part of the Highway Program of projects.

In 2012, VTA opened the first express lane in Santa Clara County on the SR 237/I-880 connector ramp. During FY 2013, the express lane produced toll revenues of $1,049,000, exceeding the projection of $592,000, while the total expenses incurred were below projections at $535,000.

VTA estimates that express lane projects will generate approximately $1.01 billion in revenues (net of operating and maintenance expenses) through 2040 that will be used for transit services and other transportation improvements in the express lanes corridors.

2010 MEASURE B VEHICLE REGISTRATION FEE

In 2010 the voters of Santa Clara County approved a $10 increase in the motor vehicle registration fee for transportation-related projects and programs. Funds are distributed to the County of Santa Clara based on the County’s percentage share of the total roadway lane mileage recorded in Caltrans’ California Public Road Data report. The remaining funds are distributed to the incorporated cities within Santa Clara County based on each city’s percentage share of the total county population as reported by the California Department of Finance. Roadway mileage and population shares are updated annually.

Eligible Project Categories include:

1. Pavement Rehabilitation/Reconstruction
2. Traffic Control Signals, Traveler Information & Safety Devices
3. Curb & Gutter Rehabilitation/Reconstruction
4. Roadway-Related Facilities to Improve Safety
5. Automobile-Related Environmental Mitigation including Roadway Sweeping & Litter Control
6. Intelligent Transportation System Technologies (transportation-related technologies including traffic control signals, safety and traveler information systems)
7. Countywide Environmental Mitigation related to pollution caused by autos and trucks
8. Matching funds for Federal/State/Regional transportation grants applied to any roadway transportation project included in the adopted Valley Transportation Plan

CIP PROJECT LISTS

The Capital Improvement Program is developed in accordance with the regionally adopted multimodal criteria for project selection. The criteria emphasize maintaining and sustaining the
existing transportation system, improving its efficiency and effectiveness through congestion relief, safety improvements and consideration of freight movement, expanding the system, and accounting for external impacts on land use and air quality.

The CMP statute requires that capital improvement programs be submitted to the regional planning agency (the Metropolitan Transportation Commission in the Bay Area) for inclusion in the Regional Transportation Improvement Program (RTIP) and the Transportation Improvement Program (TIP). The statute then specifies that the regional agency shall:

1. Evaluate the consistency between the program and the regional transportation plans pursuant to Section 65080.
2. Find the program to be consistent and incorporate it into the regional transportation improvement program as provided for in Section 65082. If the regional agency finds the program is inconsistent, it may exclude any project in the Congestion Management Program from inclusion in the regional transportation improvement program.

The following pages contain the project lists constituting the Capital Improvement Program, listed, by mode, in Tables 7.1 through 7.10. Readers seeking additional information about a specific project should consult the project listing in the Transportation Improvement Program (http://www.mtc.ca.gov/funding/tip/index.htm).
### TABLE 7.1 | CAPITAL IMPROVEMENT PROJECTS: HIGHWAY PROJECTS ($THOUSANDS)

<table>
<thead>
<tr>
<th>Project Name</th>
<th>TIP ID</th>
<th>Sponsor</th>
<th>Total Funds</th>
<th>Discretionary</th>
<th>Local</th>
</tr>
</thead>
<tbody>
<tr>
<td>US 101 / Mabury New Interchange</td>
<td>SCL070004</td>
<td>VTA</td>
<td>$20,750</td>
<td>$0</td>
<td>$20,750</td>
</tr>
<tr>
<td>Page Mill Road/I-280 Interchange Reconfiguration</td>
<td>SCL110004</td>
<td>Santa Clara County</td>
<td>$9,500</td>
<td>$0</td>
<td>$9,500</td>
</tr>
<tr>
<td>I-880/Montague Expressway interchange Improvements</td>
<td>SCL090015</td>
<td>VTA</td>
<td>$58,000</td>
<td>$0</td>
<td>$58,000</td>
</tr>
<tr>
<td>US 101 SB Trimble Road/De La Cruz Boulevard/Central</td>
<td>SCL090025</td>
<td>San Jose</td>
<td>$34,000</td>
<td>$26,200</td>
<td>$7,800</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>$122,250</strong></td>
<td><strong>$26,200</strong></td>
<td><strong>$96,050</strong></td>
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</table>

### TABLE 7.2 | CAPITAL IMPROVEMENT PROJECTS: EXPRESS LANE PROJECTS ($THOUSANDS)

<table>
<thead>
<tr>
<th>Project Name</th>
<th>TIP ID</th>
<th>Sponsor</th>
<th>Total Funds</th>
<th>Discretionary</th>
<th>Local</th>
</tr>
</thead>
<tbody>
<tr>
<td>US 101 Express Lanes</td>
<td>SCL110002</td>
<td>VTA</td>
<td>$425,000</td>
<td>$0</td>
<td>$425,000</td>
</tr>
<tr>
<td>SR 85 Express Lanes</td>
<td>SCL090030</td>
<td>VTA</td>
<td>$170,000</td>
<td>$4,800</td>
<td>$165,200</td>
</tr>
</tbody>
</table>
### TABLE 7.3 | CAPITAL IMPROVEMENT PROJECTS: EXPRESSWAY PROJECTS ($THOUSANDS)

<table>
<thead>
<tr>
<th>Project Name</th>
<th>TIP ID</th>
<th>Sponsor</th>
<th>Total Funds</th>
<th>Discretionary</th>
<th>Local</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central Expressway Auxiliary Lanes</td>
<td>SCL070049</td>
<td>Santa Clara County</td>
<td>$17,000</td>
<td>$14,665</td>
<td>$2,335</td>
</tr>
<tr>
<td>San Tomas Expressway Widening</td>
<td>SCL110007</td>
<td>Santa Clara County</td>
<td>$69,900</td>
<td>$0</td>
<td>$69,900</td>
</tr>
<tr>
<td>US 101/Montague Expressway Interchange</td>
<td>SCL090027</td>
<td>Santa Clara County</td>
<td>$13,500</td>
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<td>$13,500</td>
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<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>$100,400</strong></td>
<td><strong>$14,665</strong></td>
<td><strong>$85,735</strong></td>
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### TABLE 7.4 | CAPITAL IMPROVEMENT PROJECTS: LOCAL STREETS PROJECTS ($THOUSANDS)

<table>
<thead>
<tr>
<th>Project Name</th>
<th>TIP ID</th>
<th>Sponsor</th>
<th>Total Funds</th>
<th>Discretionary</th>
<th>Local</th>
</tr>
</thead>
<tbody>
<tr>
<td>SR 237 - Calaveras Blvd Widening</td>
<td>SCL050077</td>
<td>Milpitas</td>
<td>$4,500</td>
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<td>Charcot Avenue Extension over I-880</td>
<td>SCL090003</td>
<td>San Jose</td>
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<td>$24,800</td>
<td>$9,200</td>
</tr>
<tr>
<td>Project Name</td>
<td>TIP ID</td>
<td>Sponsor</td>
<td>Total Funds</td>
<td>Discretionary</td>
<td>Local</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td>----------</td>
<td>--------------</td>
<td>-------------</td>
<td>---------------</td>
<td>-------</td>
</tr>
<tr>
<td>Coleman Avenue Widening from I-880 to Taylor Street</td>
<td>SCL090005</td>
<td>San Jose</td>
<td>$13,000</td>
<td>$0</td>
<td>$13,000</td>
</tr>
<tr>
<td>San Jose North 1st Street Core Area Streets Imps.</td>
<td>SCL090007</td>
<td>San Jose</td>
<td>$61,000</td>
<td>0</td>
<td>61,000</td>
</tr>
<tr>
<td>San Jose: Various Intersection Improvements</td>
<td>SCL090008</td>
<td>San Jose</td>
<td>$29,000</td>
<td>0</td>
<td>$29,000</td>
</tr>
<tr>
<td>San Jose - Autumn Street Extension</td>
<td>SCL110006</td>
<td>San Jose</td>
<td>$35,000</td>
<td>$974</td>
<td>$34,026</td>
</tr>
<tr>
<td>Highway 9 Safety Improvements</td>
<td>SCL070050</td>
<td>Saratoga</td>
<td>$1,542</td>
<td>$1,362</td>
<td>$180</td>
</tr>
<tr>
<td>SR 237/US 101/Mathilda Interchange Modifications</td>
<td>SCL130001</td>
<td>Sunnyvale</td>
<td>$36,000</td>
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<td>Total</td>
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<td>$215,042</td>
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TABLE 7.5 | CAPITAL IMPROVEMENT PROJECTS: PAVEMENT MANAGEMENT ($MILLIONS)

<table>
<thead>
<tr>
<th>Project Name</th>
<th>TIP ID</th>
<th>Sponsor</th>
<th>Total Funds</th>
<th>Discretionary</th>
<th>Local</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duane Avenue Roadway Preservation</td>
<td>SCL130033</td>
<td>Sunnyvale</td>
<td>$1,780</td>
<td>$1,576</td>
<td>$204</td>
</tr>
<tr>
<td>Hillside Road Preservation</td>
<td>SCL130014</td>
<td>Los Gatos</td>
<td>$157</td>
<td>$139</td>
<td>$18</td>
</tr>
<tr>
<td>Palo Alto Various Street Resurfacing &amp; Streetscape</td>
<td>SCL130042</td>
<td>Palo Alto</td>
<td>$1,081</td>
<td>$956</td>
<td>$125</td>
</tr>
<tr>
<td>Project Name</td>
<td>TIP ID</td>
<td>Sponsor</td>
<td>Total Funds</td>
<td>Discretionary</td>
<td>Local</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td>------------</td>
<td>---------------</td>
<td>-------------</td>
<td>---------------</td>
<td>-------</td>
</tr>
<tr>
<td>US 101 / SR 87-Trimble Road Landscaping</td>
<td>SCL050013</td>
<td>Caltrans</td>
<td>$2,390</td>
<td>$2,390</td>
<td>$0</td>
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<td>$2,390</td>
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TABLE 7.6 | CAPITAL IMPROVEMENT PROJECTS: LANDSCAPE RESTORATION AND GRAFFITI REMOVAL ($THOUSANDS)

<table>
<thead>
<tr>
<th>Project Name</th>
<th>TIP ID</th>
<th>Sponsor</th>
<th>Total Funds</th>
<th>Discretionary</th>
<th>Local</th>
</tr>
</thead>
<tbody>
<tr>
<td>Road Preservation on Grant Road</td>
<td>SCL130023</td>
<td>Los Altos</td>
<td>$388</td>
<td>$312</td>
<td>$76</td>
</tr>
<tr>
<td>Milpitas Various Streets and Roads Preservation</td>
<td>SCL130035</td>
<td>Milpitas</td>
<td>$1,927</td>
<td>$1,652</td>
<td>$275</td>
</tr>
<tr>
<td>Monterey Road Resurfacing Project</td>
<td>SCL130043</td>
<td>Morgan Hill</td>
<td>$1,690</td>
<td>$1,379</td>
<td>$311</td>
</tr>
<tr>
<td>Mountain View Various Road Preservation &amp; Bike lanes</td>
<td>SCL130018</td>
<td>Mountain View</td>
<td>$1,317</td>
<td>$1,166</td>
<td>$151</td>
</tr>
<tr>
<td>San Jose Citywide Pavement Management Program</td>
<td>SCL130005</td>
<td>San Jose</td>
<td>$13,200</td>
<td>$11,531</td>
<td>$1,669</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>$21,464</td>
<td>$18,711</td>
<td>$2,518</td>
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TABLE 7.7 | CAPITAL IMPROVEMENT PROJECTS: TRANSIT ($THOUSANDS)
<table>
<thead>
<tr>
<th>Project Name</th>
<th>TIP ID</th>
<th>Sponsor</th>
<th>Total Funds</th>
<th>Discretionary</th>
<th>Local</th>
</tr>
</thead>
<tbody>
<tr>
<td>BART - Warm Springs to Berryessa Extension</td>
<td>SCL110005</td>
<td>VTA</td>
<td>$2,576,500</td>
<td>$900,000</td>
<td>$1,676,500</td>
</tr>
<tr>
<td>BART - Berryessa to San Jose Extension</td>
<td>BRT030001</td>
<td>VTA</td>
<td>$5,010,500</td>
<td>$356,733</td>
<td>$4,653,767</td>
</tr>
<tr>
<td>VTA - Rail Replacement Program</td>
<td>SCL050002</td>
<td>VTA</td>
<td>$11,272</td>
<td>$9,130</td>
<td>$2,142</td>
</tr>
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<td>VTA - Standard &amp; Small Bus Replacement</td>
<td>SCL050001</td>
<td>VTA</td>
<td>$102,122</td>
<td>$0</td>
<td>$102,122</td>
</tr>
<tr>
<td>LRT Extension to Vasona Junction</td>
<td>SCL090040</td>
<td>VTA</td>
<td>$176,000</td>
<td>$0</td>
<td>$176,000</td>
</tr>
<tr>
<td>Stevens Creek Bus Rapid Transit</td>
<td>SCL110010</td>
<td>VTA</td>
<td>$145,200</td>
<td>$0</td>
<td>$145,200</td>
</tr>
<tr>
<td>Capitol Expressway LRT Extension</td>
<td>SCL050009</td>
<td>VTA</td>
<td>$334,000</td>
<td>$57,540</td>
<td>$276,460</td>
</tr>
<tr>
<td>El Camino Real Bus Rapid Transit</td>
<td>SCL110009</td>
<td>VTA</td>
<td>$233,400</td>
<td>$0</td>
<td>$233,400</td>
</tr>
<tr>
<td>Santa Clara/Alum Rock Transit Improvement/BRT</td>
<td>SCL090001</td>
<td>VTA</td>
<td>$114,818</td>
<td>$90,000</td>
<td>$24,818</td>
</tr>
<tr>
<td>San Jose International Airport People Mover</td>
<td>SCL090019</td>
<td>VTA</td>
<td>$508,000</td>
<td>$0</td>
<td>$508,000</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>$9,211,812</td>
<td>$1,413,403</td>
<td>$7,798,409</td>
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</tbody>
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**TABLE 7.8 | CAPITAL IMPROVEMENT PROJECTS: SYSTEMS OPERATION AND MANAGEMENT PROGRAM ($THOUSANDS)**
<table>
<thead>
<tr>
<th>Project Name</th>
<th>TIP ID</th>
<th>Sponsor</th>
<th>Total Funds</th>
<th>Discretionary</th>
<th>Local</th>
</tr>
</thead>
<tbody>
<tr>
<td>Citywide Traffic Signal Upgrade</td>
<td>SCL050091</td>
<td>Palo Alto</td>
<td>$458</td>
<td>$365</td>
<td>$93</td>
</tr>
<tr>
<td>San Jose Smart Intersections Program</td>
<td>SCL130036</td>
<td>San Jose</td>
<td>$1,307</td>
<td>$1,150</td>
<td>$157</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>$1,765</td>
<td>$1,515</td>
<td>$250</td>
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TABLE 7.9 | CAPITAL IMPROVEMENT PROJECTS: BICYCLE PROJECTS ($THOUSANDS)

<table>
<thead>
<tr>
<th>Project Name</th>
<th>TIP ID</th>
<th>Sponsor</th>
<th>Total Funds</th>
<th>Discretionary</th>
<th>Local</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Ronan Channel and Lions Creek Trail</td>
<td>SCL110032</td>
<td>Gilroy</td>
<td>$1,929</td>
<td>$1,706</td>
<td>$223</td>
</tr>
<tr>
<td>Almaden Expressway Trail</td>
<td>SCL050039</td>
<td>San Jose</td>
<td>$12,835</td>
<td>$492</td>
<td>$12,343</td>
</tr>
<tr>
<td>Montague Expy Ped Bridge at Milpitas BART Station</td>
<td>SCL130040</td>
<td>VTA</td>
<td>$841</td>
<td>$744</td>
<td>$97</td>
</tr>
<tr>
<td>Bay Trail Reach 9</td>
<td>SCL050082</td>
<td>San Jose</td>
<td>$2,378</td>
<td>$675</td>
<td>$1,703</td>
</tr>
<tr>
<td>Coyote Creek Trail</td>
<td>SCL050083</td>
<td>San Jose</td>
<td>$14,769</td>
<td>$3,674</td>
<td>$11,095</td>
</tr>
<tr>
<td>Los Gatos Creek Trail Reach 5 Bridge Crossings</td>
<td>SCL110029</td>
<td>San Jose</td>
<td>$4,600</td>
<td>$1,250</td>
<td>$3,350</td>
</tr>
<tr>
<td>Sunnyvale East and West Channel Multi-Use Trails</td>
<td>SCL130031</td>
<td>Sunnyvale</td>
<td>$3,600</td>
<td>$2,844</td>
<td>$756</td>
</tr>
<tr>
<td>Adobe Creek/ Highway 101 Bicycle Pedestrian Bridge</td>
<td>SCL130041</td>
<td>Palo Alto</td>
<td>$9,500</td>
<td>$4,000</td>
<td>$4,500</td>
</tr>
<tr>
<td>Upper Penitencia Creek Multi-Use Trail</td>
<td>SCL130020</td>
<td>VTA</td>
<td>$2,124</td>
<td>$1,514</td>
<td>$610</td>
</tr>
<tr>
<td>Project Name</td>
<td>TIP ID</td>
<td>Sponsor</td>
<td>Total Funds</td>
<td>Discretionary</td>
<td>Local</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td>----------</td>
<td>--------------------</td>
<td>-------------</td>
<td>---------------</td>
<td>--------</td>
</tr>
<tr>
<td>San Jose Pedestrian Oriented Traffic Signals</td>
<td>SCL130010</td>
<td>San Jose</td>
<td>$3,472</td>
<td>$3,000</td>
<td>$472</td>
</tr>
<tr>
<td>San Tomas Aquino Spur Trail Phase 2</td>
<td>SCL130022</td>
<td>Santa Clara County</td>
<td>$4,594</td>
<td>$3,234</td>
<td>$1,360</td>
</tr>
<tr>
<td>San Jose Citywide Bikeway Program</td>
<td>SCL130004</td>
<td>San Jose</td>
<td>$1,307</td>
<td>$1,150</td>
<td>$157</td>
</tr>
<tr>
<td>St. Johns Bikeway and Pedestrian Improvements</td>
<td>SCL130011</td>
<td>San Jose</td>
<td>$1,500</td>
<td>$1,185</td>
<td>$315</td>
</tr>
<tr>
<td>East San Jose Pedestrian Improvements</td>
<td>SCL110121</td>
<td>Santa Clara County</td>
<td>$2,660</td>
<td>$2,128</td>
<td>$532</td>
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<td></td>
<td></td>
<td>$66,109</td>
<td>$27,596</td>
<td>$38,513</td>
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</table>

TABLE 7.10 | CAPITAL IMPROVEMENT PROJECTS: LIVABLE COMMUNITIES AND PEDESTRIAN PROGRAM ($THOUSANDS)
<table>
<thead>
<tr>
<th>Project Description</th>
<th>SCL</th>
<th>Location</th>
<th>Amount 1</th>
<th>Amount 2</th>
<th>Amount 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>San Jose - San Carlos Multimodal Phase 2</td>
<td>SCL110034</td>
<td>San Jose</td>
<td>$3,696</td>
<td>$2,400</td>
<td>$1,296</td>
</tr>
<tr>
<td>Sunnyvale/Saratoga Road Bike/Ped Safety Enhancements</td>
<td>SCL130028</td>
<td>Sunnyvale</td>
<td>$663</td>
<td>$524</td>
<td>$139</td>
</tr>
<tr>
<td>Maude Avenue Bikeway and Streetscape</td>
<td>SCL130030</td>
<td>Sunnyvale</td>
<td>$880</td>
<td>$695</td>
<td>$185</td>
</tr>
<tr>
<td>Fair Oaks Avenue Bikeway and Streetscape</td>
<td>SCL130029</td>
<td>Sunnyvale</td>
<td>$1,210</td>
<td>$956</td>
<td>$254</td>
</tr>
<tr>
<td>SRTS Ped Infrastructure Improvements</td>
<td>SCL130032</td>
<td>Sunnyvale</td>
<td>$1,900</td>
<td>$1,570</td>
<td>$330</td>
</tr>
<tr>
<td>Arastradero Road Schoolscape/Multiuse Trail</td>
<td>SCL130034</td>
<td>Palo Alto</td>
<td>$1,502</td>
<td>$1,000</td>
<td>$502</td>
</tr>
<tr>
<td>St. John Street Multi-Modal Improvements - Phase 1</td>
<td>SCL110118</td>
<td>San Jose</td>
<td>$1,876</td>
<td>$1,500</td>
<td>$376</td>
</tr>
<tr>
<td>Park Avenue Multi-Modal Improvements</td>
<td>SCL110117</td>
<td>San Jose</td>
<td>$1,820</td>
<td>$1,456</td>
<td>$364</td>
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<tr>
<td>Jackson Ave Bicycle and Pedestrian Improvements</td>
<td>SCL130007</td>
<td>San Jose</td>
<td>$1,899</td>
<td>$1,500</td>
<td>$399</td>
</tr>
<tr>
<td>Santa Clara Caltrain Station Bike/Ped Tunnel</td>
<td>SCL090031</td>
<td>VTA</td>
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<td>$7,990</td>
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<tr>
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<td>$16,978</td>
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CHAPTER 8 | MONITORING AND CONFORMANCE ELEMENT

BACKGROUND

State statute sections 65089.1 and 65089.2 identify a number of program elements and responsibilities pertaining to the establishment of a Congestion Management Program. Section 65089.3 charges the Congestion Management Agency with monitoring all elements of the program on a biennial basis. VTA, as the CMA for Santa Clara County, meets and exceeds this requirement.

Specifically, the CMA must monitor the level of service on the CMP roadway network (Freeways, State Highways and Principal Arterials) as well as the impacts of land use changes to determine whether Member Agencies are conforming to the CMP. The CMA must also ensure that its Member Agencies are meeting transportation impact analysis submittal requirements. Failure to conform to the CMP may result in the withholding of Member Agency Proposition 111 (1991) gas tax revenue.

Monitoring findings are released each spring in the Monitoring and Conformance Report after receiving months of input from VTA’s Systems Operations & Management Working Group and other Member Agency staff. The Report is reviewed by VTA’s Advisory and Standing Committees and is ultimately approved by the Board of Directors.

AUTO LEVEL OF SERVICE STANDARD

Statute 65089 (1)(A) identifies auto Level of Service (LOS)—a sliding A through F scale where LOS A indicates no traffic congestion and LOS F indicates significant congestion—as the measure to apply to CMP network operation. The statute establishes LOS E as the minimum CMP auto LOS standard. CMP facilities operating below LOS E will be considered non-conforming. CMP facilities operating below LOS E prior to 1991 are exempt from meeting the LOS standard. Further discussion of the VTA CMP auto LOS standard is provided in Chapter 2 of this document.

SCOPE OF THE MONITORING PROGRAM, RESPONSIBILITY AND METHODOLOGY

Below is a discussion of how data is collected and analyzed for conformance for each section of the Monitoring Program. In some areas the methodology is mandated by the CMA legislation. In other areas the CMA and Member Agencies have collaborated to determine the proper methodology. Detailed discussions of level of service methodology can be found in VTA’s Traffic Level of Service Analysis Guidelines. Further information about the methodology for data collection in the monitoring program is included in the 2014 Monitoring and Conformance
Report. This section also indicates whether the Member Agencies or VTA are responsible for monitoring, and how often the monitoring takes place.

**FREEWAYS (VTA RESPONSIBILITY, UNDERTAKEN ANNUALLY)**

Each fall, VTA collects AM and PM peak period data for the freeways in the CMP network. Since 1997, the VTA has used aerial photography to collect a comprehensive set of data for every freeway segment. The aerial photographs are used to measure traffic density, which forms the basis to calculate LOS as well as speed and flow rates based on a density-speed curve.

**Transition to Big Data**

In 2014, VTA investigated freeway data collection techniques that utilize innovative new methodologies, namely Big Data. VTA staff is working with a consultant to apply this methodology to the CMP Monitoring and Conformance Program. This effort could potentially provide a more comprehensive data set for a lower cost than aerial photography.

For the 2014 monitoring study, the aerial photography method is still being utilized but is being compared side-by-side with data collected at the same times and locations by video camera, the Caltrans Performance Measurement System (PeMS), and INRIX ('big data' from a variety of sources). This comparison will assist VTA and its Member Agencies in determining the usefulness of these data sources for future monitoring studies. No timetable has been set for the use of Big Data in the monitoring study, but VTA is looking to implement this technique in the near-term, possibly by the 2016 Monitoring Program.

VTA envisions that a transition to big data could improve the Monitoring Program, not only by potentially providing more data for a lower cost, but also by widening the scope of transportation analysis in Santa Clara County. Over the coming years VTA staff will evaluate the suitability of big data to conduct research in the following areas:

- Vehicle miles traveled
- Duration of congestion
- Automobile travel times and reliability
- Congestion spillover to alternate routes
- Causes of congestion

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16 Big Data is a phenomenon currently impacting a wide range of industries, defined as “a new generation of technologies and architectures designed to economically extract value from very large volumes of a wide variety of data, by enabling high-velocity capture, discovery, and/or analysis” (Big Data: Beyond the Hype, White Paper by Datastax Corporation, March 2012). In the field of transportation monitoring and analysis, Big Data methods involve aggregating traffic-related information from GPS-enabled vehicles and mobile devices, traditional road sensors and hundreds of other sources (INRIX website, accessed 9/11/2013).
- Transit travel times and reliability
- Modal split
- Automobile trip generation

**LAND USE APPROVALS (MEMBER AGENCY RESPONSIBILITY, UNDERTAKEN ANNUALLY)**

Each summer Member Agencies are requested to submit land use approval data for the prior fiscal year to VTA. The data submittal identifies the parcel number, traffic analysis zone (TAZ), zoning designation/change, number of residential units added/removed and the number of commercial/industrial square feet added/removed.

VTA tallies the annual change in residential units and commercial/industrial square footage on a city and countywide basis, identifies development trends and undertakes a geographic analysis of land use changes. The data appears alongside data from previous years in the Monitoring and Conformance Report. Figure 8.1 shows the locations of residential land use approvals from fiscal year 2014. Figure 8.2 shows the locations of commercial/industrial land use approvals for the same year.

**TRANSPORTATION IMPACT ANALYSIS (MEMBER AGENCY RESPONSIBILITY, CONTINUALLY AS APPROPRIATE)**

Member Agencies are required to undertake a Transportation Impact Analysis (TIA) when a project is expected to produce more than 100 net new peak hour trips during the AM or PM peak hour (weekdays) or the peak hour (weekends). TIAs are required to be submitted to VTA for review and comment at least 20 calendar days before the project is considered for approval or recommended for approval. See Chapter 6 for further discussion of TIAs and the TIA Guidelines.

**CMP INTERSECTIONS (MEMBER AGENCY RESPONSIBILITY PERFORMED BY VTA, UNDERTAKEN BIENNially)**

The operation of principal arterials and state highways located within urbanized Santa Clara County is measured by the level of service at CMP Intersections. CMP intersections are select, generally high-volume intersections located along these thoroughfares. 252 CMP intersections are currently monitored. Every other fall, the PM peak period vehicle volume data for each CMP Intersection is collected and analyzed. CMP Intersection data will next be collected for the 2016 monitoring cycle. Traditionally, data collection for CMP intersection monitoring has been a Member Agency responsibility. However, based on an agreement between VTA and the Member Agencies in 2011, data collection for CMP intersections is currently performed by VTA.
FIGURE 8.1 | APPROVED HOUSING UNITS NEAR VTA’S CORES, CORRIDORS AND STATION AREAS (2014 NET CHANGE)
FIGURE 8.2 | JOB CHANGE ESTIMATES NEAR VTA’S CORES, CORRIDORS AND STATION AREAS (2014 NET CHANGE)
For CMP Intersections level of service is calculated in terms of Average Control Delay—the average number of seconds a vehicle must wait at the intersection. The methodology is based on the 2000 Highway Capacity Manual.

RURAL HIGHWAYS (VTA RESPONSIBILITY, UNDERTAKEN BIENNIALY)

Every other fall, VTA uses hose counters to conduct three-day counts at twelve locations along Santa Clara County’s rural highways. Counts are recorded in 15-minute intervals with the one-hour period that shows the greatest combined vehicle volume considered the peak period. Automatic hose counters are used to measure vehicle counts by the number of times the hose is depressed by traveling vehicles. The LOS procedure in the 2000 Highway Capacity Manual is used to measure the percent time-spent following and average travel speed, with appropriate inputs for peak hour and peak 15 minute traffic volumes, the percentage split between the two directions of traffic, the percentage of trucks in the traffic flow, and the type of terrain. Rural highway data will next be collected for the 2016 monitoring cycle.

MULTIMODAL IMPROVEMENT PLAN MONITORING (MEMBER AGENCY RESPONSIBILITY, UNDERTAKEN ANNUALLY)

Multimodal Improvement Plans shall be prepared by Member Agencies in situations where the CMP Traffic Level of Service standard is violated or is likely to be violated in the future. The requirements for preparing Multimodal Improvement Plans are set forth in VTA’s Deficiency Plan Requirements, which were most recently updated in September 2010 and are described further in Chapter 9. Member Agencies with approved Multimodal Improvement Plans are responsible for preparing an Implementation Status Report that documents progress on the implementation of all the improvements and actions included in the Multimodal Improvement Plan. These Status Reports are to be submitted annually by the Member Agencies with approved Multimodal Improvement Plans. As part of its monitoring process, VTA will review Member Agencies’ Implementation Status Reports for purposes of determining conformance with the CMP.

MONITORING AND CONFORMANCE PROCESS

The following is a brief summary of the steps in the VTA CMP Monitoring and Conformance Process over the course of the fiscal year. Table E.1 in the Executive Summary summarizes the CMP Elements, monitoring and conformance requirements, timing, and responsible agency in tabular form.

July – VTA alerts Member Agencies of monitoring requirements and deadlines for data submittal. The notification contains paper and electronic versions of the annual monitoring and conformance requirements, land use approval worksheet, certification form and supporting documents.
**Fall** – Member Agencies assemble land use approval data and TIA submittals. VTA collects all data for the CMP Monitoring Program between Labor Day and the Thanksgiving Holiday week. Freeway data and land use data are collected every year. Biennially, data is also collected for CMP Intersections, rural highways and bicycle and pedestrian volumes. Member Agencies with approved Multimodal Improvement Plans prepare Implementation Status Reports annually.

**Winter** – VTA staff receives and analyzes monitoring data. Monitoring data is presented to the Systems Operations & Management Working Group (SOMWG) for review and discussion.

**Spring** – VTA presents the Draft Monitoring and Conformance Report and conformance findings to the SOMWG, select advisory and standing committees and the Board of Directors for adoption.

If a Member Agency is found in non-conformance with the CMP, the agency will be notified by VTA in writing and will have 90 days to achieve conformance. If a Member Agency finds flaws with a finding of non-conformance, the agency has 60 days to submit a written response either disputing the finding by documenting any errors related to the determination of conformance or detailing how the agency will respond to the violation, for instance by developing a Multimodal Improvement Plan. Written responses must be signed by the city manager/town manager/county executive.

If a Member Agency found to be non-conforming has not achieved conformance within the 90 days following written notice, the VTA Board of Directors will make a finding of non-conformance and will notify the State Controller, who will withhold gas tax subventions from the non-conforming jurisdiction.

**Summer** – Following adoption by the Board of Directors, a final version of the Monitoring Report is released incorporating feedback, if any, from the committees and the Board.

**RELEVANT TECHNICAL GUIDELINES**

The following Technical Guidelines of the VTA Congestion Management Program are relevant to the Monitoring and Conformance process. The versions/dates listed are the most current as of fall 2015.

- Traffic Level of Service Analysis Guidelines (adopted June 2003)
- Transportation Impact Analysis Guidelines (adopted October 2014)
- Deficiency Plan Requirements (adopted September 2010)
- Annual Monitoring Requirements (revised April 2004)
CHAPTER 9 | MULTIMODAL IMPROVEMENT PLAN ELEMENT

This chapter describes the Congestion Management Program Multimodal Improvement Plan Element, and includes the following sections:

- VTA Approach to Multimodal Improvement Planning
- Multimodal Improvement Plan Requirements
- Multimodal Improvement Plan Evaluation
- Multimodal Improvement Plan Monitoring
- Local Multimodal Improvement Plans
- Compliance and Conformance

INTRODUCTION

The Congestion Management Program (CMP) Statute states that, “When the level of service on a segment or at an intersection fails to attain the established level of service standard... a deficiency plan shall be adopted pursuant to Section 65089.4.”

Beginning with the 2013 CMP, VTA uses the term “Multimodal Improvement Plan” for “Deficiency Plan” as defined by state legislation. The purpose of this change is to highlight the positive role a Multimodal Improvement Plan can play in identifying measures available to Member Agencies to improve multimodal transportation options in situations where it is infeasible or undesirable to address a level of service (LOS) deficiency by expanding automobile capacity. Prior to August 2013, VTA used the term “Deficiency Plan,” so this term still occurs in the Board-adopted VTA Deficiency Plan Requirements (2010) as well as two Deficiency Plans that have been adopted by cities in Santa Clara County.

To be consistent with CMP Statute, Multimodal Improvement Plans must include a list of improvements, programs, or actions that measurably improve multimodal performance and contribute to significant improvements in air quality. If a CMP System facility falls below the LOS standard and does not have an approved Multimodal Improvement Plan, then the local jurisdiction in which the facility is located is at risk of losing gas tax revenues provided from Proposition 111.

Multimodal Improvement Plans allow local jurisdictions to proceed with development projects even if adherence to CMP auto LOS standards cannot be achieved for specific facilities. In some situations, meeting LOS standards may be infeasible or undesirable. For these situations, Multimodal Improvement Plans allow local jurisdictions to adopt innovative and comprehensive
transportation strategies for improving system-wide multimodal transportation rather than strictly adhering to a auto LOS standard that may contradict other community goals, such as concentrating higher-density development near transit or maintaining the attractiveness of streets for pedestrians and bicyclists. In other words, Multimodal Improvement Plans allow Member Agencies to trade off increased congestion on one CMP facility for transportation system improvements to other facilities or services (e.g. transit, bicycling, walking, or transportation demand management).

**VTA APPROACH TO PREPARING MULTIMODAL IMPROVEMENT PLANS**

VTA has been proactive in the development of guidelines and standards for Multimodal Improvement Plans. The approach taken by the VTA Board has been to create a clear set of guidelines so that traffic congestion could be addressed in advance and development projects would not be delayed by the process.

The Technical Advisory Committee (TAC) began the development of guidelines for the preparation of Multimodal Improvement Plans, then referred to as Deficiency Plans, immediately upon completion of Santa Clara County’s first Congestion Management Program in 1991. The first Requirements for Deficiency Plans were adopted in November 1992. These standards were revised by VTA in consultation with its Member Agencies in 2009 and 2010, and new Deficiency Plan Requirements were adopted by the VTA Board in September 2010.

The following is VTA’s approach to the preparation of Multimodal Improvement Plans.

- All Multimodal Improvement Plans must be one of the following three types:
  1. **Mini Multimodal Improvement Plan**: A Mini Multimodal Improvement Plan is prepared to address a single CMP Intersection or roadway facility, typically in conjunction with a Transportation Impact Analysis (TIA) Report for a single development project.
  2. **Specific Area Multimodal Improvement Plan**: A Specific Area Multimodal Improvement Plan is prepared for a CMP roadway segment or set of intersections within a localized specific area such as a downtown or special district.
  3. **Areawide Multimodal Improvement Plan**: An Areawide Multimodal Improvement Plan is prepared to address all the CMP System roadways or intersections included in an identified area such as an entire city or an area that covers multiple jurisdictions and/or cities.

- VTA recommends that Member Agencies prepare Areawide Multimodal Improvement Plans whenever possible. This will reduce the number of Multimodal Improvement Plans prepared and lead to implementation of comprehensive solutions to transportation problems.
• VTA requires that each Multimodal Improvement Plan include implementation of all feasible and applicable actions on the “Deficiency Plan Action List” provided in the VTA Deficiency Plan Requirements. Member Agencies must identify how all of these specific actions will be implemented as part of the Multimodal Improvement Plan.

• VTA requires that each Multimodal Improvement Plan demonstrate, to the extent practical, how the actions included in the Plan, such as improved public transit service and facilities, improved non-motorized transportation facilities, and enhanced transportation demand management measures, will improve system-wide multimodal performance and air quality.

**MULTIMODAL IMPROVEMENT PLAN REQUIREMENTS**

VTA’s most recent document addressing the policies and procedures for Multimodal Improvement Plans is the Board-adopted Deficiency Plan Requirements, September 2010.

The CMP Statute states that “The deficiency plan shall include the following elements” (summarized from California Government Code Section 65089.4):

1. Analysis of the cause of the deficiency;
2. Analysis of the improvements needed to maintain the CMP auto LOS standard on the deficient facilities and the cost of those improvements;
3. A list of alternative improvements, programs or actions that will improve multimodal performance and improve air quality; and
4. An action plan for implementing the improvements outlined in (2) or the alternative actions outlined in (3).

The CMP statute requires congestion management agencies to use the action items from the Deficiency Action List developed by the local air quality management district. The air quality management district for Santa Clara County, the Bay Area Air Quality Management District (BAAQMD) adopted a Deficiency Plan Action List in November 1992. The BAAQMD’s list is based on the Transportation Control Measures (TCMs) in the Bay Area Clean Air Plan (see Appendix G for a complete list of TCMs). Therefore, Multimodal Improvement Plans will be a significant means of implementing TCMs in Santa Clara County.

VTA’s Deficiency Plan Requirements include the BAAQMD Deficiency Plan action list, as Appendix C of the document. Where appropriate, VTA’s requirements contain edits that have been made to the Air District’s Deficiency Plan action list to reflect current standards and practices applicable to Santa Clara County.
MULTIMODAL IMPROVEMENT PLAN UPDATES

Multimodal Improvement Plans must be updated when transportation and/or development projections change significantly from the assumptions used for the Multimodal Improvement Plan. Multimodal Improvement Plan monitoring requirements are addressed later in this chapter.

MULTIMODAL IMPROVEMENT PLAN EVALUATION

Member Agencies must prepare Multimodal Improvement Plans and adopt them at a noticed public hearing. The Multimodal Improvement Plan is then submitted to VTA. According to the CMP Statute:

“A city or county shall forward its adopted deficiency plan to the agency within 12 months of the identification of a deficiency. The agency shall hold a noticed public hearing within 60 days of receiving the deficiency plan. Following the hearing, the agency shall either accept or reject the deficiency plan in its entirety, but the agency may not modify the deficiency plan. If the agency rejects the plan, it shall notify the city or county of the reasons for that rejection.” (California Government Code Section 65089.4(d))

The VTA Deficiency Plan Requirements define the criteria that will be used to approve or reject Member Agency Multimodal Improvement Plans. VTA staff will analyze Multimodal Improvement Plans submitted by Member Agencies using the adopted criteria, and present a report to the VTA Board that documents their findings and contains a recommendation to approve or reject the Multimodal Improvement Plan.

MULTIMODAL IMPROVEMENT PLAN CRITERIA

The following criteria will be used when evaluating Multimodal Improvement Plans:

1. Are all actions on the most current version of the Deficiency Plan Action List that are applicable and feasible included in the Multimodal Improvement Plan? Are the reasons why any actions found to be inapplicable or infeasible adequate?

2. Are sufficient actions included in the Multimodal Improvement Plan to compensate for the deficient facility’s unacceptable LOS? Are these actions on the Deficiency Plan Action List or have they been approved by the BAAQMD? Is the technical analysis of physical improvements included in the Multimodal Improvement Plan adequate?

3. Does the Multimodal Improvement Plan include a workable program to guarantee implementation of all actions and improvements included in the Multimodal Improvement Plan?
4. Are the costs for implementation of the Multimodal Improvement Plan actions reliably estimated? Does the Multimodal Improvement Plan include an adequate method for financing the actions and improvements?

5. Are the Multimodal Improvement Plan actions and improvements consistent with all appropriate regional and local plans? (i.e. the Regional Clean Air Plan, the Regional Transportation Plan, the Regional Transportation Improvement Program, the BAAQMD’s Deficiency Plan Action List and any subsequent requirements, and applicable General Plans).

6. Did the local jurisdiction consult with all appropriate neighboring jurisdictions and agencies when preparing the Multimodal Improvement Plan?

7. Does the Multimodal Improvement Plan include a monitoring program that will assess whether Multimodal Improvement Plan actions and improvements have been implemented?

8. Did the Member Agency prepare an adequate environmental analysis of the Multimodal Improvement Plan?

In accordance with CMP statute, VTA will consider Multimodal Improvement Plans at a noticed public hearing. If a Multimodal Improvement Plan is rejected, VTA will provide a written report that documents its reasons for rejecting the Multimodal Improvement Plan.

**MULTIMODAL IMPROVEMENT PLAN MONITORING**

Multimodal Improvement Plans must be monitored as part of the CMP Monitoring and Conformance Program. Member Agencies will monitor implementation of Multimodal Improvement Plan actions by preparing a Multimodal Improvement Plan Implementation Status Report. This status report will be based on the implementation schedule included in the Multimodal Improvement Plan.

If a Member Agency is not meeting the implementation schedule it set forth in a Multimodal Improvement Plan, VTA may require the Member Agency to expedite the implementation of their Multimodal Improvement Plan, or the Member Agency could be found in nonconformance with the CMP and lose gas tax revenues generated by Proposition 111.

As part of its CMP Monitoring and Conformance Program, VTA will complete an evaluation of the multimodal performance of the CMP Transportation System to evaluate the overall effectiveness of the adopted Multimodal Improvement Plans. It must be emphasized that it will be difficult to measure quantitatively the effect of individual actions or even of individual Multimodal Improvement Plans, especially since most of the actions are designed to achieve maximum effectiveness over the long term. VTA will use several types of quantitative data to analyze overall CMP effectiveness. The data may include LOS data submitted to the CMA by Member Agencies as part of the LOS monitoring program and modeling data, such as vehicle
miles traveled and auto trip reductions, gathered from VTA’s Countywide Transportation Model.

LOCAL MULTIMODAL IMPROVEMENT PLANS

To date, two Multimodal Improvement Plans have been developed by cities and approved by the VTA Board of Directors. Both were adopted as “Deficiency Plans.” The City of Sunnyvale developed a Citywide Deficiency Plan which was approved by the VTA Board in January 2006, and the City of San Jose developed the specific area North San Jose Deficiency Plan that was approved by the VTA Board in June 2007. Other cities in Santa Clara County are considering developing Multimodal Improvement Plans to address LOS deficiencies in their networks over the long term. VTA will work with local agencies that develop new Multimodal Improvement Plans, and as they are adopted these plans will be monitored per CMP requirements.

COMPLIANCE AND CONFORMANCE

In order to be in conformance with the Congestion Management Program, Member Agencies must:

- Prepare Multimodal Improvement Plans for facilities that violate CMP auto LOS standards or that are projected to violate LOS standards using the adopted VTA Deficiency Plan Requirements.
- Submit Multimodal Improvement Plan Implementation Status Reports as part of the CMP Monitoring process.
APPENDIX A | GLOSSARY

**AB-32**: Assembly Bill 32 (Nunez) The California Global Warming Solutions Act of 2006. AB-32 was signed into law by Governor Arnold Schwarzenegger on September 27, 2006. The bill required the California Air Resources Board to adopt regulations that require the reporting and verification of statewide greenhouse gas emissions and to monitor and enforce compliance with the regulations.

**ABAG**: Association of Bay Area Governments. The regional planning agency for the nine counties and 101 cities and towns of the San Francisco Bay region.

**ADT**: Average Daily Traffic. Average number of vehicles passing a specified point during a 24-hour period.

**AQAP**: Air Quality Attainment Plan. The plan for attainment of state air quality standards, as required by the California Clean Air Act of 1988. Air Quality Attainment Plans are adopted by air quality districts and subject to approval by the California Air Resources Board.

**Approved Project**: Any land use project that is expected to generate trips on the designated CMP System. “Approved projects” include such land use approvals as planned development zonings, planned development permits, site and architectural permits, conditional permits, and actions that represent final land use approval and create a land use entitlement.

**Automobile Level of Service**: Automobile Level of Service (commonly shortened to “auto LOS”) describes the operations of roadway segments or intersections in terms of vehicle speed, volume and capacity, and traffic delay. Auto LOS measurements are given by letter designations, from A (least congested) to F (most congested). Procedures to analyze Auto LOS for CMP purposes are defined in the VTA Traffic LOS Analysis Guidelines. Auto LOS evaluates operations for all common motor vehicle types, including automobiles, light and heavy trucks, and motorcycles. In addition, although congestion also affects transit vehicles operating in general purpose lanes, transit operations are affected by additional factors and are typically evaluated separately from auto LOS.

**BAAQMD**: Bay Area Air Quality Management District. The regional agency created by the state legislature for the Bay Area air basin (Alameda, Contra Costa, a portion of Solano and Sonoma, Marin, Napa, San Francisco, San Mateo, and Santa Clara counties) that develops, in conjunction with MTC and ABAG, the air quality plan for the region. BAAQMD has an active role in approving the TCM (see definition below) plan for the region, as well as in controlling stationary and indirect sources of air pollution.

**Baseline LOS**: 1991 CMP level of service. Traffic volumes used to calculate the baseline LOS include existing 1991 intersection volumes, and new trips generated from projects approved as of April 17, 1991 and funded transportation improvements.

**Big Data**: A phenomenon currently impacting a wide range of industries, defined as “a new generation of technologies and architectures designed to economically extract value from very large volumes of a wide variety of data, by enabling high-velocity capture, discovery, and/or analysis” (Big Data: Beyond the Hype, White Paper by Datastax Corporation, March 2012). In the field of transportation monitoring and analysis, Big Data methods involve aggregating traffic-related information from GPS-enabled vehicles and mobile devices, traditional road sensors and hundreds of other sources (INRIX website, accessed 9/11/2013).
**Caltrans**: California State Department of Transportation. As the owner/operator of the state highway system, Caltrans is responsible for the safe operation and maintenance of the highway.

**Capital Priorities**: A process used by MTC to evaluate and prioritize transit projects in the region. All sources of transit funding, including FTA grants, state programs, and other sources are considered. This process involves all of the transit operators in the region, including bus, rail, and ferries.

**Carpooling**: A carpool is formed with a minimum of two people who commute on a regular basis. Carpoolers generally live and work in close proximity to each other and share common commuting patterns and schedules.

**CAP**: Clean Air Plan. A set of guidelines that are designed to improve air quality, protect public health, and protect the climate.

**CDT Program**: VTA’s Community Design & Transportation (CDT) Program, adopted by Board Resolution No. 02.11.35, is VTA’s primary program designed to integrate transportation infrastructure improvements and land use development.

**CEQA**: California Environmental Quality Act. This act sets environmental standards designed to enhance environmental quality and to control environmental pollution throughout the state of California.

**CIP**: Capital Improvement Program. A seven year program established by CMP to create projects to maintain or improve the auto level of service and transit performance standards, and to mitigate regional transportation impacts identified by the CMP Land Use Analysis Program, which conforms to transportation-related vehicle emissions, air quality, and climate mitigation measures.

**CMA**: Congestion Management Agency: The CMA is a countywide organization responsible for preparing and implementing the county’s Congestion Management Program. In Santa Clara County, VTA is the designated CMA.

**CMAQ**: Congestion Mitigation and Air Quality Improvement Program. A federal funding program established by ISTE A and continued in TEA-21 and SAFETEA-LU specifically for projects and programs that contribute to attainment of national ambient air quality and safety standards. The funds are available to non-attainment areas based on population and the severity of pollution. Eligible projects will be defined by the State Implementation Program (SIP), the State’s air quality plan.

**CMIA**: Corridor Mobility Improvement Account. A State Funding program for projects on the California State Highway System that: reduce travel time or delay, improves connectivity of the State Highway System between rural, suburban and urban areas, or improves the operation and safety of a highway or road segment; improves access to jobs, housing, markets and commerce; and begin construction before December 2012.

**CMP**: Congestion Management Program. A multi-jurisdictional program to manage traffic congestion. (This is required of every county in California that has urbanized areas of at least 50,000 people). Unless specified, CMP will mean the Santa Clara Valley Transportation Authority’s Congestion Management Program.

**Commute**: A trip that consists of traveling between home and work.

**Commute Alternatives**: An alternative mode of commuting to a single-occupancy vehicle, including using public transit, bicycling, and walking to work.
**Compressed Work Week:** A work schedule for an employee that eliminates at least one round-trip commute either weekly or every other week. An example would be working forty hours in a compressed week (e.g. four ten-hour days) or a work plan that allows one day off every other week.

**CTC:** California Transportation Commission. A state agency that sets state spending priorities and allocates funding for highways and transit. The Governor of California appoints CTC members.

**Deficiency Plan:** See *Multimodal Improvement Plan*.

**Express Lanes:** High-occupancy toll lanes that combine the characteristics of HOV lanes and toll roads by allowing carpools, vanpools, and buses free access, while charging for single-occupant vehicles or drive alone use. In other areas outside Santa Clara County, Express Lanes may be called high-occupancy toll (HOT) or managed lanes.

**Farebox Revenues:** These are revenues collected from transit riders.

**FCR:** Flexible Congestion Relief. One of the state’s funding programs for local or regional transportation projects that will reduce congestion. State highway projects, local roads, and rail guideway projects are all eligible.

**FHWA:** Federal Highway Administration. The federal agency responsible for the approval of transportation projects that affect the defined federal highway system. Administratively, it is under US DOT (Department of Transportation) and is the sister agency of FTA (see definition below).

**Flexible Work Hours:** This is a form of alternative work schedule. It is a policy that gives employees the option of varying their starting and stopping times each workday. Most policies specify a core period in the middle of the workday (e.g. 10:00 a.m. to 4:00 p.m.) when all employees are required to be present. The intent is to allow employees flexibility in their work hours to meet individual needs and provide an incentive to use commute alternatives such as carpooling or transit.

**Floating Car Data:** The floating car technique is a method used to estimate the average speed on a segment of highway. Traffic speeds are collected by driving with the stream of traffic and recording speed and travel time.

**FTA:** Federal Transit Administration. A component of the U.S. Department of Transportation, delegated by the Secretary of Transportation to administer the federal transit program under the Urban Mass Transportation Act of 1964, as amended, and various other statutes.

**HCM:** Highway Capacity Manual. A manual published by the Transportation Research Board (TRB) that contains concepts, guidelines, and equations to calculate the level of service on highways and intersections. In 2010 the manual was updated to include new level of service/quality of service measures for transit, pedestrians, and bicycles.

**HOV:** High Occupancy Vehicle Lane. A lane on a street or highway reserved for the use of high occupancy vehicles either all day or during specified periods (for example, during rush hours). Buses, carpools, and/or vanpools are allowed to use HOV lanes.

**HSR:** High Speed Rail. The project which is an intra-state high-speed rail link currently being planned by the California High Speed Rail Authority to help meet the anticipated increase in travel demand between the Bay Area and Southern California.
IIP: Interregional Improvement Program. This is a state funded program created by SB-45. IIP funds may be awarded to projects outside of the urbanized areas and for interregional projects. All IIP funds are programmed by Caltrans, via the Interregional Transportation Improvement Plan (ITIP) process, with final approval by CTC.

Indirect Source Control Measure: The federal Clean Air Act defines indirect source as “...a facility, building, structure, installation, real estate property, road or highway which attracts or may attract mobile sources of pollution.” An indirect source control measure is a rule or ordinance established to reduce the mobile source emissions associated with specific activity centers such as those noted above.

Internal Trips: Trips expected to have both their origin and destination within a single development. An example of this is would be a development that has both office and residential space. In this example, internal trips between home and work would be counted as one trip when calculating trip generation.

IRRS: Interregional Road System. On February 1, 1990, Caltrans submitted a plan to the state legislature that identified a set of projects that “will provide the most adequate interregional road system to all economic centers in the State.” The statute defined eligible routes, and specified that these new routes be located outside the boundaries of urbanized areas (urbanized areas have populations of 50,000 or more), “except as necessary to provide connection for continuation of the routes within urban areas.” From this plan, Caltrans suggests projects, consistent with the Fund Estimate in its PSTIP, to the CTC for programming in the STIP.

ISTEA: Intermodal Surface Transportation Efficiency Act. In 1991, Federal legislation passed a bill that restructured the way funding was allocated to highway projects and included funding transit projects in urban areas. Key ISTEA components included increased flexibility in the programming of projects and a level playing field between highway and transit projects with a consistent matching ratio of 80% to 20%, respectively. There were ties to the Federal Clean Air Act and the Americans with Disabilities Act, and some major New Rail Starts (Section 3) funds earmarked for the Bay Area Region. ISTEA funding expired in 1997, and was followed by TEA-21, and then SAFETEA LU.

ITIP: Interregional Transportation Improvement Program. The ITIP is a four-year planning and expenditure program adopted by the CTC and updated in even numbered years. The ITIP covers rural highways and key interregional improvements including intercity rail.

Lead Agency: The local jurisdiction or agency responsible for approving a project’s environmental analysis as required under CEQA and/or Transportation Impact Analysis report per CMP requirements.

LOS: Level of Service. This is a measure used by transportation professionals to grade performance of transportation facilities. LOS is graded on a scale of A (the best performance) to F (the worst performance).

Major Bus Stop: Per VTA Transit Sustainability Policy, a bus stop that is served by at least six public transit buses per hour per direction during peak periods.

Major Transit Stop: a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods (California Government Code 21064.3).
Member Agency: A local jurisdiction that is a signatory of the CMA’s Joint Powers Agreement. This includes all cities within the county, Santa Clara County, and the Santa Clara Valley Transportation Authority.

Mode Split: The share of all trips to and from a project site taken by each of the major transportation modes (automobile, carpool, transit, bicycle and pedestrian).

MPO: Metropolitan Planning Organization. A federally required transportation planning body responsible for the Regional Transportation Plan (RTP) and the Transportation Improvement Program (TIP) in its region. The governor designates an MPO in every urbanized area with a population of over 50,000.

MTC: Metropolitan Transportation Commission. The metropolitan planning organization for the nine-county San Francisco Bay Area.

Multimodal Improvement Plan: VTA terminology for “Deficiency Plan” as defined by CMA statute. Multimodal Improvement Plans are plans to identify offsetting measures to improve transportation conditions on CMP facilities in lieu of making physical traffic capacity improvements such as widening an intersection or roadway.

Obligation: An action by an administrative agency to approve the spending of money to a specific grant recipient.

OPR: The Governor’s Office of Planning and Research, created by statute in 1970, serves the Governor and his Cabinet as staff for long-range planning and research, and constitutes the comprehensive state planning agency.

Parking Management Program: In the workplace context, parking policies that favor carpools and vanpools, including creating established parking charges for commuter parking, and preferential parking for carpool or vanpool vehicles. Other parking management programs include policies designed to reduce the total number of cars driving to work, such as the reduction of free or low-cost off-street parking at employment centers.

PDA: Priority Development Area. These locations were identified for concentrated development as part of Plan Bay Area, the Metropolitan Transportation Commission’s 2040 Regional Transportation Plan for the nine-county Bay Area.

Peak Hour: The highest morning or evening hour of travel reported on a transportation network or street.

PMS: Pavement Management System. Required by Section 2108.1 of the Streets and Highways Code, any jurisdiction that wishes to qualify for funding under the STIP must have a PMS that is in conformance with the criteria adopted by the Joint City/County/State Cooperation Committee.

Preferential Parking: This concept involves assigning the most desirable parking spaces, such as those closest to building entrances, for the exclusive use of carpool and vanpool vehicles. In addition, parking charges may be partially reduced or eliminated for carpool and vanpool vehicles. These vehicles may also be exempted from any hourly parking limits that exist.

Pre-Tax Commuter Benefit: Federal tax code allows the use of tax-free dollars to pay for transit commuting and parking costs. The monthly benefit amount varies from year to year based on adopted legislation.
Program of Projects: This annual program includes Section 9, Section 3 Rail Modernization (Fixed Guideway Modernization), and STP/CMAQ federal funding for transit projects. MTC is the designated recipient for these federal funds acting on behalf of the individual sponsors.

Proposition 108: Passed by California voters in June 1990, this bond measure provides up to $1 billion for rail projects programmed in the 1990 STIP. (In 1992 and 1994 state voters turned down bond funding measures for projects programmed in the 1990 STIP). The state has continued the original programming of the 1990 STIP, but the failure of funding the additional bond measures has reduced the STIP money available.

Proposition 116: Passed by California voters in June 1990, this bond measure provided $1.9 billion in bonds for rail projects. Requirements for air quality and service integration was included in the legislation, and projects were subject to review by the California Transportation Commission (CTC) before allocation.

PSR: Project Study Report. Chapter 878 of the Statutes of 1987 requires that any project that increases state highway capacity, prior to programming in the STIP, complete a report that has a detailed description of the project scope and estimated costs. The intent of this legislation was to improve the accuracy of the schedule and costs shown in the STIP, and thus improve the overall accuracy of the estimates of STIP delivery and costs.

Quality of Service (QOS): A metric used to evaluate how well a transportation facility serves its users. Several different QOS methodologies are currently used by transportation professionals, often with a focus on bicyclists, pedestrians or transit passengers.

Rail Modernization: This is a federal funded grant under Section 3(h) of the Federal Transit Act. The funds are made available to local transit agencies to improve fixed guideway systems that have been in service for at least seven years.

RHNA: Regional Housing Needs Allocation. The minimum amount of housing that will be needed to support projected housing growth, at all income levels, by the end of the specified allocation period (currently 2006 - 2014).

Ridesharing: Sharing of one vehicle by two or more commuters. While the concept of ridesharing applies primarily to carpools and vanpools, it can be applied to shuttle bus service as well.

RTIP: Regional Transportation Improvement Program. A list of proposed transportation projects submitted to the CTC by the regional transportation-planning agency (for the Bay Area - MTC), as a request for state funding. The individual projects are first proposed by local jurisdictions, and then submitted by the regional agency for submission to the CTC. The RTIP has a four-year planning horizon and is updated every two years.

RTP: Regional Transportation Plan. A multimodal blueprint to guide the region’s transportation development for a 25-year period. Updated every four years, it is based on projections of growth and travel demand coupled with financial assumptions. Required by state and federal law.

SAFETEA LU: Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy of Users. As an offshoot of ISTEA and TEA-21, Congress approved $244.5 billion to fund federal highways, public transportation, highway safety, and motor carrier safety programs for fiscal year 2005 through 2009.
SB-45: Senate Bill 45 (Kopp) Governor Wilson signed SB-45 into law at the end of the 1997 legislative session. This legislation consolidated several state transportation funding programs into three funding programs and devolved state transportation programming responsibility to the county and MPO level.

SB-375: Senate Bill 375 (Steinberg). This bill became law on January 1, 2009. SB 375 was enacted after AB-32 to help meet the greenhouse gas emission goals of AB 32 by addressing the transportation and land use components of greenhouse gas emissions. SB 375 requires each of the state’s 18 metropolitan areas to reduce greenhouse gas emissions from cars and light trucks.

SB-743: Senate Bill 743 (Steinberg). This bill became law in September 2013, and directs the Governor’s Office of Planning and Research (OPR) to develop a new approach for analyzing the transportation impacts under CEQA. SB 743 also creates a new exemption for certain projects that are consistent with a Specific Plan and, eliminates the need to evaluate aesthetic and parking impacts of TOD projects, in some circumstances.

SCS: Sustainable Communities Strategy. A requirement of all California MPO’s as set forth by SB-375. The SCS is a document that outlines the region’s long-range plan for integrating transportation, housing, and land use in order to reduce greenhouse gas emissions.

SHOPP: State Highway Operations and Protection Plan. A program created by State legislation that includes state highway safety and rehabilitation projects, seismic retrofit projects, landscaping, some operational improvements, and bridge replacement. SHOPP is a four-year program of projects adopted separately from the STIP cycle. Both new (Prop 111) and old state gas tax revenues and federal funds are the basis for funding this program. The legislature and Governor have made seismic retrofit the state’s highest priority and in practice have used other STIP moneys for these projects.

SIP: State Implementation Plan. A compilation of the federal air quality plans from around the state produced by the state Air Resources Board.

SOV: Single Occupancy Vehicle. A motor vehicle occupied by one employee for commute purposes.

STIP: State Transportation Improvement Program. The STIP is a four-year planning and expenditure plan adopted by the CTC for the State Transportation System, and is updated in even years. The STIP is composed of the approved RTIPs, and Caltrans’ ITIP.

STP: Surface Transportation Program. A new flexible funding program established by ISTEA. Many mass transit and highway projects are eligible for funding under this program. Ten percent of the projects in this program must be transportation enhancement projects, and 10% must be safety projects.

TCM: Transportation Control Measure. A measure intended to reduce pollutant emissions from motor vehicles. Examples of TCMs include programs to encourage ridesharing or public transit usage, city or county trip reduction ordinances, and the use of cleaner burning fuels in motor vehicles. MTC has adopted specific TCMs, in compliance with the federal and state Clean Air Acts.

TDA: Transportation Development Account. A state law enacted in 1971, this fund collects ¼ of 1% of all retail sales in each county to fund transit, paratransit, bicycle and pedestrian improvements. The funds are collected by the state and allocated by MTC to fund projects and programs throughout their jurisdiction.
In Santa Clara County, the transit agency is the only eligible applicant for Article 4 allocations, and Article 4.5, which provides funding for community and paratransit services. This provision allows MTC to allocate another 5% of the total TDA funds that Santa Clara County claims for ADA paratransit services. Additionally, Article 3 funds (4% of the total revenue) are allocated annually for bicycle/pedestrian projects, which are nominated by the VTA.

**TDM:** Transportation Demand Management. This is a term used to describe policies and programs (non-engineering solutions) to reduce the number of cars on the road. Examples of transportation demand management include flextime, ridesharing, and telecommuting.

**TEA-21:** Transportation Equity Act for the 21st Century. TEA-21 is the successor legislation to ISTEA. Congress enacted TEA-21 in mid-1997. The legislation covers the six-year period 1997/98 to 2002/03, and extends and expands many of the funding programs developed under ISTEA. TEAQ: Transportation Energy and Air Quality (TEAQ). TEAQ is VTA’s Program to address Climate Change and energy issues that will involve smarter transportation planning, collaboration with local agencies, pursuit of funding, and the use of alternative fuel sources.

**Telecommuting:** A system of either working at home or at an off-site workstation with computer facilities that link to the worksite.

**TFCA:** Transportation Fund for Clean Air. TFCA Funds are generated by a $4.00 surcharge on vehicle registrations. The funds generated by the fee are used to implement projects and programs to reduce air pollution from motor vehicles. Health and Safety Code Section 44241 limits expenditure of these funds to specified eligible transportation control measures (TCMs) that are included in BAAQMD’s 1991 Clean Air Plan, developed and adopted pursuant to the requirements of the California Clean Air Act of 1988. BAAQMD manages 60% of the funds via a regional discretionary program. The remaining 40% are returned to each county based on annual vehicle registrations.

**TIP:** Transportation Improvement Program. A federally required document produced by the regional transportation planning agency (MTC in the Bay Area) that states investment priorities for transit and transit-related improvements, mass transit guideways, general aviation and highways. The TIP is the MTC’s principal means of implementing long-term planning objectives through specific projects.

**TMA:** Transportation Management Association. An organization of developers, property managers, employers and public officials who cooperatively provide and promote programs that mitigate traffic congestion, assist commuters, and otherwise encourage improved travel in a given area.

**Transit Priority Area:** an area within one-half mile of a major transit stop [see definition above] that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations. (California Government Code 21099 (7))

**Transportation Demand Forecasting Model:** An analytical tool that predicts travel patterns based upon the spatial relationship between various types of land uses and connecting transportation facilities (e.g., roadways and transit).
**Transportation Facility:** Any part of the designated CMP System including roadways, intersections, freeways, and bicycle, pedestrian and transit routes.

**TRO:** Trip Reduction Ordinance. A regulation passed by local government requiring employers, developers, and/or property owners to participate or assist in financing transportation management efforts. In many instances, such ordinances specify a target reduction in the number of vehicle trips expected from a development based on standardized trip reduction rates.

**TSM:** Transportation Systems Management. The use of low-cost capital improvements to increase the efficiency of road transportation and transit services. TSM measures included changing traffic signal timings to optimize the flow of traffic moving through a roadway section, or installing ramp meters at freeway on-ramps to regulate the number of vehicles entering onto the freeway at one time.

**Vanpooling:** Commuting in a seven- to 15-passenger van, with driving undertaken by commuters. The riders on a monthly basis usually pay for some portion of the van’s ownership and operating cost. The van may be privately owned, employer-sponsored with the company owning and maintaining the vehicle, or it may be provided through a private company that leases vehicles.

**Vehicle Employee Ratio:** The reciprocal of AVR. A ratio of vehicles arriving at a worksite during the peak period, divided by the number of employees reporting to work on the same day.

**Vehicle Occupancy:** The number of people riding in a vehicle at one time.

**Vehicle Trip:** A one-way movement of a vehicle between two points (e.g. origin and destination).

**VMT:** Vehicle Miles Traveled. A measure of the extent of automobile use within a specific geographic area over a given period of time. Travel demand forecasting (modeling) is typically used to analyze VMT at the project, countywide and regional levels, although other methods such as spreadsheet analysis may be used for individual projects in some circumstances.

**Worksite:** Any place of employment, base of operation or predominant location of an employer. All buildings or facilities operated or occupied by the employer within the city and within a radius of 1.5 miles of a single centrally located building or facility operated or occupied by the same employer shall be deemed a worksite.
### TABLE B.1 | CMP SYSTEM NETWORK: HIGHWAYS

<table>
<thead>
<tr>
<th>Highway</th>
<th>Length (in miles)</th>
</tr>
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<tbody>
<tr>
<td>State Route 82</td>
<td>26.4</td>
</tr>
<tr>
<td>U.S. 101</td>
<td>52.6</td>
</tr>
<tr>
<td>Interstate 280</td>
<td>20.6</td>
</tr>
<tr>
<td>Interstate 680</td>
<td>9.9</td>
</tr>
<tr>
<td>State Route 237</td>
<td>11.1</td>
</tr>
<tr>
<td>State Route 17</td>
<td>13.9</td>
</tr>
<tr>
<td>Interstate 880</td>
<td>10.5</td>
</tr>
<tr>
<td>State Route 87</td>
<td>9.2</td>
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<tr>
<td>State Route 85</td>
<td>23.8</td>
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<tr>
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<tr>
<td>State Route 130</td>
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<td><strong>Total</strong></td>
<td><strong>267.4</strong></td>
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### TABLE B.2 | CMP SYSTEM NETWORK: EXPRESSWAYS

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<thead>
<tr>
<th>Expressway</th>
<th>Length (in miles)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Almaden Expressway</td>
<td>8.9</td>
</tr>
<tr>
<td>Capitol Expressway</td>
<td>8.7</td>
</tr>
<tr>
<td>Central Expressway</td>
<td>9.8</td>
</tr>
<tr>
<td>Foothill Expressway</td>
<td>7.1</td>
</tr>
<tr>
<td>Lawrence Expressway</td>
<td>5.9</td>
</tr>
<tr>
<td>Oregon - Page Mill Expressway</td>
<td>4.6</td>
</tr>
<tr>
<td>San Tomas – Montague Expressway</td>
<td>13.7</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>58.7</strong></td>
</tr>
</tbody>
</table>
### TABLE B.3 | CMP SYSTEM NETWORK: PRINCIPAL ARTERIALS

<table>
<thead>
<tr>
<th>Roadway Segment</th>
<th>Length (in miles)</th>
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</thead>
<tbody>
<tr>
<td>Calaveras Boulevard between SR 237 and I-680</td>
<td>1.8</td>
</tr>
<tr>
<td>Alum Rock Road (SR 130) between US 101 and Mount Hamilton Road</td>
<td>3.6</td>
</tr>
<tr>
<td>Bascom Avenue between I-280 and SR 85</td>
<td>4.6</td>
</tr>
<tr>
<td>Bernal Road between Santa Teresa Boulevard and US 101</td>
<td>1.3</td>
</tr>
<tr>
<td>Berryessa Road between US 101 and I-680</td>
<td>2.0</td>
</tr>
<tr>
<td>Blossom Hill Road (SR 82) between Almaden Expressway and US 101</td>
<td>4.5</td>
</tr>
<tr>
<td>Brokaw Road between US 101 and Old Oakland Road</td>
<td>0.5</td>
</tr>
<tr>
<td>Camden Avenue between SR 17 and SR 85</td>
<td>2.6</td>
</tr>
<tr>
<td>Campbell Avenue between Hamilton Avenue and Saratoga Avenue</td>
<td>0.2</td>
</tr>
<tr>
<td>Caribbean Drive at Mathilda Avenue/SR 237 to Blazingwood Drive</td>
<td>3.9</td>
</tr>
<tr>
<td>Coleman Avenue from De La Cruz to I-880</td>
<td>1.4</td>
</tr>
<tr>
<td>Curtner Avenue between SR 87 and Monterey Highway</td>
<td>0.9</td>
</tr>
<tr>
<td>De Anza Boulevard between Bollinger Road and I-280</td>
<td>1.5</td>
</tr>
<tr>
<td>De La Cruz Boulevard between US 101 and Coleman Avenue</td>
<td>1.3</td>
</tr>
<tr>
<td>El Camino Real (SR 82) from Palo Alto city limits to the Alameda</td>
<td>16.0</td>
</tr>
<tr>
<td>Great America Parkway between SR 237 and US 101</td>
<td>2.1</td>
</tr>
<tr>
<td>Hamilton Avenue between Campbell Avenue and Bascom Avenue</td>
<td>3.3</td>
</tr>
<tr>
<td>Central Coast Highway (SR 9) between Santa Clara County line and Saratoga-Sunnyvale Road</td>
<td>7.2</td>
</tr>
<tr>
<td>Hillsdale Avenue between Camden Avenue and Almaden Expressway</td>
<td>2.5</td>
</tr>
<tr>
<td>Hostetter Road to I-680</td>
<td>0.9</td>
</tr>
<tr>
<td>Lark Avenue between Los Gatos Boulevard and SR 17</td>
<td>0.2</td>
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<tr>
<td>Los Gatos Boulevard between SR 85 and Lark Avenue</td>
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</tr>
<tr>
<td>Mathilda Avenue between El Camino Real (SR 82) and Caribbean Drive</td>
<td>2.4</td>
</tr>
<tr>
<td>Monterey Road between San Carlos Street and Blossom Hill Road</td>
<td>7.0</td>
</tr>
<tr>
<td>Montgomery Avenue between Santa Clara Street and San Carlos Street</td>
<td>0.5</td>
</tr>
<tr>
<td>Murphy Avenue between Old Oakland Road and Hostetter Road</td>
<td>0.6</td>
</tr>
<tr>
<td>Prospect Avenue between Saratoga Avenue and Lawrence Expressway</td>
<td>0.3</td>
</tr>
<tr>
<td>San Antonio Boulevard between US 101 and El Camino Real (SR 82)</td>
<td>2.1</td>
</tr>
<tr>
<td>San Carlos Street between Montgomery and Monterey Highway</td>
<td>0.9</td>
</tr>
<tr>
<td>Santa Teresa Boulevard between SR 85 and Bernal Road</td>
<td>5.8</td>
</tr>
<tr>
<td>Saratoga Avenue between San Tomas Expressway and SR 85</td>
<td>4.2</td>
</tr>
<tr>
<td>Saratoga-Los Gatos Road between Saratoga-Sunnyvale Road and SR 17</td>
<td>3.9</td>
</tr>
<tr>
<td>Saratoga-Sunnyvale Road between Central Coast Highway (SR 9) and Bollinger Road</td>
<td>3.7</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>------------------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Stevens Creek Boulevard between SR 85 and I-880</td>
<td>6.0</td>
</tr>
<tr>
<td>Sunnyvale-Saratoga Road between I-280 and El Camino Real (SR 82)</td>
<td>2.5</td>
</tr>
<tr>
<td>The Alameda from El Camino Real (SR 82) to Montgomery Avenue</td>
<td>2.1</td>
</tr>
<tr>
<td>Trimble Road between US 101 and Montague Expressway</td>
<td>1.7</td>
</tr>
<tr>
<td>Tully Road between Capitol Expressway and US 101</td>
<td>1.4</td>
</tr>
<tr>
<td>Wolfe Road between Stevens Creek Boulevard and I-280</td>
<td>0.5</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>108.4</strong></td>
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APPENDIX C | CMP SYSTEM TRANSIT NETWORK

TABLE C.1 | CMP TRANSIT NETWORK: RAIL LINES

<table>
<thead>
<tr>
<th>Transit Service</th>
<th>Area Served</th>
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<tbody>
<tr>
<td>Caltrain</td>
<td>Gilroy to San Francisco</td>
</tr>
<tr>
<td>VTA Light Rail Line 900</td>
<td>Almaden Station to Ohlone/Chynoweth Station</td>
</tr>
<tr>
<td>VTA Light Rail Line 901</td>
<td>Santa Teresa Station to Alum Rock Station</td>
</tr>
<tr>
<td>VTA Light Rail Line 902</td>
<td>Mountain View Station to Winchester Station</td>
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TABLE C.2 | CMP TRANSIT NETWORK: GRID BUS ROUTES

<table>
<thead>
<tr>
<th>Bus Route</th>
<th>Area Served</th>
</tr>
</thead>
<tbody>
<tr>
<td>Route 22</td>
<td>Palo Alto Transit Center to Eastridge Transit Center via El Camino</td>
</tr>
<tr>
<td>Route 23</td>
<td>De Anza College to Alum Rock Transit Center via Stevens Creek</td>
</tr>
<tr>
<td>Route 25</td>
<td>De Anza College to Alum Rock Transit Center via Valley Medical Center</td>
</tr>
<tr>
<td>Route 26</td>
<td>Sunnyvale/Lockheed Martin Transit Center to Eastridge Transit Center</td>
</tr>
<tr>
<td>Route 27</td>
<td>Good Samaritan Hospital to Kaiser San Jose</td>
</tr>
<tr>
<td>Route 54</td>
<td>De Anza College to Sunnyvale/Lockheed Martin Transit Center</td>
</tr>
<tr>
<td>Route 57</td>
<td>West Valley College to Great America</td>
</tr>
<tr>
<td>Route 58</td>
<td>West Valley College to Alviso</td>
</tr>
<tr>
<td>Route 60</td>
<td>Winchester Transit Center to Great America</td>
</tr>
<tr>
<td>Route 62</td>
<td>Good Samaritan Hospital to Sierra &amp; Piedmont via Union</td>
</tr>
<tr>
<td>Route 64</td>
<td>Almaden LRT Station to McKee &amp; White via Downtown San Jose</td>
</tr>
<tr>
<td>Route 66</td>
<td>Kaiser San Jose to Milpitas/Dixon Road via Downtown San Jose</td>
</tr>
<tr>
<td>Route 68</td>
<td>Gilroy Transit Center to San Jose Diridon Transit Center</td>
</tr>
<tr>
<td>Route 70</td>
<td>Capitol LRT Station to Great Mall/Main Transit Center</td>
</tr>
<tr>
<td>Route 323</td>
<td>Downtown San Jose to De Anza College</td>
</tr>
<tr>
<td>Route 522</td>
<td>Palo Alto Transit Center to Eastridge Transit Center</td>
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TABLE C.3 | CMP TRANSIT NETWORK: REGIONAL BUS ROUTES

<table>
<thead>
<tr>
<th>Bus Route</th>
<th>Area Served</th>
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</thead>
<tbody>
<tr>
<td>Route 180</td>
<td>Great Mall/Main Transit Center/Aborn &amp; White to</td>
</tr>
<tr>
<td>Service</td>
<td>Destination</td>
</tr>
<tr>
<td>----------------------------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>Fremont BART</td>
<td>Fremont BART Station to San Jose Diridon Transit Center</td>
</tr>
<tr>
<td>Route 181</td>
<td>Fremont BART Station to San Jose Diridon Transit Center</td>
</tr>
<tr>
<td>Hwy 17 Express</td>
<td>Downtown San Jose to Santa Cruz</td>
</tr>
<tr>
<td>Dumbarton Bridge Express</td>
<td>Palo Alto to Union City BART Station</td>
</tr>
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# APPENDIX D | CMP SYSTEM BICYCLE NETWORK

## TABLE D.1 | CROSS COUNTY BICYCLE CORRIDORS

<table>
<thead>
<tr>
<th>Corridor</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>Corridor 1</td>
<td>Highway 101 Corridor from San Mateo County to San Benito County</td>
</tr>
<tr>
<td>Corridor 2</td>
<td>Alma Street/Caltrain Corridor from San Mateo County to Santa Clara</td>
</tr>
<tr>
<td>Corridor 3</td>
<td>Dumbarton – East/West Connector Corridor from North Palo Alto to Los Altos</td>
</tr>
<tr>
<td>Corridor 4</td>
<td>El Camino – Grand Boulevard Corridor from San Mateo County to Downtown San Jose</td>
</tr>
<tr>
<td>Corridor 5</td>
<td>Shoreline – Miramonte/El Monte Corridor from Mountain View to Los Altos</td>
</tr>
<tr>
<td>Corridor 6</td>
<td>Tasman/Alum Rock Light Rail Corridor from Mountain View to East San Jose</td>
</tr>
<tr>
<td>Corridor 7</td>
<td>Old Highway 9 Corridor from North Sunnyvale to Los Gatos</td>
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<tr>
<td>Corridor 8</td>
<td>Homestead/Hostetter/Brokaw Corridor from Southern Los Altos to Northeast San Jose</td>
</tr>
<tr>
<td>Corridor 9</td>
<td>Wolfe Road/Borregas Corridor from Sunnyvale to Saratoga</td>
</tr>
<tr>
<td>Corridor 10</td>
<td>North of Highway 280/Stevens Creek Boulevard Corridor from the Cupertino to Northern East San Jose</td>
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<tr>
<td>Corridor 11</td>
<td>Calabazas Creek/Winchester Boulevard Corridor from Sunnyvale to Los Gatos</td>
</tr>
<tr>
<td>Corridor 12</td>
<td>South of Highway 280 Corridor from Cupertino to Hillview, East San Jose</td>
</tr>
<tr>
<td>Corridor 13</td>
<td>Bowers/Kiely/Saratoga Corridor from Northern Santa Clara to Skyline Boulevard</td>
</tr>
<tr>
<td>Corridor 14</td>
<td>Campbell/Curtner/Tully Corridor from Cupertino/Saratoga to Eastridge</td>
</tr>
<tr>
<td>Corridor 15</td>
<td>Valley Fair to Santa Teresa Corridor from Downtown Santa Clara to San Benito County</td>
</tr>
<tr>
<td>Corridor 16</td>
<td>Blossom Hill Road Corridor from Saratoga to Southeast San Jose</td>
</tr>
<tr>
<td>Corridor 17</td>
<td>Highway 880/Highway 680 from Alameda County to Los Gatos</td>
</tr>
<tr>
<td>Corridor 18</td>
<td>San Martin East – West Corridor from Uvas Road to the East Side</td>
</tr>
<tr>
<td>Corridor 19</td>
<td>Highway 880 Corridor from Alameda County to Downtown San Jose</td>
</tr>
<tr>
<td>Corridor 20</td>
<td>Coyote Valley/Uvas Reservoir Corridor from South County to Highway 152</td>
</tr>
<tr>
<td>Corridor 21</td>
<td>Highway 680 Corridor to Silver Creek from Alameda County to South San Jose</td>
</tr>
<tr>
<td>Corridor 22</td>
<td>Highway 152 Corridor from the Santa Cruz County Line to Merced County Line</td>
</tr>
<tr>
<td>Corridor 23</td>
<td>Eastern South Valley Corridor from Morgan Hill to Gilroy</td>
</tr>
<tr>
<td>Corridor 24</td>
<td>Ridge Line Corridor from Los Gatos to Mount Madonna</td>
</tr>
</tbody>
</table>
# APPENDIX E | LEVEL OF SERVICE DESCRIPTIONS

## TABLE E.1 | LEVEL OF SERVICE DESCRIPTIONS: SIGNALIZED INTERSECTIONS

<table>
<thead>
<tr>
<th>Level of Service</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOS A</td>
<td>At LOS A, delays at the intersection are less than or equal to 10.0 seconds per vehicle. Progression is extremely favorable, and most vehicles arrive during the green phase. Most vehicles do not stop at all.</td>
</tr>
<tr>
<td>LOS B</td>
<td>At LOS B, intersection delays range from greater than 10.0 to less than or equal to 20.0 seconds per vehicle. Good progression and/or short cycle lengths. More vehicles stop than for LOS A, causing higher average delays.</td>
</tr>
<tr>
<td>LOS C</td>
<td>At LOS C intersection delays range from greater than 20.0 to less than or equal to 35.0 seconds per vehicle. Higher delays result from fair progression and/or longer cycle lengths. Individual cycle failures may begin to appear in this level. The number of vehicles stopping is significant at this level, although many vehicles still pass through the intersection without stopping.</td>
</tr>
<tr>
<td>LOS D</td>
<td>At LOS D, intersection delays range from greater than 35.0 and less than or equal to 55.0 seconds per vehicle. The influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable progression, long cycle lengths, or high volume to capacity (V/C) ratios. Many vehicles stop, and the proportion of vehicles not stopping declines. Individual cycle failures are noticeable.</td>
</tr>
<tr>
<td>LOS E</td>
<td>At LOS E, intersection delays range from greater than 55.0 and less than or equal to 80.0 seconds per vehicle. This is considered to be the limit of capacity delay. These high delay values generally indicate poor progression, long cycle lengths, and high V/C ratios. Individual cycle failures are frequent occurrences.</td>
</tr>
<tr>
<td>LOS F</td>
<td>At LOS F intersection delays exceed 80.0 seconds per vehicle. This is considered to be unacceptable to most drivers. This condition occurs with over-saturation (i.e. when arrival flow rates exceed the capacity of an intersection). Poor progression and long cycle lengths may also be major contributing causes to such delay levels.</td>
</tr>
</tbody>
</table>

Source: Based on *Highway Capacity Manual 2000*, Transportation Research Board
<table>
<thead>
<tr>
<th>LOS</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOS A</td>
<td>LOS A describes free flow conditions. Average density is no greater than 11 passenger cars per mile per lane. Vehicles are almost completely unimpeded in their ability to maneuver within the traffic stream. The effects of incidents or point breakdowns are easily absorbed at this level of service.</td>
</tr>
<tr>
<td>LOS B</td>
<td>LOS B represents free-flow speeds. Average density is greater than 11 but less than or equal to 18 passenger cars per mile per lane. The ability to maneuver within the traffic stream is only slightly restricted, and the general level of physical and psychological comfort provided to drivers is still high. The effects of minor incidents and breakdown points are still easily absorbed at this level of service.</td>
</tr>
<tr>
<td>LOS C</td>
<td>LOS C provides for stable traffic flow; however, flows are approaching the range where small increases in traffic flows will cause substantial deterioration in traffic service. Average density is greater than 18 but less than or equal to 26 passenger cars per mile per lane. Freedom to maneuver within the traffic stream is noticeably restricted, and lane changes require more care and vigilance on the part of the driver. Minor incidents may still be absorbed, but the local deterioration in traffic service will be substantial. Queues may be expected to form behind any significant blockage.</td>
</tr>
<tr>
<td>LOS D</td>
<td>LOS D provides for unstable flows; traffic is at the level where a small increase in traffic flows causes substantial deterioration in traffic service. Average density is greater than 26 but less than or equal to 46 passenger cars per mile per lane. Freedom to maneuver within the traffic stream is severely limited, and the driver experiences reduced physical and psychological comfort levels. Even minor incidents can be expected to create queuing, because the traffic stream has little space to absorb disruptions.</td>
</tr>
<tr>
<td>LOS E</td>
<td>LOS E describes traffic conditions operating at capacity. The average density is greater than 46 but less than or equal to 58 passenger cars per mile per lane. Operations at this level are extremely unstable because there are virtually no usable gaps in the traffic stream. Any incident on the highway can be expected to produce serious breakdown in traffic with extensive queuing.</td>
</tr>
<tr>
<td>LOS F</td>
<td>LOS F describes breakdowns in vehicular flow. Average density is greater than 58 passenger cars per mile per lane. Such conditions generally exist within queues forming behind breakdown points. Breakdowns occur for a number of reasons: a temporary reduction in capacity caused by a traffic incident, or a recurring point of congestion caused by a merge, a weave segment, or lane drop.</td>
</tr>
</tbody>
</table>

### TABLE E.3 | LEVEL OF SERVICE DESCRIPTIONS: RURAL HIGHWAYS

<table>
<thead>
<tr>
<th>LOS</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOS A</td>
<td>LOS A allows motorists to travel at their desired speed of 55 mph or more on a Class I two-lane highway. Drivers spend 35 or less of their time following other vehicles. The passing frequency required to maintain these speeds has not reached a demanding level, so that passing demand is well below passing capacity, and platoons of three or more vehicles are rare.</td>
</tr>
<tr>
<td>LOS B</td>
<td>LOS B characterizes traffic flow with speeds of greater than 50 mph or slightly higher on a Class I level-terrain highway. Drivers spend more than 35 to 50 percent of their time following other vehicles. The demand for passing to maintain desired speeds becomes significant and approximates the passing capacity at the lower boundary of LOS B. Drivers are delayed in platoons up to 50 percent of the time.</td>
</tr>
<tr>
<td>LOS C</td>
<td>LOS C describes situations when the average speed still exceeds 45 mph on a Class I level-terrain highway, even though unrestricted passing demand exceeds passing capacity. Drivers spend more than 50 to 65 percent of their time following other vehicles. Further increases in traffic flow exist, resulting in noticeable increases in platoon formation, platoon size, and frequency of passing impediments. Unrestricted passing demand exceeds passing capacity. At higher volumes, the chaining of platoons and significant reductions in passing capacity occur. Although traffic flow is stable, it is susceptible to congestion due to turning traffic and slow-moving vehicles.</td>
</tr>
<tr>
<td>LOS D</td>
<td>LOS D describes unstable traffic flow. The average travel speed remains at or slightly above 40 miles per hour. Drivers spend more than 65 to 80 percent of their time following other vehicles. The two opposing traffic streams begin to operate separately at higher volume levels, and passing becomes extremely difficult. Passing demand is high, but passing capacity approaches zero. Mean platoon sizes of 5 to 10 vehicles are common.</td>
</tr>
<tr>
<td>LOS E</td>
<td>LOS E represents traffic conditions where speeds drop below 40 mph (under base conditions, and may be as low as 25 mph with less than ideal roadway conditions such as steep grades). Drivers spend more than 80 percent of their time following other vehicles, making it virtually impossible to pass other vehicles. Traffic platoons become intense, as slower vehicles or other interruptions are encountered.</td>
</tr>
<tr>
<td>LOS F</td>
<td>LOS F represents heavily congested flow conditions, where traffic demand exceeds capacity. Average traffic speeds are highly variable and there are no opportunities available to pass other vehicles.</td>
</tr>
</tbody>
</table>

Source: Based on *Highway Capacity Manual 2000*, Transportation Research Board, for Class I two-lane highways
APPENDIX F | SUMMARY OF AIR QUALITY ELEMENTS IN CONGESTION MANAGEMENT PROGRAM LAW

• The CMP is to be developed in consultation with the air quality management district.  
  Government Code Section 65089 (a)

• The CMP must contain a “trip reduction and travel demand element that promotes alternative transportation methods including, but not limited to carpools, vanpools, transit, bicycles, and park-and-ride lots; improvements in the balance between jobs and housing; and other strategies, including but not limited to flexible work hours, telecommuting and parking management programs.”  
  Government Code Section 65089 (b)(3)(A)

• The performance measures shall support air quality.  
  Government Code Section 65089 (b)(2)

• The air quality management district shall coordinate the development of trip reduction responsibilities and avoid duplication of responsibilities among agencies. Multiple site employers may comply with a district employer trip reduction rule and report directly to the air quality management district. A multiple site employer that exercises this option shall be exempt from any employer-based trip reduction requirement imposed in the trip reduction and travel demand element of the CMP.  
  Government Code Section 65089 (b)(3)(B)

• With the exception of requirements on multiple site employers (see above paragraph), a local jurisdiction may adopt transportation demand management measures that include or exceed the requirements established in the CMP or by the air quality management district.  
  Government Code Section 65089 (b)(3)(C)

• The capital improvement program (CIP) must conform to “transportation-related vehicle emission air quality mitigation measures.”  
  Government Code Section 65089 (b)(5)

• A deficiency plan must include a list of improvements, programs, or actions, and estimates of costs that will measurably improve multimodal performance and contribute to significant improvements in air quality. The air quality management district shall establish and periodically revise a list of approved improvements, programs, and actions that meet the scope of this paragraph.  
  Government Code Section 65089.4 (c)(3)
• Any congestion management agency that is located in the Bay Area Air Quality Management District and receives funds pursuant to Section 44241 of the Health and Safety Code for the purpose of implementing paragraph (3) of subdivision (b) of Section 65089 shall ensure that those funds are expended as part of an overall program for improving air quality and for the purposes of this chapter.

*Government Code Section 65089.10*
## APPENDIX G | FEDERAL AND STATION TRANSPORTATION CONTROL MEASURES

Table G.1 | Federal Transportation Control Measures (Source: Transportation Air Quality Conformity Analysis for the Transportation 2035 Plan and 2011 Transportation Improvement Plan, October 27, 2010: [www.mtc.ca.gov/funding/tip/Final_AQ_conformity_Analysis.pdf](http://www.mtc.ca.gov/funding/tip/Final_AQ_conformity_Analysis.pdf))

<table>
<thead>
<tr>
<th>Number</th>
<th>Federal TCMs</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Bay Area Air Quality Plan</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TCM 1</strong></td>
<td>Reaffirm commitment to 28 percent transit ridership increase between 1978 and 1983.</td>
<td>Increase transit ridership according to the transit operator’s five-year plans.</td>
</tr>
<tr>
<td><strong>TCM 2</strong></td>
<td>Support post-1983 improvements identified in the operator’s five-year plans, and after consultation with the operators, adopt ridership target for the period 1983 through 1987.</td>
<td>A target for this TCM was to increase ridership by 15 percent between 1982/83 and 1987/88.</td>
</tr>
<tr>
<td><strong>TCM 3</strong></td>
<td>Seek to expand and improve public transit beyond committed levels.</td>
<td>This TCM was to upgrade and expand transit service between the years 1982/83 and 1987/88. The target was to increase the combined fleet size by 15 percent during this period.</td>
</tr>
<tr>
<td><strong>TCM 4</strong></td>
<td>Continue to support development of High Occupancy Vehicle (HOV) lanes.</td>
<td>Implement HOV lanes, where justified on a case-by-case basis; also includes highway ramp meters with HOV bypass lanes.</td>
</tr>
<tr>
<td><strong>TCM 5</strong></td>
<td>Continues to support efforts made by Bay Area non-profit -RIDES.</td>
<td>Support for RIDES efforts in region wide commuter matching services, vanpooling and employer services designed to encourage employees to participate in ridesharing activities.</td>
</tr>
<tr>
<td><strong>TCM 6</strong></td>
<td>TCM DELETED - Continue efforts to obtain funding to support long-range transit improvements.</td>
<td>Covers the funding and implementation of the Guadalupe light-rail transit line in Santa Clara County and BART extensions to North Concord and Warm Springs in Fremont.</td>
</tr>
<tr>
<td><strong>TCM 7</strong></td>
<td>Reaffirm commitment to preferential parking</td>
<td>Support the development of park-and-ride lots, where commuters can leave their cars and complete trips by...</td>
</tr>
<tr>
<td>TCM 8</td>
<td>Encourage transit operators to work with Caltrans to identify underutilized parking lots along major transit lines that could be used as park-and-ride lots.</td>
<td>Applies to Caltrans’ joint use park-and-ride program to establish lots in existing private parking areas.</td>
</tr>
<tr>
<td>-------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>TCM 9</td>
<td>Expand Commute Alternatives Program.</td>
<td>Encourages employers to promote alternatives to commuting in the single-occupant vehicle. Includes funding to conduct employer transportation coordinator training classes, market ridesharing to employers, and outreach programs to employers.</td>
</tr>
<tr>
<td>TCM 10</td>
<td>Develop Information Program for Local Governments</td>
<td>This TCM consists of providing information detailing the responsibility of local governments in addressing commute options and providing technical assistance.</td>
</tr>
<tr>
<td>TCM 11</td>
<td>TCM DELETED - Gasoline Conservation and Awareness Program (GasCAP)</td>
<td>The Gas CAP program was funded by the California Energy Commission, sponsored by Caltrans, and administered by the West Valley College. It entailed a training program, oriented towards large vehicle fleets, to teach proper driving techniques, vehicle maintenance, and trip planning. It was discontinued in 1984. The California Energy Commission is continuing a Gas CAP type program by training large public agency fleet managers on methods to reduce fuel consumption.</td>
</tr>
<tr>
<td>TCM 12</td>
<td>TCM DELETED - Santa Clara Commuter Transportation Program</td>
<td>This TCM consists of the commuter program adopted by Santa Clara County in 1982. It consists of a ridesharing program, express bus service, park-and-ride lots, upgraded Southern Pacific (CalTrain) service and HOV lanes.</td>
</tr>
</tbody>
</table>

**Contingency Plan TCM’s Adopted by MTC 1990 (MTC Resolution 2131)**

<table>
<thead>
<tr>
<th>TCM 13</th>
<th>Increase bridge tolls to $1.00 on all bridges.</th>
<th>Would raise tolls to $1.00 on the Antioch, Bay, Benicia, and Carquinez bridges.</th>
</tr>
</thead>
<tbody>
<tr>
<td>TCM 14</td>
<td>Bay Bridge surcharge of $1.00</td>
<td>Increase Bay Bridge toll to $2.00 to discourage single occupant automobile use and improve transit ridership.</td>
</tr>
<tr>
<td>TCM 15</td>
<td>Increase state gas tax by 9 cents</td>
<td>Raise State gasoline taxes from 9 cents to 18 cents per gallon. This measure takes credit for emission...</td>
</tr>
<tr>
<td>TCM 16</td>
<td>TCM DELETED - Implement MTC Resolution No. 1876, Revised—New Rail Starts Agreement</td>
<td>Complete the $3.5 billion, 6-rail extension program by securing State and Federal funds. Only take credit for emission reduction from a future BART extension to Colma.</td>
</tr>
<tr>
<td>TCM 17</td>
<td>Continue post-earthquake transit service</td>
<td>Continuation of ferry service initiated after the October 1989 earthquake and the expanded BART peak period service.</td>
</tr>
<tr>
<td>TCM 18</td>
<td>Sacramento-Bay Area Amtrak service</td>
<td>Implement near-term improvements recommended in ACR 132 Rail Study. Assumes three trains in each direction between Sacramento and the Bay Area.</td>
</tr>
<tr>
<td>TCM 19</td>
<td>Upgrade CalTrain service</td>
<td>Increase rail service frequency to 66 trains per day. Extend service to Gilroy.</td>
</tr>
<tr>
<td>TCM 20</td>
<td>Regional High Occupancy Vehicle (HOV) Lane System Plan</td>
<td>Expand and improve HOV concept first proposed in TCM 4 by developing and implementing the HOV Lane Master Plan. Includes 221 directional miles of HOV lanes.</td>
</tr>
<tr>
<td>TCM 21</td>
<td>Regional Transit Coordination</td>
<td>Coordinate multiple fare and service plans for the region.</td>
</tr>
<tr>
<td>TCM 22</td>
<td>Expand Regional Transit Connection (RTC) ticket distribution</td>
<td>Expand on-going MTC program to provide a regional clearinghouse for sale of transit tickets to employers; encourage employers to subsidize tickets.</td>
</tr>
<tr>
<td>TCM 23</td>
<td>Employer audits</td>
<td>Develop a program to review the TSM programs of selected employers in the region and to suggest actions to enhance programs. Will target specific large or mid-size employers and small employers for improved commute alternatives program.</td>
</tr>
<tr>
<td>TCM 24</td>
<td>Expand signal timing program to new cities</td>
<td>Establish a program to provide technical assistance to cities in the form of traffic monitoring, design of signal timing plans, and hardware improvements.</td>
</tr>
<tr>
<td>TCM 25</td>
<td>Maintain existing signal timing programs for local streets</td>
<td>Involves the provision of technical assistance to cities for periodic traffic signal program adjustments and coordination with adjacent cities.</td>
</tr>
<tr>
<td>TCM 26</td>
<td>Incident management on Bay Area freeways</td>
<td>Incident management is part of Caltrans’ Traffic Operations Systems (TOS). This program assumes emission reductions on the approaches to the Bay Bridge due to the initial phases of TOS.</td>
</tr>
<tr>
<td>TCM 27</td>
<td>Update MTC guidance on</td>
<td>The existing MTC report ‘Key Considerations for reductions due to a full 9cent tax increase phased in by 1995.</td>
</tr>
<tr>
<td>TCM 28</td>
<td>Local Transportation Systems Management (TSM) initiatives</td>
<td>This TCM accounts for effects of new initiatives, such as Golden Triangle Task Force and Contra Costa County Growth Management Program.</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>2001 Ozone Attainment Plan</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TCM A</td>
<td>Regional Express Bus Program</td>
<td>Program includes purchase of approximately 90 low emission buses to operate new or enhanced express bus services. Buses will meet all applicable ARB standards, and will include particulate traps or filters. MTC will approve $40 million in funding to various transit operators for bus acquisition. Program assumes transit operators can sustain service for a five year period. Actual emission reductions will be determined based on routes selected by MTC.</td>
</tr>
<tr>
<td>TCM B</td>
<td>Bike/Ped Program</td>
<td>Fund high priority projects in countywide plans consistent with TDA funding availability. MTC would fund only projects that are exempt from CEQA, have no significant environmental impacts, or adequately mitigate any adverse environmental impacts. Actual emission reductions will be determined based on the projects funded.</td>
</tr>
<tr>
<td>TCM C</td>
<td>Transportation for Livable Communities</td>
<td>Program provides planning grants, technical assistance, and capital grants to help cities and nonprofit agencies link transportation projects with community plans. MTC would fund only projects that are exempt from CEQA, have no significant environmental impacts, or adequately mitigate any adverse environmental impacts. Actual emission reductions will be based on the projects funded.</td>
</tr>
<tr>
<td>TCM D</td>
<td>Expansion of Freeway Service Patrol</td>
<td>Operation of 55 lane miles of new roving tow truck patrols beyond routes which existed in 2000. TCM commitment would be satisfied by any combination for routes adding 55 miles. Tow trucks used in service are new vehicles meeting all applicable ARB standards.</td>
</tr>
<tr>
<td>TCM E</td>
<td>Transit Access to Airports</td>
<td>Take credit for emission reductions from air passengers who use BART to SFO, as these reductions are not included in the baseline.</td>
</tr>
</tbody>
</table>
### Table G.2 | State Transportation Control Measures (Source: Bay Area 2010 Clean Air Plan)


The TCMs are organized into five categories:
A - Improve Transit Services
B - Improve System Efficiency
C - Encourage Sustainable Travel Behavior
D - Support Focused Growth
E - Implement Pricing Strategies

<table>
<thead>
<tr>
<th>Number</th>
<th>State TCM</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>TCM A-1</td>
<td>Improve Local and Area wide bus Service</td>
<td>Improve transit by providing new Express Bus or Bus Rapid Transit on major travel corridors, funding the replacement of older and dirtier buses, and implementing Transit Priority Measures on key transit routes.</td>
</tr>
<tr>
<td>TCM A-2</td>
<td>Improve Local and Regional Rail Service</td>
<td>Improve rail service by sustaining and expanding local and regional rail services and by providing funds to maintain railcars, stations, and other rail capital assets.</td>
</tr>
<tr>
<td>TCM B-1</td>
<td>Implement Freeway Performance Initiative</td>
<td>Improve the performance and efficiency of freeway and arterial systems through operational improvements, including implementing the Freeway Performance Initiative, the Arterial Management Program, and the Bay Area Freeway Service Patrol.</td>
</tr>
<tr>
<td>TCM B-2</td>
<td>Improve Transit Efficiency and use</td>
<td>Improve transit efficiency and use through continued operation of 511 Transit, and full implementation of TransLink® fare payment system and the Transit Hub Signage Program.</td>
</tr>
<tr>
<td>TCM B-3</td>
<td>Bay Area Express Lane Network</td>
<td>Introduce roadway pricing on Bay Area highways through the implementation of an express lane network, also known as a High Occupancy Toll (HOT) lane network.</td>
</tr>
<tr>
<td>TCM B-4</td>
<td>Good Movement Improvements and Emission Reductions Strategies</td>
<td>Improve goods movement and reduce emissions from diesel equipment through implementation of the Bay Area’s Trade Corridors Improvement Fund (TCIF) projects and various funding programs to replace or retrofit diesel equipment.</td>
</tr>
<tr>
<td>TCM C-1</td>
<td>Support Voluntary Employer-Based Trip Reduction Program</td>
<td>Support voluntary employer trip-reduction programs through the implementation of the 511 Regional Rideshare Program and Congestion Management Agency rideshare programs, the Spare the Air Program, encouraging cities to adopt transit benefit ordinances, and supporting Bay Area shuttle service providers.</td>
</tr>
<tr>
<td>TCM C-2</td>
<td>Implement Safe Routes to Schools</td>
<td>Facilitate safe routes to schools and transit by providing funds and working with transportation agencies, local</td>
</tr>
</tbody>
</table>

8.8.a
and Safe Routes to Transit governments, schools, and communities to implement safe access for pedestrians and cyclists.

<table>
<thead>
<tr>
<th>TCM C-3</th>
<th>Promote Rideshare Services and Incentives</th>
<th>Promote rideshare services and incentives through the implementation of the 511 Regional Rideshare Program and Congestion Management Agency rideshare programs including marketing rideshare services, operating rideshare information call center and website, and providing vanpool support services.</th>
</tr>
</thead>
<tbody>
<tr>
<td>TCM C-4</td>
<td>Conduct Public Outreach and Education</td>
<td>Educate the public about the air quality, environmental, and social benefits of carpooling, vanpooling, taking public transit, biking, walking, and telecommuting, through the Spare the Air campaign and Transportation Climate Action Campaign.</td>
</tr>
<tr>
<td>TCM C-5</td>
<td>Promote Smart Driving/Speed Moderation</td>
<td>Educate the public about the air quality and climate protection benefits of reducing high-speed driving and observing posted speed limits.</td>
</tr>
<tr>
<td>TCM D-1</td>
<td>Improve Bicycle Access and Facilities</td>
<td>Expand bicycle facilities serving transit hubs employment sites, educational and cultural facilities, residential areas, Shopping districts, and other activity centers.</td>
</tr>
<tr>
<td>TCM D-2</td>
<td>Improve Pedestrian Access and Facilities</td>
<td>Provide funding for projects to improve pedestrian access to transit hubs, employment sites, educational and cultural facilities, residential areas, shopping districts, and other activity centers.</td>
</tr>
<tr>
<td>TCM D-3</td>
<td>Support Local Land Use Strategies</td>
<td>Promote land use patterns, policies, and infrastructure investments that support mixed-use, transit-oriented development that reduce motor vehicle dependence and facilitate walking, bicycling and transit use.</td>
</tr>
<tr>
<td>TCM E-1</td>
<td>Value Pricing Strategies</td>
<td>Implement value pricing (congestion pricing) on Bay Bridge; consider expanding value pricing to other Bay Area toll bridges to manage travel demand during congested periods. Measure may also include value pricing in the City of San Francisco.</td>
</tr>
<tr>
<td>TCM E-2</td>
<td>Parking Pricing and Management Strategies</td>
<td>Promote policies to implement market-rate pricing of parking facilities, reduce parking requirements for new development projects, parking “cash-out”, unbundling of parking in residential and commercial leases, shared parking at mixed use facilities, etc.</td>
</tr>
<tr>
<td>TCM E-3</td>
<td>Implement Transportation Pricing Reform</td>
<td>Develop a regional transportation pricing strategy that includes policy evaluation and implementation. Pricing policies to be evaluated include gasoline taxes, bridge tolls, congestion pricing, parking pricing, HOT lanes, VMT or carbon fees, pay-as-you-drive insurance, etc.</td>
</tr>
</tbody>
</table>
APPENDIX H | OTHER SOURCES OF TRANSPORTATION DEMAND MANAGEMENT (TDM) FUNDING

**Benefit Assessment Districts** — A benefit assessment is a charge levied against a property owner in order to pay for local improvements, which directly benefit the property with assessments. The jurisdiction can issue bonds that are paid for the beneficiaries over a specific time. The beneficiary’s charge remains the same throughout the time of the assessment.

**Bicycle Lane Account** — This program is funded by gasoline taxes whose expenditure must be justified through improved capacity or safety on an existing local street or highway. The funding available for these projects is five million dollars for the entire state.

**Developers** — Local agencies can require developers to contribute fees that address the transportation impacts of new development, which may be in part directed to TDM programs. These fees may fall within the context of a Deficiency Plan prepared by the local agency, or they may be tied to a separate transportation impact fee. In addition, developers may include facilities or infrastructure that supports TDM efforts (such as bike lockers or racks, or alternative transportation information kiosks) as part of a development project.

**Mello-Roos Communities Facilities District** — The Mello-Roos Act allows for the formation of a Community Facilities District (CFD) that is contained within legally defined boundaries. Within the CFD, eligible voters can, with two-thirds approval, authorize a government entity to issue bonds and collect taxes for construction and operation of public improvements. Tax formulas for the CFD are developed on a general benefit basis and a maximum tax rate is approved annually by City Council resolution. The tax may vary each year but distributions cannot exceed the maximum tax rate.

**Redevelopment Areas** — In the past, local jurisdictions have had the ability to designate redevelopment areas and collect tax increment funds to pay for projects within redevelopment boundaries. Changes in California redevelopment law in 2011 have cast doubt on the future of Redevelopment Agencies in the state, but these changes are still uncertain until pending lawsuits are decided.

**Vehicle License Fee** — Increasing the vehicle license fee by a flat rate is another way to acquire funds to support transportation related improvements on the road network. In 2004, Santa Clara County voted on a bill that would increase the existing vehicle license tabs $5.00 annually in an effort to fund projects that help manage traffic congestion. Some of the transportation improvement projects will incorporate TDM related improvements. In November 2010, Santa Clara County voters approved an additional increase to the vehicle license fee under authority granted by Senate Bill 83, but these funds were specifically designated for local streets and
roads projects and will not be used for TDM programs. VTA is continually looking at other methods in order to generate revenue for TDM elements.

**Express Lane Revenue** – Revenue from Express Lane implementation could also potentially fund some TDM-related elements. The fee charged for using the lanes will first be used for operations and maintenance of the express lane infrastructure, and could also be used to pay for all or a portion of the cost of the additional lane(s) or the lane conversions. Any additional revenue could be used to pay for transit services serving the corridor or other alternative transportation improvements in the corridor.

**Transportation Impact Fee** – Another method of funding these TDM programs could be fees resulting from the collection of fees related to traffic impacts. Various cities within Santa Clara County have implemented impact fee programs to collect money for road improvements. Although legislation states that an impact fee program must include a project list, a TDM – related element may be included.
APPENDIX I | CALIFORNIA GOVERNMENT CODES RELEVANT TO THE CONGESTION MANAGEMENT PROGRAM

65088. The Legislature finds and declares all of the following:

(a) Although California's economy is critically dependent upon transportation, its current transportation system relies primarily upon a street and highway system designed to accommodate far fewer vehicles than are currently using the system.

(b) California's transportation system is characterized by fragmented planning, both among jurisdictions involved and among the means of available transport.

(c) The lack of an integrated system and the increase in the number of vehicles are causing traffic congestion that each day results in 400,000 hours lost in traffic, 200 tons of pollutants released into the air we breathe, and three million one hundred thousand dollars ($3,100,000) added costs to the motoring public.

(d) To keep California moving, all methods and means of transport between major destinations must be coordinated to connect our vital economic and population centers.

(e) In order to develop the California economy to its full potential, it is intended that federal, state, and local agencies join with transit districts, business, private and environmental interests to develop and implement comprehensive strategies needed to develop appropriate responses to transportation needs.

(f) In addition to solving California's traffic congestion crisis, rebuilding California's cities and suburbs, particularly with affordable housing and more walkable neighborhoods, is an important part of accommodating future increases in the state's population because homeownership is only now available to most Californians who are on the fringes of metropolitan areas and far from employment centers.

(g) The Legislature intends to do everything within its power to remove regulatory barriers around the development of infill housing, transit-oriented development, and mixed use commercial development in order to reduce regional traffic congestion and provide more housing choices for all Californians.

(h) The removal of regulatory barriers to promote infill housing, transit-oriented development, or mixed use commercial development does not preclude a city or county from holding a public hearing nor finding that an individual infill project would be adversely impacted by the surrounding environment or transportation patterns.

65088.1. As used in this chapter the following terms have the following meanings:
(a) Unless the context requires otherwise, “agency” means the agency responsible for the preparation and adoption of the congestion management program.

(b) “Bus rapid transit corridor” means a bus service that includes at least four of the following attributes:

1. Coordination with land use planning.
2. Exclusive right-of-way.
3. Improved passenger boarding facilities.
4. Limited stops.
5. Passenger boarding at the same height as the bus.
6. Prepaid fares.
7. Real-time passenger information.
8. Traffic priority at intersections.
10. Unique vehicles.

(c) “Commission” means the California Transportation Commission.

(d) “Department” means the Department of Transportation.

(e) “Infill opportunity zone” means a specific area designated by a city or county, pursuant to subdivision (c) of Section 65088.4, that is within one-half mile of a major transit stop or high-quality transit corridor included in a regional transportation plan. A major transit stop is as defined in Section 21064.3 of the Public Resources Code, except that, for purposes of this section, it also includes major transit stops that are included in the applicable regional transportation plan. For purposes of this section, a high-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.

(f) “Interregional travel” means any trips that originate outside the boundary of the agency. A “trip” means a one-direction vehicle movement. The origin of any trip is the starting point of that trip. A roundtrip consists of two individual trips.

(g) “Level of service standard” is a threshold that defines a deficiency on the congestion management program highway and roadway system which requires the preparation of a deficiency plan. It is the intent of the Legislature that the agency shall use all elements of the program to implement strategies and actions that avoid the creation of deficiencies and to improve multimodal mobility.
(h) “Local jurisdiction” means a city, a county, or a city and county.

(i) “Multimodal” means the utilization of all available modes of travel that enhance the movement of people and goods, including, but not limited to, highway, transit, non-motorized, and demand management strategies including, but not limited to, telecommuting. The availability and practicality of specific multimodal systems, projects, and strategies may vary by county and region in accordance with the size and complexity of different urbanized areas.

(j) (1) “Parking cash-out program” means an employer-funded program under which an employer offers to provide a cash allowance to an employee equivalent to the parking subsidy that the employer would otherwise pay to provide the employee with a parking space. “Parking subsidy” means the difference between the out-of-pocket amount paid by an employer on a regular basis in order to secure the availability of an employee parking space not owned by the employer and the price, if any, charged to an employee for use of that space.

(2) A parking cash-out program may include a requirement that employee participants certify that they will comply with guidelines established by the employer designed to avoid neighborhood parking problems, with a provision that employees not complying with the guidelines will no longer be eligible for the parking cash-out program.

(k) “Performance measure” is an analytical planning tool that is used to quantitatively evaluate transportation improvements and to assist in determining effective implementation actions, considering all modes and strategies. Use of a performance measure as part of the program does not trigger the requirement for the preparation of deficiency plans.

(l) “Urbanized area” has the same meaning as is defined in the 1990 federal census for urbanized areas of more than 50,000 population.

(m) Unless the context requires otherwise, “regional agency” means the agency responsible for preparation of the regional transportation improvement program.

65088.3. This chapter does not apply in a county in which a majority of local governments, collectively comprised of the city councils and the county board of supervisors, which in total also represent a majority of the population in the county, each adopt resolutions electing to be exempt from the congestion management program.

65088.4. (a) It is the intent of the Legislature to balance the need for level of service standards for traffic with the need to build infill housing and mixed use commercial developments within walking distance of mass transit facilities, downtowns, and town centers and to provide greater flexibility to local governments to balance these sometimes competing needs.

(b) Notwithstanding any other provision of law, level of service standards described in Section 65089 shall not apply to the streets and highways within an infill opportunity zone.

(c) The city or county may designate an infill opportunity zone by adopting a resolution after determining that the infill opportunity zone is consistent with the general plan and any
applicable specific plan, and is a transit priority area within a sustainable communities strategy or alternative planning strategy adopted by the applicable metropolitan planning organization.

65088.5. Congestion management programs, if prepared by county transportation commissions and transportation authorities created pursuant to Division 12 (commencing with Section 130000) of the Public Utilities Code, shall be used by the regional transportation planning agency to meet federal requirements for a congestion management system, and shall be incorporated into the congestion management system.

65089.

(a) A congestion management program shall be developed, adopted, and updated biennially, consistent with the schedule for adopting and updating the regional transportation improvement program, for every county that includes an urbanized area, and shall include every city and the county. The program shall be adopted at a noticed public hearing of the agency. The program shall be developed in consultation with, and with the cooperation of, the transportation planning agency, regional transportation providers, local governments, the department, and the air pollution control district or the air quality management district, either by the county transportation commission, or by another public agency, as designated by resolutions adopted by the county board of supervisors and the city councils of a majority of the cities representing a majority of the population in the incorporated area of the county.

(b) The program shall contain all of the following elements:

(1) (A) Traffic level of service standards established for a system of highways and roadways designated by the agency. The highway and roadway system shall include at a minimum all state highways and principal arterials. No highway or roadway designated as a part of the system shall be removed from the system. All new state highways and principal arterials shall be designated as part of the system, except when it is within an infill opportunity zone. Level of service (LOS) shall be measured by Circular 212, by the most recent version of the Highway Capacity Manual, or by a uniform methodology adopted by the agency that is consistent with the Highway Capacity Manual. The determination as to whether an alternative method is consistent with the Highway Capacity Manual shall be made by the regional agency, except that the department instead shall make this determination if either (i) the regional agency is also the agency, as those terms are defined in Section 65088.1, or (ii) the department is responsible for preparing the regional transportation improvement plan for the county.

(B) In no case shall the LOS standards established be below the level of service E or the current level, whichever is farthest from level of service A except when the area is in an infill opportunity zone. When the level of service on a segment or at an intersection fails to attain the established level of service standard outside an infill opportunity zone, a deficiency plan shall be adopted pursuant to Section 65089.4.
(2) A performance element that includes performance measures to evaluate current and future multimodal system performance for the movement of people and goods. At a minimum, these performance measures shall incorporate highway and roadway system performance, and measures established for the frequency and routing of public transit, and for the coordination of transit service provided by separate operators. These performance measures shall support mobility, air quality, land use, and economic objectives, and shall be used in the development of the capital improvement program required pursuant to paragraph (5), deficiency plans required pursuant to Section 65089.4, and the land use analysis program required pursuant to paragraph (4).

(3) A travel demand element that promotes alternative transportation methods, including, but not limited to, carpools, vanpools, transit, bicycles, and park-and-ride lots; improvements in the balance between jobs and housing; and other strategies, including, but not limited to, flexible work hours, telecommuting, and parking management programs. The agency shall consider parking cash-out programs during the development and update of the travel demand element.

(4) A program to analyze the impacts of land use decisions made by local jurisdictions on regional transportation systems, including an estimate of the costs associated with mitigating those impacts. This program shall measure, to the extent possible, the impact to the transportation system using the performance measures described in paragraph (2). In no case shall the program include an estimate of the costs of mitigating the impacts of interregional travel. The program shall provide credit for local public and private contributions to improvements to regional transportation systems. However, in the case of toll road facilities, credit shall only be allowed for local public and private contributions which are unreimbursed from toll revenues or other state or federal sources. The agency shall calculate the amount of the credit to be provided. The program defined under this section may require implementation through the requirements and analysis of the California Environmental Quality Act, in order to avoid duplication.

(5) A seven-year capital improvement program, developed using the performance measures described in paragraph (2) to determine effective projects that maintain or improve the performance of the multimodal system for the movement of people and goods, to mitigate regional transportation impacts identified pursuant to paragraph (4). The program shall conform to transportation-related vehicle emission air quality mitigation measures, and include any project that will increase the capacity of the multimodal system. It is the intent of the Legislature that, when roadway projects are identified in the program, consideration be given for maintaining bicycle access and safety at a level comparable to that which existed prior to the improvement or alteration. The capital improvement program may also include safety, maintenance, and rehabilitation projects that do not enhance the capacity of the system but are necessary to preserve the investment in existing facilities.

(c) The agency, in consultation with the regional agency, cities, and the county, shall develop a uniform data base on traffic impacts for use in a countywide transportation computer model
and shall approve transportation computer models of specific areas within the county that will be used by local jurisdictions to determine the quantitative impacts of development on the circulation system that are based on the countywide model and standardized modeling assumptions and conventions. The computer models shall be consistent with the modeling methodology adopted by the regional planning agency. The data bases used in the models shall be consistent with the data bases used by the regional planning agency. Where the regional agency has jurisdiction over two or more counties, the data bases used by the agency shall be consistent with the data bases used by the regional agency.

(d) (1) The city or county in which a commercial development will implement a parking cash-out program that is included in a congestion management program pursuant to subdivision (b), or in a deficiency plan pursuant to Section 65089.4, shall grant to that development an appropriate reduction in the parking requirements otherwise in effect for new commercial development.

(2) At the request of an existing commercial development that has implemented a parking cash-out program, the city or county shall grant an appropriate reduction in the parking requirements otherwise applicable based on the demonstrated reduced need for parking, and the space no longer needed for parking purposes may be used for other appropriate purposes.

(e) Pursuant to the federal Intermodal Surface Transportation Efficiency Act of 1991 and regulations adopted pursuant to the act, the department shall submit a request to the Federal Highway Administration Division Administrator to accept the congestion management program in lieu of development of a new congestion management system otherwise required by the act.

65089.1. (a) For purposes of this section, "plan" means a trip reduction plan or a related or similar proposal submitted by an employer to a local public agency for adoption or approval that is designed to facilitate employee ridesharing, the use of public transit, and other means of travel that do not employ a single-occupant vehicle.

(b) An agency may require an employer to provide rideshare data bases; an emergency ride program; a preferential parking program; a transportation information program; a parking cash-out program, as defined in subdivision (f) of Section 65088.1; a public transit subsidy in an amount to be determined by the employer; bicycle parking areas; and other noncash value programs which encourage or facilitate the use of alternatives to driving alone. An employer may offer, but no agency shall require an employer to offer, cash, prizes, or items with cash value to employees to encourage participation in a trip reduction program as a condition of approving a plan.

(c) Employers shall provide employees reasonable notice of the content of a proposed plan and shall provide the employees an opportunity to comment prior to submittal of the plan to the agency for adoption.
(d) Each agency shall modify existing programs to conform to this section not later than June 30, 1995. Any plan adopted by an agency prior to January 1, 1994, shall remain in effect until adoption by the agency of a modified plan pursuant to this section.

(e) Employers may include disincentives in their plans that do not create a widespread and substantial disproportionate impact on ethnic or racial minorities, women, or low-income or disabled employees.

(f) This section shall not be interpreted to relieve any employer of the responsibility to prepare a plan that conforms with trip reduction goals specified in Division 26 (commencing with Section 39000) of the Health and Safety Code, or the Clean Air Act (42 U.S.C. Sec. 7401 et seq.).

(g) This section only applies to agencies and employers within the South Coast Air Quality Management District.

65089.2. (a) Congestion management programs shall be submitted to the regional agency. The regional agency shall evaluate the consistency between the program and the regional transportation plans required pursuant to Section 65080. In the case of a multicounty regional transportation planning agency, that agency shall evaluate the consistency and compatibility of the programs within the region.

(b) The regional agency, upon finding that the program is consistent, shall incorporate the program into the regional transportation improvement program as provided for in Section 65082. If the regional agency finds the program is inconsistent, it may exclude any project in the congestion management program from inclusion in the regional transportation improvement program.

(c) (1) The regional agency shall not program any surface transportation program funds and congestion mitigation and air quality funds pursuant to Section 182.6 and 182.7 of the Streets and Highways Code in a county unless a congestion management program has been adopted by December 31, 1992, as required pursuant to Section 65089. No surface transportation program funds or congestion mitigation and air quality funds shall be programmed for a project in a local jurisdiction that has been found to be in nonconformance with a congestion management program pursuant to Section 65089.5 unless the agency finds that the project is of regional significance.

(2) Notwithstanding any other provision of law, upon the designation of an urbanized area, pursuant to the 1990 federal census or a subsequent federal census, within a county which previously did not include an urbanized area, a congestion management program as required pursuant to Section 65089 shall be adopted within a period of 18 months after designation by the Governor.
(d) (1) It is the intent of the Legislature that the regional agency, when its boundaries include areas in more than one county, should resolve inconsistencies and mediate disputes which arise between agencies related to congestion management programs adopted for those areas.

(2) It is the further intent of the Legislature that disputes which may arise between regional agencies, or agencies which are not within the boundaries of a multicounty regional transportation planning agency, should be mediated and resolved by the Secretary of Business, Housing and Transportation Agency, or an employee of that agency designated by the secretary, in consultation with the air pollution control district or air quality management district within whose boundaries the regional agency or agencies are located.

(e) At the request of the agency, a local jurisdiction that owns, or is responsible for operation of, a trip-generating facility in another county shall participate in the congestion management program of the county where the facility is located. If a dispute arises involving a local jurisdiction, the agency may request the regional agency to mediate the dispute through procedures pursuant to subdivision (d) of Section 65089.2. Failure to resolve the dispute does not invalidate the congestion management program.

65089.3. The agency shall monitor the implementation of all elements of the congestion management program. The department is responsible for data collection and analysis on state highways, unless the agency designates that responsibility to another entity. The agency may also assign data collection and analysis responsibilities to other owners and operators of facilities or services if the responsibilities are specified in its adopted program. The agency shall consult with the department and other affected owners and operators in developing data collection and analysis procedures and schedules prior to program adoption. At least biennially, the agency shall determine if the county and cities are conforming to the congestion management program, including, but not limited to, all of the following:

(a) Consistency with levels of service standards, except as provided in Section 65089.4.

(b) Adoption and implementation of a program to analyze the impacts of land use decisions, including the estimate of the costs associated with mitigating these impacts.

(c) Adoption and implementation of a deficiency plan pursuant to Section 65089.4 when highway and roadway level of service standards are not maintained on portions of the designated system.

65089.4. (a) A local jurisdiction shall prepare a deficiency plan when highway or roadway level of service standards are not maintained on segments or intersections of the designated system. The deficiency plan shall be adopted by the city or county at a noticed public hearing.

(b) The agency shall calculate the impacts subject to exclusion pursuant to subdivision (f) of this section, after consultation with the regional agency, the department, and the local air quality management district or air pollution control district. If the calculated traffic level of
service following exclusion of these impacts is consistent with the level of service standard, the
agency shall make a finding at a publicly noticed meeting that no deficiency plan is required and
so notify the affected local jurisdiction.

(c) The agency shall be responsible for preparing and adopting procedures for local deficiency
plan development and implementation responsibilities, consistent with the requirements of
this section. The deficiency plan shall include all of the following:

(1) An analysis of the cause of the deficiency. This analysis shall include the following:

(A) Identification of the cause of the deficiency.

(B) Identification of the impacts of those local jurisdictions within the jurisdiction of the
agency that contribute to the deficiency. These impacts shall be identified only if the calculated
traffic level of service following exclusion of impacts pursuant to subdivision (f) indicates that
the level of service standard has not been maintained, and shall be limited to impacts not
subject to exclusion.

(2) A list of improvements necessary for the deficient segment or intersection to maintain the
minimum level of service otherwise required and the estimated costs of the improvements.

(3) A list of improvements, programs, or actions, and estimates of costs, that will (A)
measurably improve multimodal performance, using measures defined in paragraphs (1) and
(2) of subdivision (b) of Section 65089, and (B) contribute to significant improvements in air
quality, such as improved public transit service and facilities, improved non-motorized
transportation facilities, high occupancy vehicle facilities, parking cash-out programs, and
transportation control measures. The air quality management district or the air pollution
control district shall establish and periodically revise a list of approved improvements,
programs, and actions that meet the scope of this paragraph. If an improvement, program, or
action on the approved list has not been fully implemented, it shall be deemed to contribute to
significant improvements in air quality. If an improvement, program, or action is not on the
approved list, it shall not be implemented unless approved by the local air quality management
district or air pollution control district.

(4) An action plan, consistent with the provisions of Chapter 5 (commencing with Section
66000), that shall be implemented, consisting of improvements identified in paragraph (2), or
improvements, programs, or actions identified in paragraph (3), that are found by the agency to
be in the interest of the public health, safety, and welfare. The action plan shall include a
specific implementation schedule. The action plan shall include implementation strategies for
those jurisdictions that have contributed to the cause of the deficiency in accordance with the
agency's deficiency plan procedures. The action plan need not mitigate the impacts of any
exclusions identified in subdivision (f). Action plan strategies shall identify the most effective
implementation strategies for improving current and future system performance.
(d) A local jurisdiction shall forward its adopted deficiency plan to the agency within 12 months of the identification of a deficiency. The agency shall hold a noticed public hearing within 60 days of receiving the deficiency plan. Following that hearing, the agency shall either accept or reject the deficiency plan in its entirety, but the agency may not modify the deficiency plan. If the agency rejects the plan, it shall notify the local jurisdiction of the reasons for that rejection, and the local jurisdiction shall submit a revised plan within 90 days addressing the agency’s concerns. Failure of a local jurisdiction to comply with the schedule and requirements of this section shall be considered to be nonconformance for the purposes of Section 65089.5.

(e) The agency shall incorporate into its deficiency plan procedures, a methodology for determining if deficiency impacts are caused by more than one local jurisdiction within the boundaries of the agency.

(1) If, according to the agency’s methodology, it is determined that more than one local jurisdiction is responsible for causing a deficient segment or intersection, all responsible local jurisdictions shall participate in the development of a deficiency plan to be adopted by all participating local jurisdictions.

(2) The local jurisdiction in which the deficiency occurs shall have lead responsibility for developing the deficiency plan and for coordinating with other impacting local jurisdictions. If a local jurisdiction responsible for participating in a multi-jurisdictional deficiency plan does not adopt the deficiency plan in accordance with the schedule and requirements of paragraph (a) of this section, that jurisdiction shall be considered in nonconformance with the program for purposes of Section 65089.5.

(3) The agency shall establish a conflict resolution process for addressing conflicts or disputes between local jurisdictions in meeting the multi-jurisdictional deficiency plan responsibilities of this section.

(f) The analysis of the cause of the deficiency prepared pursuant to paragraph (1) of subdivision (c) shall exclude the following:

(1) Interregional travel.

(2) Construction, rehabilitation, or maintenance of facilities that impact the system.

(3) Freeway ramp metering.

(4) Traffic signal coordination by the state or multi-jurisdictional agencies.

(5) Traffic generated by the provision of low-income and very low income housing.

(6) (A) Traffic generated by high-density residential development located within one-fourth mile of a fixed rail passenger station, and (B) Traffic generated by any mixed use development
located within one-fourth mile of a fixed rail passenger station, if more than half of the land area, or floor area, of the mixed use development is used for high density residential housing, as determined by the agency.

(g) For the purposes of this section, the following terms have the following meanings:

(1) "High density" means residential density development which contains a minimum of 24 dwelling units per acre and a minimum density per acre which is equal to or greater than 120 percent of the maximum residential density allowed under the local general plan and zoning ordinance. A project providing a minimum of 75 dwelling units per acre shall automatically be considered high density.

(2) "Mixed use development" means development which integrates compatible commercial or retail uses, or both, with residential uses, and which, due to the proximity of job locations, shopping opportunities, and residences, will discourage new trip generation.

65089.5. (a) If, pursuant to the monitoring provided for in Section 65089.3, the agency determines, following a noticed public hearing, that a city or county is not conforming with the requirements of the congestion management program, the agency shall notify the city or county in writing of the specific areas of nonconformance. If, within 90 days of the receipt of the written notice of nonconformance, the city or county has not come into conformance with the congestion management program, the governing body of the agency shall make a finding of nonconformance and shall submit the finding to the commission and to the Controller.

(b) (1) Upon receiving notice from the agency of nonconformance, the Controller shall withhold apportionments of funds required to be apportioned to that nonconforming city or county by Section 2105 of the Streets and Highways Code.

(2) If, within the 12-month period following the receipt of a notice of nonconformance, the Controller is notified by the agency that the city or county is in conformance, the Controller shall allocate the apportionments withheld pursuant to this section to the city or county.

(3) If the Controller is not notified by the agency that the city or county is in conformance pursuant to paragraph (2), the Controller shall allocate the apportionments withheld pursuant to this section to the agency.

(c) The agency shall use funds apportioned under this section for projects of regional significance which are included in the capital improvement program required by paragraph (5) of subdivision (b) of Section 65089, or in a deficiency plan which has been adopted by the agency. The agency shall not use these funds for administration or planning purposes.

65089.6. Failure to complete or implement a congestion management program shall not give rise to a cause of action against a city or county for failing to conform with its general plan,
unless the city or county incorporates the congestion management program into the circulation element of its general plan.

65089.7. A proposed development specified in a development agreement entered into prior to July 10, 1989, shall not be subject to any action taken to comply with this chapter, except actions required to be taken with respect to the trip reduction and travel demand element of a congestion management program pursuant to paragraph (3) of subdivision (b) of Section 65089.

65089.9. The study steering committee established pursuant to Section 6 of Chapter 444 of the Statutes of 1992 may designate at least two congestion management agencies to participate in a demonstration study comparing multimodal performance standards to highway level of service standards. The department shall make available, from existing resources, fifty thousand dollars ($50,000) from the Transportation Planning and Development Account in the State Transportation Fund to fund each of the demonstration projects. The designated agencies shall submit a report to the Legislature not later than June 30, 1997, regarding the findings of each demonstration project.

65089.10. Any congestion management agency that is located in the Bay Area Air Quality Management District and receives funds pursuant to Section 44241 of the Health and Safety Code for the purpose of implementing paragraph (3) of subdivision (b) of Section 65089 shall ensure that those funds are expended as part of an overall program for improving air quality and for the purposes of this chapter.
INTRODUCTION

The following set of 12 CMP Multimodal Performance Measures are included in the 2015 Congestion Management Program (CMP):

- Auto LOS
- Vehicle Miles Traveled
- Modal Split
- Pedestrian and Bicycle Quality of Service
- Transit Vehicle Delay
- Transit Accessibility
- Air Quality
- Duration of Congestion
- Hours of Delay/Person Trip
- Travel Time Index
- Transit Sustainability Policy
- Travel Pattern (in Person Trips)

These measures can be used in a variety of analyses. Some may be used in the development of the countywide long-range transportation plan (VTP), some may be used in the CMP monitoring process, some may be used in analyses of the impacts and effects of specific development projects, and some may be used for more targeted efforts such as corridor studies, transit or roadway capital projects. The Development of the CMP Multimodal Performance Measures and further detail about each measure are provided in Chapter 3.

Throughout this document, reference is made to measurements that are to be made system-wide, for selected links, or travel markets. The travel markets to be used with multimodal performance measures may vary based on the measure or type of analysis. The travel markets consist of typical travel origins and destinations for the County, and can be developed from review of existing travel patterns and the expected future travel patterns.

VTA CMP PERFORMANCE MEASURES
This chapter provides further detail for ten of the twelve current VTA CMP multimodal performance measures. Each subsection is divided into four parts: 1) a general description of the measure; 2) a synopsis of how the measure can be implemented; 3) a summary of the measure’s application to an evaluation of system performance; and 4) an example of the measure’s results from the travel demand model, GIS, or other analytic tools or process.

**AUTO LOS**

Auto level of service (LOS) measures the interrelationship between travel demand (volume) and supply (capacity) of the roadway system. LOS is used to qualitatively describe the operating conditions of a roadway based on factors such as speed, travel time, maneuverability, and delay. LOS is categorized into six levels, A through F, with LOS A representing free-flow travel and LOS F representing congested flow.

**IMPLEMENTATION**

Appendix E shows the definitions and thresholds for auto Level of Service for Intersections, Freeways, and Rural Highways used in the VTA CMP. This section outlines specific auto LOS methodologies used in VTA’s CMP. The Traffic LOS Analysis Guidelines of the CMP Technical Standards and Procedures include more technical information on auto LOS measurement.

**Urban Arterials** — The 2000 HCM intersection analysis operations methodology, which is based on Average Control Delay, is used to monitor LOS on urban arterials (this includes expressways and principal arterials).

**Freeway Segments** — Freeway segments are evaluated based on the procedures of the 2000 HCM. Beginning in June 2003, VTA adopted density as the standard for monitoring traffic conditions and traffic impacts due to new developments. Prior to 2003, the CMP used travel speed as the criteria for monitoring traffic conditions.

**Rural Highways** — Procedures described in Chapter 20 of the 2000 HCM are used to measure the percent time-spent following and average travel speed, with appropriate inputs for peak hour and peak 15 minute traffic volumes, the percentage split between the two directions of traffic, the percentage of trucks in the traffic flow, and the type of terrain.

**APPLICATION**

LOS is a good diagnostic indicating any imbalance between capacity and demand on the transportation system. It is a vehicle based performance measure. It can be affected by changes in capacity (supply) and changes in volume (demand). Changes in capacity are realized by adding additional lanes, improving intersections, increasing transit infrastructure on parallel
routes, and using ITS strategies such as signal synchronization. Changes in volume can be caused by mode shifts, time of day shifts, or changes in travel patterns, i.e. changing origins or destinations.

LOS is a widely accepted measure of roadway and intersection performance. LOS alone is a good indicator of trouble spots for congestion in the road network. Used in conjunction with other performance measures such as passenger throughput it becomes a strong performance measure for the overall transportation system. Nevertheless, LOS has significant shortcomings. Even significant increases in the capacity of a roadway, intersection, or interchange may not change LOS because the pent-up demand from drivers who have avoided traveling during peak periods will now move from the shoulders of the peak period and into the peak period, or travelers may alter other travel patterns to produce what is called “induced demand.” Thus, other performance measures must be relied upon to assess the performance of the transportation system and the success of mitigation measures. Furthermore, LOS is usually insensitive to transit, bicycle, pedestrian or land use improvements. Finally, it is not applied currently to arterial roadway segments for forecasting purposes.

**EXAMPLE OUTPUT**

Figure J.1 illustrates how LOS can be presented in graphical format. Table J.1 shows the traffic level of service and miles of roadway at LOS F for a hypothetical 2020 base case and alternative.

<table>
<thead>
<tr>
<th>Roadway</th>
<th>From</th>
<th>To</th>
<th>Direction</th>
<th>Hypothetical Base Case 2020 LOS</th>
<th>Hypothetical Alternative 2020 LOS</th>
</tr>
</thead>
<tbody>
<tr>
<td>I-680</td>
<td>County Line</td>
<td>Jacklin</td>
<td>SB</td>
<td>F</td>
<td>F</td>
</tr>
<tr>
<td>I-680</td>
<td>Berryessa</td>
<td>McKee</td>
<td>NB</td>
<td>F</td>
<td></td>
</tr>
<tr>
<td>I-680</td>
<td>Capitol Expwy</td>
<td>U.S. Hwy 101</td>
<td>NB</td>
<td>F</td>
<td>F</td>
</tr>
<tr>
<td>I-880</td>
<td>County Line</td>
<td>Dixon Landing</td>
<td>SB</td>
<td></td>
<td>F</td>
</tr>
<tr>
<td>I-880</td>
<td>Montague Expwy</td>
<td>Brokaw</td>
<td>NB</td>
<td>F</td>
<td></td>
</tr>
<tr>
<td>I-880</td>
<td>Montague Expwy</td>
<td>Brokaw</td>
<td>SB</td>
<td>F</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Total LOS F (mi)</td>
<td>89.7</td>
</tr>
</tbody>
</table>
FIGURE J.1  EXAMPLE OF LOS F CONDITIONS IN MORNING AND EVENING PEAK PERIODS
VEHICLE MILES TRAVELED

DESCRIPTION

Vehicle Miles Traveled (VMT) is a measure of the total amount of vehicle travel on the roadway network. VMT is calculated by multiplying the total number of automobile trips by the average distance of each trip. VMT can be normalized to reflect travel efficiency, such as measuring VMT per capita, employee or person-trip. Normalization is an important step to understand the meaning of a given change in VMT. For example, an absolute increase in VMT could indicate a greater number of single-occupant vehicle trips; however, if the rise in VMT is slower than the rise in population (showing an overall decrease in VMT/capita), it would indicate that the usage of the transportation network is becoming more efficient over time.

During the development of the 1995 CMP, the CMA Board selected VMT per Person-Trip (VMT/P-T) as one of the CMP Multimodal Performance Measures. The remainder of this section will include a technical discussion of implementing and applying this specific measurement of VMT. VTA will be revisiting the VMT performance measure in the coming years in response to the implementation of Senate Bill 743 (see further discussion in Chapters 2 and 3) and will include additional details on VMT metrics in this Appendix in future updates of the CMP.

VMT/person trip (P-T) is the quotient of these two measures: a single number indicator that increases or decreases according to changes in VMT and/or person trips. It measures the intensity of the population’s demand for vehicle travel. As the trend in population and job growth continues VMT will naturally increase. By using VMT/P-T, rather than VMT alone, the effect of population growth on the measure is normalized.

IMPLEMENTATION

VMT/P-T can be measured system-wide during the P.M. peak hour. The CMP model estimates the measure, which is reported as a single number for all modes. The model generates a VMT/P-T for a base year (e.g., 2010) and forecasts future VMT/P-T estimates for a base case investment scenario and other investment alternatives. The change between the base year VMT/P-T and the future year VMT/P-T shows the improvement or decline in the efficiency of the countywide transportation system as a whole (across all modes).

The current VMT are only those VMT inside the county and do not include the VMT for trips originating or terminating outside the county. This measure can report two VMT/P-T values. The first includes all internal (I-I) trips plus the internal-external (I-X) trips. The second shows the total VMT/P-T for all trips within (I-I) out-of (I-X) and into (X-I) the county. Both of these measurements require breaking up the external zones in the CMP model in order to account completely for an external trip’s final origin or destination.
APPLICATION

VMT/P-T identifies the number of roadway vehicle miles of travel required to satisfy the mobility demand, measured in person trips. Vehicle miles of travel per person trip (VMT/P-T) is a compound performance measure, taking account of the intensity of the population’s demand for vehicle travel. When monitored over time, it is an indicator of development density or urban sprawl. In addition, this measure may indicate the level of utilization for high-occupancy modes: the lower the value of this measure, the greater the reliance on high-occupancy vehicle travel.

If VMT decreases relative to person trips, it may be an indication that developing land use patterns are becoming more conducive to shorter trips. This would also be true if person trips were increasing while VMT remained the same. Conversely, an increase in VMT without an increase in person trips could indicate increasing urban sprawl.

VMT/P-T will increase if:

- Jobs and housing continue to decentralize, and people take longer trips to access their worksites and other activities.
- There is a reduction in transit or HOV mode share and more people rely on the private automobile as their primary mode.

VMT/P-T will decrease if:

- There is increasing density in an existing developed area.
- Transit use increases.
- HOV use increases.

The difference between VMT/P-T for I-I and I-X and Total VMT/P-T (I-I, I-X, and X-I) will increase if:

- The share of workers who are commuting from outside the county increases, thus people take longer trips to access their worksites and other activities.

Although VMT/P-T is not a good measure of congestion, it is a useful measure of mobility because it indicates the extent to which people must travel in vehicles to satisfy their travel needs. It is also a good measure for air quality, since it relates vehicle usage, mileage, and trip length. In other words, it indicates travel intensity and trip length, which LOS cannot measure. Thus, it can evaluate travel demand management (TDM) measures such as transit and carpool incentives, VMT fees and other private auto disincentives, and land use measures, such as improving the jobs-housing balance, which result in more concentrated trip patterns.
EXAMPLE OUTPUT

Figure J.2 shows the system-wide VMT/P-T for a hypothetical alternative over time.

FIGURE J.2 | VMT/PT FOR HYPOTHETICAL ALTERNATIVE

MODAL SPLIT

DESCRIPTION

Modal split measures the extent to which travelers use the various available modes. It is measured as the proportion of people making a trip on a given mode.

IMPLEMENTATION

Modes accounted for in the VTA CMP model are all monitored and reported in a modal split table. As of this writing the modes are:

- drive alone/single occupant vehicles (SOV);
- shared ride (HOV-2);
- shared ride (HOV-3+);
- transit (bus and rail); and
- walk, bicycle, and “work at home.”
Transit can be split further into sub-modes including local bus, express bus, Caltrain, light rail transit (LRT), and Bus Rapid Transit (BRT). With updates to the CMP and regional travel demand models in recent years, the CMP model now has the capability of estimating walk and bicycle trips separately. Work at home, i.e., telecommuting is not estimated in the CMP model. Mode split can be measured for the A.M. and P.M. peak hour both system-wide and for the travel markets. At the travel market level, mode split can be measured exclusively for facilities on the CMP network within that travel market. System-wide mode split can be estimated using all facilities within the CMP system.

**APPLICATION**

Modal split is a direct measure of all the trips made on all modes. If specific mode split goals are established, trade-offs between highway, HOV, and transit improvements can be identified for programming decisions.

Modal split measures the effects of such projects as HOV improvements, rail or BRT capital projects, improvements to bus service, and various transportation control measures (TCMs). For example, mode share can measure the effectiveness of increasing parking rates at San Jose Airport or employment sites (to encourage use of transit) or other transit use incentives. When analyzed in conjunction with LOS, modal split provides valuable information on the state of the transportation system. If LOS improves, mode shares indicate if the change in LOS is due to the greater use of HOV modes. However, modal split does not specifically identify locations where problems may exist; therefore, it must be combined with other measures of system performance.

**EXAMPLE OUTPUT**

Table J.2 shows an example of mode split estimated by the CMP model. This table shows the current and 2030 projected mode shares for home based work trips. In this example, the number of transit riders is expected to more than triple, but the transit share of home based work trips will only increase by four percentage points.

**TABLE J.2 | MODE SPLIT ESTIMATED BY THE CMP MODEL**

<table>
<thead>
<tr>
<th></th>
<th>Drive Alone</th>
<th>HOV2</th>
<th>HOV3+</th>
<th>Transit</th>
<th>Bike</th>
<th>Walk</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>1,304,872</td>
<td>196,066</td>
<td>62,208</td>
<td>48,288</td>
<td>14,784</td>
<td>28,059</td>
<td>1,654,277</td>
</tr>
<tr>
<td>Percent of 2000</td>
<td>78.9%</td>
<td>11.9%</td>
<td>3.8%</td>
<td>2.9%</td>
<td>0.9%</td>
<td>1.7%</td>
<td>100%</td>
</tr>
<tr>
<td>2030</td>
<td>1,832,353</td>
<td>302,604</td>
<td>96,031</td>
<td>153,632</td>
<td>21,735</td>
<td>35,964</td>
<td>2,442,319</td>
</tr>
<tr>
<td>Percent of 2030</td>
<td>75%</td>
<td>12.4%</td>
<td>3.9%</td>
<td>6.3%</td>
<td>0.9%</td>
<td>1.5%</td>
<td>100%</td>
</tr>
<tr>
<td>Percent change 2000-2030</td>
<td>40.4%</td>
<td>54.3%</td>
<td>54.4%</td>
<td>218.2%</td>
<td>47%</td>
<td>28.2%</td>
<td>47.6%</td>
</tr>
</tbody>
</table>
PEDESTRIAN AND BICYCLE QUALITY OF SERVICE (QOS)

As part of the 2014 update of the VTA TIA Guidelines, VTA established a requirement for land use development projects proposing changes to existing roadway or intersection geometry or changes to signal operations to include a Quality of Service (QOS) analysis for bicyclists and pedestrians. A QOS analysis is also recommended for other projects and for documenting existing conditions. QOS methodologies typically measure features of the environment that affect the comfort and safety of bicyclists and pedestrians from the user’s perspective, such as the presence and width of sidewalks and bicycle lanes, intersection crossing distance and delay, lateral separation from auto traffic, auto volumes, and the presence of landscaping or trees.

A comparison of QOS methodologies is provided below in Table J.3 (an excerpt from the 2014 VTA TIA Guidelines)

TRANSIT VEHICLE DELAY

As part of the 2014 update of the VTA TIA Guidelines, VTA established a requirement to disclose project effects on transit vehicle delay. The analysis shall include a quantitative estimate of additional seconds of transit vehicle delay resulting from automobile congestion caused by the project and any changes to signal operations proposed by the project, and a qualitative assessment of additional transit vehicle delay cause by any changes to roadway or intersection geometry proposed by the project, taking into account unique considerations of transit vehicles compared to autos (e.g. pulling into and out of stops, longer gaps needed for left turns). The transit vehicle delay analysis may utilize information from the auto LOS analysis to derive an estimate of additional seconds of delay to transit resulting from auto congestion.

A hypothetical example of a Transit Vehicle Delay analysis results is provided below in Table J.4.

### TABLE J.3 EXAMPLE OF TRANSIT VEHICLE DELAY ANALYSIS RESULTS

<table>
<thead>
<tr>
<th>Corridor</th>
<th>Peak Hour</th>
<th>Additional Transit Delay (seconds)</th>
<th></th>
<th></th>
<th></th>
<th>Affected Transit Routes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Existing Plus Project</td>
<td>Background Plus Project</td>
<td>Cumulative Plus Project</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>NB/EB</td>
<td>SB/WB</td>
<td>NB/EB</td>
<td>SB/WB</td>
<td>NB/EB</td>
</tr>
<tr>
<td>Saratoga</td>
<td>AM</td>
<td>0.5</td>
<td>1.0</td>
<td>2.3</td>
<td>1.9</td>
<td>4.3</td>
</tr>
<tr>
<td>Avenue</td>
<td>PM</td>
<td>0.4</td>
<td>0.6</td>
<td>0.5</td>
<td>8.2</td>
<td>0.2</td>
</tr>
<tr>
<td>Quito</td>
<td>AM</td>
<td>0.2</td>
<td>0.5</td>
<td>0.2</td>
<td>0.3</td>
<td>0.2</td>
</tr>
<tr>
<td>Road</td>
<td>PM</td>
<td>0.5</td>
<td>0.3</td>
<td>0.4</td>
<td>0.2</td>
<td>0.4</td>
</tr>
<tr>
<td>Prospect</td>
<td>AM</td>
<td>0.1</td>
<td>0.0</td>
<td>0.3</td>
<td>0.0</td>
<td>1.1</td>
</tr>
<tr>
<td>Road</td>
<td>PM</td>
<td>0.0</td>
<td>0.0</td>
<td>0.2</td>
<td>0.0</td>
<td>0.7</td>
</tr>
<tr>
<td>Methodology</td>
<td>Analysis Level</td>
<td>Project Type</td>
<td>Mode</td>
<td>Data Required</td>
<td>Reference</td>
<td></td>
</tr>
<tr>
<td>----------------------------------------------------</td>
<td>----------------</td>
<td>--------------</td>
<td>----------</td>
<td>---------------</td>
<td>---------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Intersection</td>
<td>Street Segment</td>
<td>Development</td>
<td>General Plan</td>
<td>Pedestrian</td>
<td>Bicycle</td>
</tr>
<tr>
<td></td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>*</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Charlotte Bicycle and Pedestrian LOS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>*</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Pedestrian/Bicycle Environmental Quality Index</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Level of Traffic Stress</td>
<td></td>
<td></td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>
| Built Environment Factors                          | X             | X            | X        | X            | X          | X       | X       | Varies               | *- Fort Collins, Colorado, Pedestrian Plan, 2011. Level of Service  

* This methodology is appropriate for General Plan-level goal setting, but evaluating an entire street network would involve a substantial effort.
TRANSIT ACCESSIBILITY

DESCRIPTION

Transit service performance can be measured using a local transit accessibility index, which disaggregates transit performance, by geographic zone. In contrast to the traditional mobility-based approach for the measurement of transit service performance that emphasizes the supply side of the transit service and underrates the interaction between land use and transit use, accessibility provides a place-based approach for understanding how transit service is divided between areas in Santa Clara County while accounting for demographic variation. This understanding can facilitate the development of integrated transit and land use plans and policy, as well as grant insights on locations with the most intense transit service or lack thereof.

IMPLEMENTATION

Transit accessibility can mean different things from various perspectives. Viewed from the production end of a transit trip, it refers to people’s ability to reach opportunities, be it goods, service, recreations, or jobs, via transit. From the attraction end, the transit accessibility instead refers to the magnitude of the labor force or the size of the market area accessible via transit. The attraction end measure is especially meaningful for an urban center where parking is very restricted. Both being valuable, and with distinct policy implications, the accessibility measures from the perspectives of both ends are evaluated.

The accessibility measure for a zone is derived by aggregating values in a certain demographic field for all zones on the other end of transit trips and satisfying a defined transit travel time threshold. For the calculation of the production end measure, the employment at all the qualified attraction zones get aggregated to each corresponding production zone in question; while, for the attraction end measure, it is the households at all the qualified production zones that get aggregated. The transit travel time derived from the VTA Countywide Transportation Model is used to determine whether the value of a zone should be included for the aggregation or not. The transit time is calculated based on model inputs such as the transit service schedule, route coverage, street network connectivity etc, including time components such as walk time from origin to transit stop, wait time at stop, in-vehicle travel time, wait time at transfer interchanges, and time spent walking to the destination.

Besides traffic analysis zones, the access measures can be derived for other geographical units as well. However, by tying to traffic analysis zones, the measures can quickly analyze and incorporate both travel model and demographic data into any accessibility analysis. The measures derive from travel model data, so the outputs are in line with the travel model estimations and assumptions to a certain degree. Furthermore, it encourages a systems
approach to accessibility analysis through the combined estimation of multiple transit operator performance.

APPLICATION

The transit accessibility measures can indicate how well transit service serves the residents and businesses in Santa Clara County. These measures can indicate required changes in transit service parameters (such as headway and frequency) and highlight areas for new service through the addition or deletion of routes and stops. Due to the balance it strikes between zonal travels and demographic data, the accessibility measures also provide a sophisticated tool for measuring the effects of changing land uses and densities. In addition, the juxtaposition of the production end measure with the attraction end measure can expose the zones with high transit accessibility to job opportunities but low in residential units, or zones with high transit accessibility to workers or customers but lack of business or job opportunities.

Due to the large size of the VTA transit service network relative to the likely amount of route and service changes, the measure may show only small marginal effects of some transit improvements. However, due to the straightforward nature of the calculation, the resulted measures are still ratio data which make the comparison or calculation of interval still meaningful. The change in the measures can be captured with a simple subtraction.

EXAMPLE OUTPUT

Figures J.3 and J.4 show example outputs of this measure; Figure J.3 presents the relative access to employment by transit in Santa Clara County and Figure J.4 shows the relative access to workers or customers. The thematic maps are generated using the standard deviation categorizing method. The maps show the deviation of each zone from the median value of the whole county. The dark reds represent highest accessibility (near downtown San Jose), the medium reds indicate moderate accessibility (most corridors), and the light reds represent lower accessibility (in outlying parts of the county). This sort of output gives a concrete realization of the effects of transit improvements as well as a visual analytic tool for route location and alignment.

It should be noted that the transit travel time used in the calculation is based on the transit service and the roadway congestion level during the peak commute hours. Thus, the measures are more appropriate in evaluating accessibility for home-based work trips than for the trip purposes usually carried out during off-peak hours. Nevertheless, off-peak measures can be derived easily in the similar way by substituting the transit travel time with the off-peak one and employment attribute with a demographic attribute more appropriate to represent the off-peak activity.
FIGURE J.4 RELATIVE ACCESS TO HOUSING BY TRANSIT
AIR QUALITY

DESCRIPTION

Vehicle emissions of air pollutants are measured in tons of pollutants and are related to several factors. These factors include cold and hot starts and stops, speed changes, and idling time. The air quality performance measure is necessary for conformance with state CMP guidelines for consideration of air quality impacts.

IMPLEMENTATION

Air quality is measured systemwide by pollutant type for the A.M. and P.M. peak hours using the CMP model. The pollutants measured include carbon monoxide (CO), hydrocarbons (HC), oxides of nitrogen (NOx), and particulate matter (PM).

APPLICATION

Improvements in air quality may indicate the benefits of an efficient multimodal transportation system, although it can be degraded by other performance measures (e.g., an improvement in the VMT per person trip measure is sometimes accompanied by a degradation in air quality due to an increase in cold starts). It is difficult to know whether improvements in air quality are due to efficient modal use or other factors. Air quality is a good measure of overall external impacts of transportation system operation, but it seldom diagnoses specific problems (as an individual measure). Since traffic speed and the amount of stopping and starting affect emissions, actions which improve traffic flow generally, reduce emissions. However, NOx tends to increase as speeds increase.

EXAMPLE OUTPUT

Table J.5 presents an example output for the air quality performance measure for a hypothetical Base Case and alternative.

<table>
<thead>
<tr>
<th>Type</th>
<th>Time</th>
<th>Base Case</th>
<th>Alternative 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carbon Monoxide (CO)</td>
<td>A.M.</td>
<td>10.57</td>
<td>10.65</td>
</tr>
<tr>
<td></td>
<td>P.M.</td>
<td>13.09</td>
<td>12.93</td>
</tr>
<tr>
<td>Hydrocarbons (HC)</td>
<td>A.M.</td>
<td>0.96</td>
<td>0.97</td>
</tr>
<tr>
<td></td>
<td>P.M.</td>
<td>1.14</td>
<td>1.13</td>
</tr>
<tr>
<td>Nitrous Oxides (NOX)</td>
<td>A.M.</td>
<td>3.72</td>
<td>3.76</td>
</tr>
<tr>
<td></td>
<td>P.M.</td>
<td>4.2</td>
<td>4.17</td>
</tr>
<tr>
<td>Particulates (PM)</td>
<td>A.M.</td>
<td>4.53</td>
<td>4.58</td>
</tr>
<tr>
<td></td>
<td>P.M.</td>
<td>5.1</td>
<td>5.03</td>
</tr>
</tbody>
</table>
DURATION OF CONGESTION

DESCRIPTION

Duration of congestion measures the length of time that particular links are subject to congested conditions. This is a measure of peak spreading and it provides a good way of showing the length of time over which congested traffic conditions persist. When travel demand begins to exceed capacity, travelers have four adaptive responses: 1) they shift modes; 2) they choose not to travel (e.g., telecommute); 3) they take alternative routes, or 4) they travel at less congested times. If travelers adapt by any of the first three responses, the duration of congestion will not necessarily increase. If travelers choose to shift the time that they travel, then the congested period will spread.

IMPLEMENTATION

The CMP model is able to report volume and capacity on a link by link basis. A series of links can be selected and monitored for congested conditions. The monitoring can be done during the P.M. peak hour and the peak period. A curve depicting the peak spread can be estimated by evaluating the peak hour level of congestion relative to the peak period level of congestion. The method for estimating this measure is currently under development.

APPLICATION

Several of the performance measures already discussed measure the intensity of activity on the transportation system. As with Level of Service (LOS), duration of congestion is a highway and auto oriented performance measure and is typically measured on highway links in mixed-flow and high occupancy vehicle lanes and on arterials. Duration of congestion can be effected by changes in travel demand or changes in transportation capacity: such as adding highway lanes, improving intersections, increasing transit infrastructure, and using ITS strategies. Changes in travel demand include congestion pricing, land use policies that result in shorter trip patterns, and mode shifts.

EXAMPLE OUTPUT

Figure J.5 shows an estimated curve representing the P.M. peak duration of congestion for a hypothetical alternative. V/C in the y-axis refers to the volume over the capacity on the roadway.
FIGURE J.5 | ESTIMATED DURATION OF CONGESTION

HOURS OF DELAY/PERSON-TRIP

DESCRIPTION

This measure identifies the system-wide delay (in hours) due to congestion experienced by transportation system users. It measures the change in congestion and mobility. Increases in delay are typically due to increases in congestion, which represent a loss of mobility. It is generally measured for private vehicle users (SOV and HOV), but can also be measured for transit or other modal usage. Delay is generally determined by comparing travel time on the roadway facilities during peak congested conditions with off-peak uncongested conditions. In this case, delay is considered the difference in travel time between peak and off-peak conditions. Dividing by the number of person trips accounts for the changes associated with population and job growth.

IMPLEMENTATION

The CMP travel model can assess hours of delay system-wide during the P.M. peak hour.

APPLICATION

Delay tends to be more sensitive to mitigation efforts than LOS. For example, an intersection is currently operating at LOS F with a delay of 100 seconds. An action (or group of actions) improves the delay measure to a value of 85 seconds, but the LOS value remains at F, despite
the reduction. Hours of delay/person trip is a good supporting performance measure for freeway/expressway ramp and intersection improvements since most of the delays are felt in queuing and stop-and-go situations. Hours of delay can be a good indicator of the effectiveness of adding roadway and transit capacity to a travel market or system-wide. It is also a good indicator for system management projects such as ramp metering and signal timing.

**EXAMPLE OUTPUT**

Figure J.6 presents hours of delay per person trip for a hypothetical alternative.

**FIGURE J.6 | EXAMPLE OF DELAY PER PERSON TRIP**

**TRAVEL TIME AND TRAVEL TIME INDEX**

**DESCRIPTION**

Travel time is measured for the selected travel markets for a base year and some future year. The difference indicates the change in congestion over time. Travel time can be a more intuitive measure of mobility than delay, because the traveling public thinks more about how long a trip takes than comparing actual travel time to the hypothetical minimum under free flow conditions. This time differential can be converted into an index by normalizing it to a base year. The index facilitates the comparison of travel time over different years, between different alternatives and between different modes.
IMPLEMENTATION

The CMP model estimates travel times for a given base year and forecasts future travel times under alternative scenarios. The model estimates an aggregate travel time system-wide by mode. Travel time savings and loss are calculated by comparing the travel time of each trip with the baseline travel time for the same trip. A trip that is faster in the baseline than it is in an alternative will show a loss. A trip that is faster in the alternative will show a savings. The travel time index employs a set of origin and destination (O-D) pairs that are monitored over time. Once the O-D pairs are determined, a weighted average travel time is created.

To graphically display the O-D trip time information in a concise, easy-to-understand fashion, the trip times for the selected O-D pairs are aggregated into a trip time index. This index is generated by summing the travel times for all of the selected O-D pairs with an appropriate weighting factor (e.g., total peak hour person trip volume), and then normalizing the resulting value to 100 for a selected base year. As compared to measures based on LOS or delay, using a travel time index allows VTA to compare the travel time performance of different modes. This measure can be monitored for the A.M. and P.M. peak hours.

APPLICATION

The travel time index reports an average travel time (across modes). The strength of this measure is in its ability to show the differences in point to point travel times by mode. Thus, it is an effective measure for transit projects as well as roadway improvements.

EXAMPLE OUTPUT

Output from this measure can be presented in two ways. The trip times by mode for the alternatives can be presented in bar charts as in Figure J.7. Travel times monitored over time can be presented as line charts, as in Figure J.8.
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Director of Planning and Program Development, John Ristow

SUBJECT: Vehicle Registration Fee Funds for I-680 Soundwall Plans, Specifications & Estimates

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

ACTION ITEM

RECOMMENDATION:

Program $502,000 in Vehicle Registration Fee (VRF) Countywide Matching funds for the Plans, Specifications, and Estimates and Right of Way phases of the soundwall project on I-680 between Capitol Expressway and Mueller Avenue in San Jose (see Attachment A).

BACKGROUND:

Senate Bill 83 (Hancock) signed into law in 2009, authorized 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.

On June 3, 2010, the VTA Board adopted a resolution placing 2010 Santa Clara Measure B before the voters of Santa Clara County to authorize a $10 increase in the fees of motor vehicle registration for transportation-related projects and programs. The VTA Board also 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. On November 2, 2010, the voters of Santa Clara County approved Measure B by majority vote.

The expenditure plan dedicates 15% of the VRF revenue to the Countywide Program, which includes provision for using VRF funds to match federal/state/regional transportation grants applied to any roadway transportation project included in the adopted Valley Transportation Plan. An eligible use of these funds is countywide environmental mitigation related to pollution caused by autos and trucks.
Separately, on November 7, 2013, the VTA Board programmed a State Transportation Improvement Program (STIP) grant for design and construction of soundwalls on I-680 between Capitol Expressway and Mueller Avenue in San Jose. Funds are programmed for environmental clearance and design in fiscal years 2016 and 2017, with construction programmed in 2019.

DISCUSSION:

VTA is delivering the I-680 soundwalls project, and VTA staff has determined that the most effective and timely strategy would be to have the environmental clearance and design work completed. The California Transportation Commission (CTC) policy requires sequential funding allocations by phase - first environmental, then design. CTC allocated $95,000 in STIP funding for environmental clearance to VTA in August 2015. The CTC does not have the financial capacity to grant VTA an exception and allocate an additional $502,000 in design and right-of-way funding this fiscal year. In fact, the CTC will be requiring that future project allocations be delayed by up to four years in the 2016 STIP.

VTA staff recommends that the VTA Board program $502,000 in VRF Matching funds to the I-680 soundwalls to allow the project to proceed without delay. If the Board approves this action, the STIP funds programmed for that purpose will be reprogrammed to the construction phase in a later year. Currently, VTA has $3.86 million programmed for construction.

The remaining un programmed balance of the VRF Countywide Matching funds would be $4,695,965 if the VTA Board approves this action.

ALTERNATIVES:

The Board of Directors could choose to program the funds on other eligible projects and rely on sequential STIP allocations by phase to deliver the soundwalls.

FISCAL IMPACT:

This action would provide $502,000 in VRF Countywide Matching funds for the soundwall at I-680 between Capitol and Mueller. The appropriation for these funds is included in the FY16 Adopted VTP Highway Improvement Program Fund Capital Budget.

ADVISORY COMMITTEE DISCUSSION/RECOMMENDATIONS:

The Citizens Advisory Committee (CAC), Technical Advisory Committee (TAC) and Policy Advisory Committee considered this item at their respective October 7 and 8, 2015 meetings. All three Committees unanimously recommended the VTA staff proposal to the VTA Board for Approval.

CAC: Committee members asked what projects might be delayed as a result of programming these funds. Staff explained that an additional $4.7 million would remain in the fund if this request were approved, and there were no other pending requests at this time.

TAC Discussion: The Committee recommended this item without comment.
PAC Discussion: Committee members requested clarification of VTA's funding relationship to soundwalls along US 101 and SR 85, and an explanation of VTA's retrofit noise barrier policy. Staff provided this information verbally at the meeting. A member of the public requested that VTA staff consider this fund for the SR-152 New Alignment environmental clearance.

STANDING COMMITTEE DISCUSSION/RECOMMENDATIONS:

The Congestion Management Program & Planning Committee (CMPP) considered this item at its October 15, 2015 meeting as part of its consent agenda. The Committee recommended approval of this item and placed it on the consent agenda for the November 5, 2015, VTA Board of Directors’ meeting.

Prepared by: Bill Hough
Memo No. 5185

ATTACHMENTS:

- 6662 (PDF)
Attachment A - Soundwalls on I-680 from Capitol Expressway to Mueller Avenue

Soundwalls
- Existing
- Capitol Expwy Existing (County)
- Capitol Expwy New (Completed by County)
- I-680 Proposed (VTA)

GENERAL PLAN 2040
San José
- Mixed Use Neighborhood
- Neighborhood/Community
- Open Space, Parkland
- Public/Quasi-Public
- Residential Neighborhood
- Transit Residential
- Urban Residential
- Urban Village

Scale: 1,000 Feet
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Director of Planning and Program Development, John Ristow

SUBJECT: Memorandum of Understanding between Council of San Benito County Governments and Santa Clara Valley

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

ACTION ITEM

RECOMMENDATION:

Authorize General Manager to execute a Memorandum of Understanding with the Council of San Benito County Governments to formalize a partnership, referred to as the Mobility Partnership, to provide direction on the development of the SR 152 Trade Corridor and appoint three members from Santa Clara County to serve on the Mobility Partnership.

BACKGROUND:

In 2006, Santa Clara Valley Transportation Authority (VTA) in coordination with the Council of San Benito County Governments (SBCOG) began the study of a new alignment of SR 152 between US 101 and SR 156. This led to the formation of a policy body, called the SR 152 Mobility Partnership, to provide direction on the development of this new alignment.

The partnership later expanded to include the counties of Merced and Madera (and extending from US 101 in Santa Clara County to SR 99 in Madera County, a distance of about 80 miles); however, due to the lack of support for the development of SR 152 improvements in Merced County, the partnership was dissolved in 2012. Although the four-county partnership was dissolved, efforts continued between Santa Clara and San Benito counties to find a path forward on a smaller project with the new alignment of SR 152 between US 101 and SR 156 as the focus. This effort also came to a standstill when the full funding needed to complete the environmental clearance work for this project could not be secured.
DISCUSSION:

Fast forwarding to 2015, there is renewed interest in the formation of a new partnership between Santa Clara and San Benito counties to restart efforts to find a solution for improved transportation between US 101 and Pacheco Pass. This is partly due to the efforts in the two counties to potentially take before the voters sales tax measures in 2016 that could fund local roadway improvements. A reconstituted partnership between the two counties could provide a forum for elected officials in the two counties to provide direction on improvements in the area including but not limited to SR 152, US 101, SR 156 and SR 25 that could be part of the sales tax measures and help advance the development of an improved SR 152 connection, with enhanced safety and improved traffic operations, between US 101 and Pacheco Pass.

Staff requests granting of authority to the General Manager to enter into a Memorandum of Understanding (MOU) as attached to formalize this partnership with SBCOG and VTA Board of Directors' appointment of three members from Santa Clara County to serve on the Policy Advisory Board (PAB) for this partnership as follows:

- Perry Woodward, VTA Board Chairperson
- Johnny Khamis, VTA Board Member
- Don Gage, City of Gilroy Mayor

SBCOG has taken a similar action to their Board for execution of the MOU and the appointment of members for the formation of what would be a six-member PAB (three members from each of the two counties). If these actions are approved, it is expected that the first meeting of the PAB could take place in November 2015.

ALTERNATIVES:

VTA Board of Directors could choose to not approve the MOU to formalize the relationship between the two counties to address matters related to a new improved alignment for SR 152. In this case, the efforts would continue primarily as a staff directed effort providing formal reporting to appropriate committees and Boards in both counties as needed.

FISCAL IMPACT:

The execution of this MOU would have no financial impact to VTA.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Congestion Management Program and Planning Committee reviewed this item at their September 17, 2015 meeting. The Committee suggested including the subject memorandum of understanding in the Board of Directors’ packet. The Committee recommended Board approval of this item and placed it on the Board of Directors’ consent agenda.

Prepared by: Casey Emoto
Memo No. 5161
ATTACHMENTS:

- VTA-SBCCOG Mobility Partnership MOU-Final (PDF)
Memorandum of Understanding
between the
Council of San Benito County Governments
and the
Santa Clara Valley Transportation Authority
to create the
Mobility Partnership
and complete
Preliminary Engineering and Environmental Documentation
for Improvements between US 101 and I-5

The Council of San Benito County Governments (SBCOG) and the Santa Clara Valley Transportation Authority (VTA) jointly propose to conduct preliminary engineering studies and complete state and federal environmental reviews on improvements between State Route 101 (US 101) and Interstate 5, including the establishment of a new alignment for the portion of SR 152 between US 101 and the interchange of SR 152 and State Route 156 (SR 156). The SBCOG, the San Benito County Board of Supervisors, the City Councils of Hollister and San Juan Bautista, through adopted resolutions, all support the realignment of SR 152.

The SBCOG and VTA understand that technical work for improvements will comply with state and federal guidelines and focus on accommodating traffic demands forecasted for a 20-year period into the future and evaluate options including one lane in each direction designated as the preferred regional truck route.

The SBCOG and VTA understand and acknowledge that the California Transportation Commission (CTC) previously programmed $5 million in Interregional Transportation Improvement Program (ITIP) funds to match a $5 million contribution made available by the VTA. The agencies further understand and acknowledge that this initial funding was used to perform initial engineering and environmental review of the corridor; to evaluate alternatives relative to realignment of the corridor between SR 156 and US 101; to identify and evaluate options for financing completion of the overall project, including consideration of a public private partnership and to initiate state and federal environmental studies for improvements in accordance with California Department of Transportation (Caltrans) and Federal Highway Administration (FHWA) standards. The parties understand that there are funds remaining from the above amounts that may or may not be used for development efforts depending on the results of any future discussions between VTA and Caltrans.

It is mutually understood that neither party is obligated to provide any funding for the studies or improvements. The parties agree to jointly and collectively seek additional funding to complete the required state and federal environmental documents on the project and to cooperate in evaluating options to fund completion of the project.

The studies will receive policy oversight/direction by the six-member Mobility Partnership (PARTNERSHIP). Three members shall be from San Benito County and three members shall be from Santa Clara County. For the San Benito County membership, with approval by the COG...
Board, the COG Chair will appoint two members. One member shall be from the COG directors representing the San Benito County Board of Supervisors and one member shall be from the COG directors representing the Cities. The third San Benito County member shall be a San Benito County Supervisor appointed by the San Benito County Board of Supervisors. The Santa Clara County members shall be appointed by VTA.

VTA shall provide the appropriate professional staff and consultant services, as reasonably determined by VTA, to conduct and manage the studies in consultation with SBCOG staff. It is understood that Caltrans may appoint one non-voting (ex-officio) member to the Mobility Partnership and provide appropriate staff representatives from Districts 4, 5 and/or 10 to assist with the studies.

The PARTNERSHIP will continue to explore creating a Joint Powers Authority (JPA) or other appropriate governance/oversight entity to progress into future development phases.

The parties agree that the goal is to complete the studies within the term of this Memorandum of Understanding (MOU).

The parties agree that efforts to complete the studies will include meetings of Mobility Partnership members at a frequency to be determined by the group. Other efforts may include but are not limited to meetings with state and federal representatives. The parties agree that in these meetings the members’ responsibility shall be to carry out the goals set forth in this MOU as they relate to studies and improvements.

Any member party may terminate this MOU, with or without cause, at any time. In order to terminate this MOU, the terminating party shall give advance written notice to the other party. The termination shall be effective no earlier than 30 days from the date of the written termination notice. This MOU shall commence in October 2015, and end on December 31, 2020 unless sooner terminated as specified herein.

NOW, THEREFORE, the parties have executed this MOU as follows:

COUNCIL OF SAN BENITO COUNTY GOVERNMENTS
By: ______________________________
Jerry Muenzer, Chair

SANTA CLARA VALLEY TRANSPORTATION AUTHORITY
By: ______________________________
Nuria I. Fernandez, General Manager/Chief Executive Officer

APPROVED AS TO LEGAL FORM
San Benito County Counsel’s Office
By: ______________________________
Shirley L. Murphy, Deputy County Counsel

APPROVED AS TO LEGAL FORM
VTA General Counsel
By: ______________________________
Robert Fabela, General Counsel
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Director of Planning and Program Development, John Ristow

SUBJECT: One Bay Area Grant Cycle 2 - Program Structure

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

ACTION ITEM

RECOMMENDATION:

Approve the One Bay Area Grant (OBAG) Cycle 2 program structure.

BACKGROUND:

The Metropolitan Transportation Commission (MTC) is scheduled to adopt its "One Bay Area Grant” Program 2 (OBAG) programming framework and criteria for Federal flexible grant funds for fiscal years 2018 through 2022 in November 2015. The current OBAG Cycle 2 estimate for Santa Clara County is approximately $100 million.

Due to the complexity of the program, VTA staff is developing the local OBAG programming framework with VTA's Advisory Committees and community partners in a three part process: (1) Program Structure, (2) Guarantee Formulas and (3) Project Selection Criteria. This memorandum contains VTA staff's proposal for Program Structure. If the Board adopts the OBAG Cycle 2 program structure proposed in this memorandum, VTA staff will return in December 2015 with proposals for the guarantee formula and the project selection criteria.

DISCUSSION:

MTC places the following requirements on VTA in developing its local OBAG program structure.

Eligibility: Project Eligibility: Local road reconstruction and rehabilitation, bicycle, pedestrian, streetscape, and Safe-Routes-to-School projects that are...
eligible for Federal Surface Transportation Program (STP) and Congestion Mitigation Air Quality (CMAQ).

**Project Sponsor Eligibility:** Cities and counties with General Plan circulation elements adopted prior to 2010 must adopt resolutions ensuring compliance with the Complete Streets Act of 2008 by January 1, 2016. Transportation agency sponsored projects, other than vehicles, are only eligible if located in jurisdictions that meet this requirement.

**Geographic Limits:** At least 70% of the funds must be programmed in Priority Development Areas (PDAs). PDA-serving projects, as justified by the Congestion Management Agency (CMA), count towards this requirement, as does 70% of funding used for CMA planning purposes. Refer to Attachment C for current PDAs in Santa Clara County.

**Program Structure:** MTC expects the CMA project selection process and criteria to be open, reward jurisdictions which provide housing, and support the growth and development of PDAs.

Santa Clara County’s OBAG funding is expected to be composed of STP and CMAQ funds. The proportions thereof are unknown at this time. This funding split creates its own limitations as the eligibility for each funding program varies.

With that in mind, VTA staff is proposing a program structure similar to what the Board adopted in 2012 for OBAG Cycle 1. This structure provides guaranteed minimum funding to each Member Agency, maximum flexibility within that guarantee, and a significant competitive pool to fund larger projects based on the Board’s adopted criteria. It is also robust enough to handle changes in funding levels and fund composition. The proposed structure is shown graphically in Page 1 of Attachment A. For comparison, Page 2 of Attachment A shows the OBAG Cycle 1 program structure from 2012.

**PDA Exempt Programs:**

**County Federal Aid Secondary Programming (FAS):**
State law requires that each of California's counties be programmed at least the amount of STP funding that it would have received under the Federal Aid Secondary program prior to the enactment of the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991. That translates to approximately $1.7 million in this OBAG cycle. Those funds are for eligible projects proposed by County of Santa Clara Roads Department, and are exempt from the PDA/Non-PDA split.

**Vehicle Emissions Reductions Based at Schools (VERBS):**
VTA staff recommends setting aside the MTC designated amount of $6.9 million in CMAQ to continue VTA's Safe Routes to School Program. A separate program allows the Board to adopt specific school-safety-oriented selection criteria for these projects. VTA is allowed to exempt $6.9 million from the PDA/Non-PDA split for this purpose. VERBS-eligible safe routes to school projects would still be eligible for additional programming in the Complete Streets programs described later in this memorandum, but they would be subject to the PDA/Non PDA splits and compete on Complete Streets criteria.
PDA Focused Programs (70%):

CMA Planning Funds:
VTA staff recommends programming $10.0 million for CMA planning and programming over the four year period of the program. CMA activities are funded through Member Agency (which are the 15 cities in the County of Santa Clara) fees, Planning Programming & Monitoring funds from the State Transportation Improvement Program (STIP) and STP Planning funds. VTA currently receives approximately $1.1 million per year in STP planning funds for this purpose. Due to statewide STIP shortfalls, VTA has been unable to program PPM funds in the STIP for 2020 and 2021. These years fall within the OBAG 2 period and VTA staff is proposing to increase STP programming in lieu of raising Member Agency fees to cover the shortfall.

PDA Planning Program:
This program funds Member Agency planning activities that support the growth and development of existing PDAs. Separately from VTA, MTC will be soliciting PDA planning projects at the regional level. All VTA Member Agencies are eligible for MTC's program; however VTA staff recommends supplementing the regional program with a local Santa Clara County Agency-only program. VTA staff recommends a total of $2.0 million for this purpose.

Countywide Competitive Complete Streets Program:
This is a competitive program which provides grants to projects in or serving designated PDAs. It is open to the cities, towns, Santa Clara County and VTA to compete for grants that will fund pedestrian, bicycle, and signal systems projects designed to support dense development and use of alternate modes. Criteria for this program will be developed in consultation with VTA's Member Agencies and community partners, and brought to the VTA Board for discussion and adoption in subsequent meetings.

Either/Or (Applicant Discretion - 30%)

City Guarantee Program:
Road Rehabilitation Guarantee: VTA staff recommends making the balance of the STP funds available under the Non-PDA 30% share to the cities and the County for pavement rehabilitation. While VTA supports and encourages the cities to use these funds within, or serving the PDAs, it would not be required. Consistent with previous Board-adopted programs, the first expected use of these funds will be for rehabilitation and reconstruction of Federal Aid-eligible local roads with a pavement condition index (PCI) of 70 or less. If a city has no eligible road rehabilitation projects, it may use its funds for Complete Streets projects and off-road bicycle and pedestrian facilities.

Complete Streets Guarantee: If STP funds aren't sufficient to fund the entire 30% guarantee, VTA staff recommends funding the balance with CMAQ funds under the guarantee formula to the cities and County for Complete Streets projects such as bicycle and pedestrian facilities and Safe Routes to School projects.

Guarantee Distribution Formula
The draft formula will be developed in consultation with VTA's Member Agencies and community partners and be brought to VTA's committees and Board in a future meeting.
FISCAL IMPACT:

This action will provide $10 million in STP funding for VTA Congestion Management Agency activities. These funds will be included in VTA's respective Congestion Management Program budgets for the future fiscal years 2018 through 2022.

ADVISORY COMMITTEE DISCUSSION/RECOMMENDATIONS:

The Committee for Transit Accessibility (CTA), Citizens Advisory Committee (CAC), Bicycle and Pedestrian Advisory Committee (BPAC), Technical Advisory Committee (TAC) and Policy Advisory Committee considered this item at their respective October 7 and 8, 2015 meetings. All Committees unanimously recommended the VTA staff proposal to the VTA Board for Approval.

CTA: Committee members requested inclusion of Mobility Management as an eligible project type.

CAC: Committee members requested and received some clarifications from VTA staff with regards to program length and project eligibility.

BPAC: Committee members requested and received confirmation that STP funds in the Guarantee program would be prioritized for pavement management.

TAC Discussion: Committee members inquired as to the possibility of decreasing the PDA share requirement. VTA staff responded that it was highly unlikely that MTC would do so.

PAC Discussion: Committee members requested and received some additional clarification with regards to the fund composition of the Guarantee program. Members inquired whether the 70%/30% PDA/Non-PDA split could be altered. Other members opined that such a request would likely result in an increase of the PDA share and recommended against it.

STANDING COMMITTEE DISCUSSION/RECOMMENDATIONS:

The Congestion Management Program and Planning (CMPP) Committee considered this item at the October 15, 2015 meeting and unanimously recommended the VTA staff proposal to the VTA Board for approval. For clarification, the PDA map and tentative schedule were added as Attachment C.

Prepared by: Celeste Fiore
Memo No. 5140

ATTACHMENTS:

- 6601 (PDF)
- 5140_ATTACHMENT B (PDF)
- RES 5140_Attach C (PDF)
ATTACHMENT A

Santa Clara County OBAG II Structure Proposal – 8/24/15

SCL OBAG TOTAL
$98.4 M

STP - XX%
$TBD

CMAQ - XX%
$TBD

30% - Non-PDA
$26.9M

70% PDA
$62.9M

County FAS
$1.7M

PDA Planning
$2.0M

Road Rehab. "Guarantee"
$TBD

Complete Streets
"Guarantee"
$TBD

Complete Streets
Competitive
$TBD

VERBS
$6.9 M

CMA Planning
$10.0M
ATTACHMENT A

Santa Clara County OBAG I Structure

SCL OBAG TOTAL
$88.13M

STP -44%
$38.99M

CMA
$6.0M
Complete

San Tomas Expressway
$10M

City
Road Rehab. “Guarantee”
$22.99M

City Complete Streets “Guarantee”
$3.45M

Complete Streets Competitive
$45.69M

70% PDA
$61.69M

CMAQ /TA– 56%
$49.14M

30% - Non-PDA
$26.44M

City
Guarantee

OLD
ATTACHMENT B
GLOSSARY OF ACRONYMS

CMA – Congestion Management Agency
CMAQ – Congestion Mitigation Air Quality
FAS – Federal Aid Secondary
OBAG – One Bay Area Grant
PDA – Priority Development Area
SCL – Santa Clara County
STP – Surface Transportation Program
TA – Transportation Alternatives
TBD – to be determined
VERBS – Vehicle Emissions Reductions Based at Schools (aka Safe Routes to School)
Priority Development Areas and PDA Serving Corridors
# One Bay Area Grant Cycle 2 Schedule

**Santa Clara County**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establish Program Structure</td>
<td>October 2015</td>
</tr>
<tr>
<td>Develop Complete Streets Competitive Program Criteria</td>
<td>November/December 2015</td>
</tr>
<tr>
<td>Develop Guarantee Program Formula</td>
<td>December 2015</td>
</tr>
<tr>
<td>VTA Board adopts all program elements</td>
<td>January 2016</td>
</tr>
<tr>
<td>Call for Projects Released</td>
<td>January 2016</td>
</tr>
<tr>
<td>Application Deadline</td>
<td>March 2016</td>
</tr>
<tr>
<td>VTA Board Approval of Santa Clara County OBAG Program</td>
<td>May 2016</td>
</tr>
</tbody>
</table>

Schedule as of 10/21/15
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

FROM: Auditor General, Patrick J. Hagan

SUBJECT: BART Silicon Valley Comprehensive Agreement Assessment

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

ACTION ITEM

RECOMMENDATION:

Review and receive the Auditor General's report on the BART Silicon Valley Comprehensive Agreement Assessment.

BACKGROUND:

VTA’s BART Silicon Valley (BART SV) Extension Project is the 16-mile extension of the existing Bay Area Rapid Transit District (BART) system to the Santa Clara County cities of San Jose, Milpitas and Santa Clara. This project is being delivered through a phased approach. The first phase, the Berryessa Extension Project (SVBX), is the initial 10-mile segment from Fremont south through Milpitas to the Berryessa area of north San Jose. The SVBX project is under construction, with revenue service currently projected for fall 2017.

In 2001, VTA and BART entered into a Comprehensive Agreement to construct, operate, and maintain the rail line and related facilities of the BART SV Extension. At that time, the plan was to construct the entire BART SV Extension one time, instead of in phases.

The Board-approved FY 2015 Internal Audit Work Plan included a risk assessment of the BART SV Comprehensive Agreement (the Agreement). The Auditor General’s Office completed this review on August 11, 2015, and this report is the result of that review.
DISCUSSION:

The purpose of the assessment was to provide independent expert analysis of the Agreement to identify specific risks VTA may face due to the existing terms. A related purpose was to provide recommendations and mitigation strategies that VTA could utilize when developing associated future agreements with BART, especially the forthcoming Operations & Maintenance (O&M) Companion Agreement which is intended to enhance and clarify the BART Comprehensive Agreement contract terms and facilitate the ongoing administration of the BART SV project.

The top risks identified during our review are described in detail beginning on Page 3. These consist of a description of each risk, including potential impact to VTA, and proposed mitigation strategy or strategies. A recurring theme was the need for significantly enhanced specificity and clarity since the Agreement provides general contract terms yet, in numerous specific instances, additional clarity of contract terms is required. It should be noted that VTA staff has already identified many of the risks and is in process of addressing them.

Additionally, described on Page 2 are three overarching observations related to the Agreement as a whole, and VTA’s management of its relationship with BART in the context of the Agreement. These are distinct from the top risks, which are specific to individual terms within the Agreement.

Based on a combination of (1) the pervasiveness and potential impact of the financial, operational, and reputational risks to VTA, (2) the potential workload required to effectively mitigate the risks identified, and (3) the relatively short time-period facing VTA to implement mitigations prior to revenue service, an overall report rating of High was assigned to help management understand our assessment of the relative risk of the Agreement.

Management concurs with the risks identified and has committed to consider the recommended mitigation strategies when developing the O&M Companion Agreement and any related future agreements.

Recommendations for improvement or efficiency opportunities contained in this report are presented for the consideration of VTA management, which is responsible for the effective implementation of any action plans.

FISCAL IMPACT:

There is no financial impact associated with acceptance of this report.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

Governance & Audit
The Governance & Audit Committee considered this item on September 3, 2015 as part of its Regular Agenda. Auditor General (AG) staff explained that the “high” risk rating resulted from: (1) the pervasiveness of the issues and potential impacts; (2) the extensive workload required to mitigate risks; and (3) the limited time to implement mitigation measures between now and revenue service in late 2017. AG staff emphasized the importance of ensuring that VTA has the appropriate level of authority and oversight moving forward.
Committee members inquired about the next steps. Staff briefly outlined the process moving forward, including the two-year period to negotiate the Operations and Maintenance (O&M) agreement. Staff indicated that elements of the O&M agreement will be presented to the Silicon Valley Rapid Transit Program Working Committee (SVRT PWC) for consideration as they are developed, which Governance & Audit Committee members strongly endorsed.

Vice Chairperson Cindy Chavez requested that staff present the risk assessment report to the SVRT PWC in order to gather committee feedback for use in developing recommendations for Board consideration on oversight structure and strategies. Member Herrera expressed concern about the lack of an official body to address long-term or unforeseen issues, to which GM/CEO Nuria Fernandez stated that staff could examine a more formal structure to address concerns that may arise. Members also suggested that staff review BART service agreements with other agencies or cities, such as the one with San Francisco International Airport (SFO) for insight and best practices that could be applied to development of future agreements between VTA and BART.

The Committee unanimously recommended that the Board of Directors accept this item and that it be placed on the Board’s Consent Agenda.

**Silicon Valley Rapid Transit Program Working Committee**

The Silicon Valley Rapid Transit Program Working Committee received this report at its October 5, 2015 meeting as part of its Regular Agenda.

Auditor General staff provided a brief overview highlighting: 1) the opportunities for risk on VTA’s part in the Agreement; 2) the ways VTA can leverage the Agreement; 3) the possibility of forming a Joint Powers Authority (JPA); 4) observations on risk areas contained in the report that included: a) no joint committee with the authority to manage and approve measures; b) sufficient details of the O&M agreement are missing; and c) VTA’s limited authority; and 5) VTA holding a seat on the BART Board of Directors.

Chairperson Liccardo queried if there is the possibility for a South Bay seat on the BART Board of Directors in the future. Staff responded that VTA would need to go to BART and inquire if opportunities exist to change the current agreement. Staff also noted that creating an ex-officio seat was a possibility but would still be difficult because BART has their own enabling statutes which may require state legislation to add the seat.

Prepared by: Pat Hagan, Auditor General & Stephen Flynn, Advisory Committee Coordinator Memo No. 4698

**ATTACHMENTS:**
- A--BART Comprehensive Agreement Assessment(PDF)
BART Comprehensive Agreement Assessment
Auditor General Report No. 2015-05

August 11, 2015
EXECUTIVE SUMMARY

Background
VTA’s BART Silicon Valley Extension ("BART SV" or "Extension") is the 16-mile extension of the existing Bay Area Rapid Transit District ("BART") system by VTA into the Santa Clara County cities of San Jose, Milpitas and Santa Clara. In 2001, VTA and BART entered into a Comprehensive Agreement to construct, operate, and maintain the rail line and related facilities of the Extension, to be primarily funded by the 2000 Measure A Transit Sales Tax. The Extension is being delivered through a phased approach. The first phase, the Berryessa Extension, is the initial 10-mile, two-station segment that begins in Fremont south of the future BART Warm Springs Station and proceeds through Milpitas to the Berryessa area of north San Jose. The second phase (currently undergoing FTA approval) would bring the Extension the remaining 6 miles through Downtown San Jose and south to Santa Clara.

Objective and Scope
The Board-approved FY 2015 Internal Audit Work Plan included an assessment of the BART Comprehensive Agreement, which was completed on August 11, 2015. The objective of the review was to assess the BART Comprehensive Agreement (the Agreement) and identify potential risks VTA may face. The Agreement drafted in 2001 provides general contract terms yet, in some instances, additional clarity of contract terms is required. Historically, BART and VTA have utilized Companion Agreements to enhance Comprehensive Agreement contract terms to add clarity and facilitate the ongoing administration of the BART SV project.

A preliminary review of the Agreement, in conjunction with scoping meetings held with management, resulted in a refined scope which focused on the Operations and Maintenance (O&M) section of the Agreement. VTA management indicated during our review that they recently developed an internal working group that is responsible for developing the necessary contract terms to be included in the O&M Companion Agreement. Understanding that the O&M Companion Agreement and its specific terms is critical to ongoing and long-term success of the Extension, the Auditor General’s Office sought to identify specific risks VTA may face due to the existing terms of the Agreement that, with appropriate visibility to VTA management, could be appropriately considered in the development of the forthcoming O&M Companion Agreement and ongoing project administration.

Overall Report Risk Rating
(See Appendix A for definitions)

| BART Comprehensive Agreement Assessment | High |

Overall Summary and Review Highlights
The objectives of our fieldwork were accomplished by utilizing subject matter experts to review the Agreement in detail and identifying risks where VTA could benefit from re-negotiation or inclusion in the O&M Companion Agreement. Fieldwork consisted of reviewing program contracts and amendments, related processes and procedures, as well as performing staff interviews and process walkthroughs with both VTA and BART management.

During our review of the Agreement, we identified risks in the following key categories: Costing Methodology and Invoicing, Operations and Maintenance, Capital Improvements, Revenue, and Reputational/Strategic.

The top risks identified during our review are described in detail beginning on page three. The detail includes a description of each risk, including potential impact to VTA, and proposed mitigation strategies. Additionally, on page two we have highlighted three overarching observations related to the Agreement as a whole, and VTA’s management of its relationship with BART in the context of the Agreement, hence why they are presented apart from the risks which are specific to individual terms within the Agreement.

Based on the pervasiveness of financial, operational, and strategic risks identified and the potential workload facing VTA to implement mitigation, an overall report risk rating of High was assigned to help management understand our assessment of the BART Comprehensive Agreement. We recognize VTA management has initiated actions to address these risks: and it is recommended that the observations and recommendations herein be considered by VTA when developing the O&M Companion Agreement and other mitigating actions.

This report was prepared for use by VTA’s Board of Directors, Governance and Audit Committee, and management. We would like to thank VTA and BART staff for assisting us with the assessment. Questions should be addressed to Patrick Hagan in the VTA Auditor General’s Office at Auditor.General@VTA.org.
# BART Comprehensive Agreement Assessment - Observations Summary

Following is a summary of key overarching observations and recommendations noted in our assessment of the BART Comprehensive Agreement. Each of the three observations below spans the entire Agreement or relates to either VTA’s management of the Agreement or their partnership with BART in the context of the Agreement. Detailed description of the top risks, including impacts and recommendations for each, begins on page 3. VTA’s Management Response to address the entirety of the report and related risks and recommendations is on page 10.

### Summary Observations:

1.1 At the time of the review, we observed that VTA and BART do not currently have a joint committee that has the authority to manage and approve measures required by the Companion Agreement, including changes or modifications.

1.2 After a detailed review of the BART Comprehensive Agreement and completion of interviews with BART and VTA personnel, it is clear the Agreement lacks sufficient detail of Operations and Maintenance roles, responsibilities, and standards to manage on an ongoing basis.

1.3 The existing Comprehensive Agreement terms limit VTA’s authority to approve and independently verify various components of the Operations and Maintenance on an ongoing basis. Current areas with limitations to VTA include costing methodology, revenue verification, O&M standards, and Capital Improvement Plans (CIP).

### Summary Recommendations:

1.1 We recognize that the relationship between BART and VTA is critical to the ongoing financial and operational success of the service. In order to facilitate collaboration and management of the complex operations and revenue service of the Extension, we recommend that VTA collaborate with BART and their respective Boards to establish a joint committee or joint powers authority (JPA) that would be delegated the responsibility for voting on and approving measures required by the Companion Agreement, including future changes or modifications.

1.2 We recommend that VTA utilize the risks identified in this report to develop the Companion Agreement with a focus on enhanced clarity for both VTA and BART. Specifically, the parties should develop agreed upon definitions and roles and responsibilities in a companion agreement. The agreement should include defined areas within stations, boundaries marked on architectural drawings, etc. and address roles and responsibilities for defined aspects of O&M that are not easily defined. We encourage VTA to pursue contractual authority to approve all changes to standards that are determined to substantially impact Extension ridership, safety and security, or customer satisfaction.

1.3 We recommend that VTA evaluate its authority in the Agreement to approve and oversee various components of O&M. It is important that VTA clearly understands the organization’s contractual ability to be involved in strategic decisions, such as capital improvements and costing methodology, and consider the implications when developing the Companion Agreement. While approval authority is critical, it is also imperative that VTA evaluates its existing oversight authority in the Agreement and pursue standard reporting and metrics from BART that facilitate VTA oversight and independent monitoring of critical financial and operational data.
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<tr>
<th>Risk No.</th>
<th>Risk Area</th>
<th>Risk Description</th>
<th>Observation and Risk Impact</th>
<th>Recommendation(s)</th>
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<tr>
<td>1.</td>
<td>Financial (Costing Methodology and Invoicing)</td>
<td>The costs of O&amp;M are paid prior to VTA review and approval.</td>
<td><strong>Observation:</strong> Per the Comprehensive Agreement, the annual costs of O&amp;M are to be reimbursed by VTA in the form of a quarterly subsidy. At the end of the year, any additional O&amp;M costs in excess of the subsidy are to be first paid out of revenues generated by the Extension, and the remaining costs will be invoiced to VTA by BART.</td>
<td>1) We recommend that if a subsidy is used to reimburse O&amp;M costs, BART should provide VTA with a monthly or quarterly report “truing up” actual costs incurred to budgeted costs and demonstrating that the subsidy was actually used to pay for those costs.  &lt;br&gt; 2) The subsidy from VTA should be deposited into a VTA account dedicated to paying O&amp;M costs. Any accrued interest from the subsidy should similarly be used towards reimbursing O&amp;M costs.</td>
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<tr>
<td>2.</td>
<td>Financial (Costing Methodology and Invoicing; Strategic)</td>
<td>The Comprehensive Agreement calls for a complex cost model with limited VTA oversight.</td>
<td><strong>Observation:</strong> The model stipulated in the Comprehensive Agreement used to calculate the O&amp;M costs of the Extension (the Padron Cost Model, which appears to be currently known as the &quot;Kinetics Model&quot;) is a complex costing model that will require a significant level of review by VTA. Additionally, based on our understanding of the invoicing process, the calculation of O&amp;M costs of the Extension will be performed by BART with little to no VTA involvement.</td>
<td>1) VTA should evaluate whether a model-based form of calculation is most appropriate for the calculation and invoicing of O&amp;M costs. Other options may include reimbursing BART for actual cost incurred (although the effort required to substantiate and verify actual costs may be excessive) or a task-based form of reimbursement.  &lt;br&gt; 2) If a model-based form of reimbursement is determined to be the most appropriate, VTA should evaluate whether the Padron Model (or &quot;Kinetics Model&quot;, as it is currently known) is the appropriate model to use or whether an alternative model should be considered.  &lt;br&gt; 3) If a model-based form of reimbursement is determined to be the most appropriate, VTA should have the right to review and approve the costs included in the model. VTA should also be provided the right to audit and verify the model on a periodic basis.</td>
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<td>3</td>
<td>Financial</td>
<td>The subsidy amount is not based on the most current and applicable information.</td>
<td><strong>Observation:</strong> Per the Comprehensive Agreement, VTA shall advance to BART a $12 million quarterly subsidy, escalated by the taxable sales growth rate, to cover ongoing O&amp;M costs of the Extension. The subsidy amount referenced in the Comprehensive Agreement was determined using the planned 16-mile alignment instead of the actual current 10-mile alignment under construction (the remaining 6 miles of the alignment are planned to be constructed during Phase 2 of the project but Phase 2 has not yet received FTA funding).</td>
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<td></td>
<td>(Revenue)</td>
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<td><strong>Impact of Risk:</strong> The $12 million subsidy in the Comprehensive Agreement does not accurately reflect the current length of the alignment, nor does it consider the relative O&amp;M costs of the remaining 6 miles that has not yet been built. (We understand that the remaining 6 miles will require a significant amount of tunneling, which increases the demands for O&amp;M on both the rail line and at underground stations.) Additionally, the growth in taxable sales rate likely does not accurately reflect the actual growth of O&amp;M costs.</td>
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<td><strong>Observation:</strong> The Comprehensive Agreement states that BART will collect and account for all fare revenues consistent with the method used on the BART Core System, and will calculate the amount of revenues to be credited toward the O&amp;M costs of the Extension on an annual basis. The Comprehensive Agreement does not specify the methodology BART will use to calculate revenue for the Extension, nor does it specifically address VTA’s right to audit and verify the revenue reported by BART.</td>
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<td><strong>Impact of Risk:</strong> BART may use a methodology to calculate and credit revenue to the Extension that is inaccurate, inappropriate, or otherwise require a significant level of review by VTA. Additionally, the Comprehensive Agreement does not specifically address VTA’s right to audit and verify the revenue reported by BART, and VTA does not have access to BART’s fare data to verify the accuracy of revenue reported.</td>
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|         |                |                                                                                  | 1) VTA and BART should evaluate whether a $12 million subsidy is appropriate and accurately captures the costs of O&M. The subsidy agreed to in the Companion Agreement should reflect the actual current alignment, with the potential for being reevaluated once Phase 2 is complete.  
2) VTA should evaluate whether using an escalation factor is the most appropriate method for adjusting the subsidy. Other options include reviewing and approving a total annual subsidy amount based on forecasted O&M costs.  
3) If an escalation factor is used, VTA should evaluate whether the taxable sales growth rate is the most appropriate factor to use or whether other industry escalation factors would be more appropriate.  |
| 4       | Financial      | It may be difficult to verify the revenue reported by BART to VTA.              | 1) VTA should evaluate the methodology used by BART to report revenue and determine whether it is sufficiently reasonable and accurate, and the Companion Agreement should define the methodology and frequency of revenue reporting.  
2) The Companion Agreement should provide VTA the right to audit revenue reported, and VTA should have periodic access to BART’s fare data and other information in order to be able to independently verify the revenue credited to the Extension. |
|         | (Revenue)      |                                                                                  | 1) VTA and BART should evaluate whether a $12 million subsidy is appropriate and accurately captures the costs of O&M. The subsidy agreed to in the Companion Agreement should reflect the actual current alignment, with the potential for being reevaluated once Phase 2 is complete.  
2) VTA should evaluate whether using an escalation factor is the most appropriate method for adjusting the subsidy. Other options include reviewing and approving a total annual subsidy amount based on forecasted O&M costs.  
3) If an escalation factor is used, VTA should evaluate whether the taxable sales growth rate is the most appropriate factor to use or whether other industry escalation factors would be more appropriate.  |
|         |                |                                                                                  | 1) VTA should evaluate the methodology used by BART to report revenue and determine whether it is sufficiently reasonable and accurate, and the Companion Agreement should define the methodology and frequency of revenue reporting.  
2) The Companion Agreement should provide VTA the right to audit revenue reported, and VTA should have periodic access to BART’s fare data and other information in order to be able to independently verify the revenue credited to the Extension. |
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| 5       | Financial (Revenue) | BART does not require VTA's approval to use revenues generated by the Extension. | **Observation:** The Comprehensive Agreement states that BART will collect and account for all fare revenues consistent with the method used on the BART Core System, and will calculate the amount of revenues to be credited toward the O&M costs of the Extension on an annual basis. This process occurs without VTA approval of the costs for which the revenues are used to pay.  
**Impact of Risk:** Revenues generated from the operation of the Extension may potentially be used by BART to pay for O&M costs not attributable to Extension, or for costs which VTA should otherwise not be liable. | 1) The Companion Agreement should require BART to obtain VTA review and approval for the use of all revenues generated by (credited to) the Extension. |
| 6       | Financial (Revenue; Strategic) | Revenues in excess of O&M costs and capital contributions will not be remitted to VTA until Year 15 of Revenue Service. | **Observation:** The Comprehensive Agreement states that during the first 15 years of Extension operation, VTA will not receive revenues in excess of the capital reserve fund allocations unless mutually agreed levels of revenue vehicles, shop capacity, and automatic fare collection equipment have been provided by VTA to support projected ridership levels for the next 5-year period.  
**Impact of Risk:** VTA may potentially not have access to any excess revenues generated and earned on the Extension for the first 15 years of operation. | 1) VTA should have access to any excess revenue generated by the Extension at least on annual basis once those revenues are known. |
| 7       | Financial (Revenue; Strategic) | VTA's apportionment of FTA formula funds may not be increased to reflect Extension ridership. | **Observation:** The apportionment of FTA formula funds is based on ridership within certain urbanized areas. The Comprehensive Agreement does not stipulate which party is permitted to claim ridership increases due to the Extension in its FTA grant application.  
**Impact of Risk:** If BART is permitted to claim 100% of ridership increases in its FTA grant application, BART may be granted additional funds to cover O&M whereas VTA may have to pay for its costs out of existing funds | 1) VTA should address with the FTA whether additional grants will be available to VTA. |
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| 8.      | Operational (O&M) | There are no defined boundaries or areas of responsibility in the Comprehensive Agreement.              | **Observation:** The Comprehensive Agreement does not indicate boundaries or areas of responsibility that would clarify each parties' obligations for O&M. During our interviews, the understanding of VTA's role varied between activities on the track versus in the stations; activities inside of stations versus outside of stations; and activities within the "drip line" versus outside of the "drip line". However, there is no mention of these distinctions within the Comprehensive Agreement, or any other references to respective areas of responsibility.  | 1) Areas of responsibility for BART and VTA in and outside of stations should be clearly defined in the Companion Agreement in a method determined to be most appropriate by both parties, i.e. defined areas inside and outside of stations, boundaries marked on architectural drawings, etc.  
2) The Companion Agreement should address roles and responsibilities for aspects of O&M that are not easily defined or span multiple boundaries (such as underground utilities, fire protection, or security). |
| 9.      | Operational (O&M) | VTA has limited rights to approve the O&M standards implemented on the Extension.                        | **Observation:** The Comprehensive Agreement states that the Extension will be operated and maintained at BART Core System Standards. Although VTA can request that the Extension be run at higher than BART Core System Standards, the Comprehensive Agreement does not provide VTA the right to consult on or approve changes to the agreed upon O&M standards implemented on the Extension.  | 1) VTA should collaborate with BART to review the standards in place for BART operations and maintenance. If VTA determines that BART’s standards are not acceptable for the operation of the Extension, new standards should be developed, agreed to and incorporated into the Companion Agreement.  
2) VTA should have the right to approve all changes to standards that may substantially impact Extension ridership, safety and security, or customer satisfaction. |
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<td>10.</td>
<td>Operational (O&amp;M)</td>
<td>Safety and security roles and responsibilities are not addressed in the Comprehensive Agreement.</td>
<td><strong>Observation:</strong> The roles and responsibilities for safety and security functions are not addressed in the Comprehensive Agreement, including levels of staffing and the types of personnel performing those functions. VTA has traditionally used sworn officers of the Sheriff's Department for safety and security while BART has relied on its own police force to perform those functions. Additionally, there are geographical challenges presented by staffing the Extension with BART police, as they currently operate out of the Hayward station.</td>
<td>1) Areas of responsibility for BART and VTA security and safety in and outside of stations should be clearly defined in the Companion Agreement in a method determined to be most appropriate by both parties, i.e. defined areas inside and outside of stations, boundaries marked on architectural drawings, etc. 2) VTA should evaluate BART's safety and security standards and determine whether they are consistent with VTA's standards and expectations. 3) The Companion Agreement should define the safety and security expectations on the Extension and set minimum standards, expected staffing levels, and Key Performance Indicators (KPIs) to accurately track performance and overall safety.</td>
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<td>11.</td>
<td>Operational (O&amp;M)</td>
<td>Other O&amp;M roles and responsibilities are not addressed in the Comprehensive Agreement.</td>
<td><strong>Observation:</strong> The roles and responsibilities for other operations and maintenance functions are not addressed in the Comprehensive Agreement. Functions that should be considered include, but are not limited to: bus bridging, fare collection, parking management, janitorial services, customer service centers, and service calls.</td>
<td>1) VTA should evaluate whether BART's operations and maintenance standards meet VTA's standards and expectations. 2) The Companion Agreement should clearly define roles and responsibilities for the operation of the Extension. 3) VTA should have the right to approve all changes to standards that are determined to substantially impact Extension ridership, safety and security, or customer satisfaction.</td>
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|         | **Operational** (O&M; Reputational) | VTA may not have sufficient resources to manage their roles and responsibilities for the operations and maintenance of the Extension. | **Observation:** VTA does not currently have a team assigned to managing the coordination of O&M with BART, processing and approving invoices, reviewing and negotiating agreement changes, reviewing and assessing service level performance, or liaising between the two agencies. | 1) VTA should have personnel assigned to the coordination, management, and liaising of Extension activities with BART.  
2) VTA should have personnel assigned to processing and approving the invoices in accordance with the Companion Agreement terms and conditions and any changes or modifications therewith.  
3) VTA should have personnel assigned to monitoring service levels and key performance indicators of the Extension. |
| 12.     | Financial (Capital Improvements) | The Comprehensive Agreement does not identify or limit which capital improvement projects on the BART Core System VTA will be liable for. | **Observation:** The Comprehensive Agreement states that VTA will pay for capital improvement projects on the Extension and a "proportional" share of projects on the BART Core System. There are very few restrictions placed on the type, purpose, location, or nature of projects for which VTA is liable on the BART Core System. | 1) The Companion Agreement should clearly define the boundaries of VTA's liability on the BART core system, i.e. by geographical boundaries, project type, or incremental benefit to VTA. |
| 13.     | Financial (Capital Improvements) | There are conflicting rights of approval in the Comprehensive Agreement regarding the Capital Improvement Plan (CIP). | **Observation:** There is conflicting language in the Comprehensive Agreement regarding VTA’s right to approve capital improvement costs in the annual CIP plan and the 10-year CIP plan. Section 4.D. of the Agreement states that VTA and BART will jointly develop and agree to costs in the annual CIP plan. However, that same section states that BART will solely develop the 10-year CIP plan and VTA will only "consult" in the process (with no right to approval indicated). | 1) VTA should have increased participation in the 10-year CIP development process with BART for any costs that will impact VTA.  
2) The Companion Agreement should give VTA the right to approve any capital improvement projects for which they will be substantially liable. |
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| 15.     | Financial (Capital Improvements) | The Comprehensive Agreement does not specifically define the methodology for allocating Capital Improvement Project costs | **Observation:** The Comprehensive Agreement does not specifically define the methodology for how Capital Improvement Project costs will be allocated to VTA or what the specific basis for allocation will be.  
**Impact of Risk:** Without a defined methodology, VTA and BART may disagree on costing allocation methodology, which could result in a dispute between parties. In addition, VTA may bear an unreasonable and unnecessary amount of Capital Improvement Project costs if an inappropriate allocation methodology is used | 1) The Companion Agreement should clearly identify the methodology (or methodologies, if multiple are required) used to apportion Capital Improvement project costs to VTA. |
MANAGEMENT RESPONSE

VTA Management recognizes the risks identified in the Auditor General Assessment of the VTA-BART Comprehensive Agreement and will rely on the recommended mitigation strategies during the development of the Operations and Maintenance Agreement (O&M) Agreement and any needed future agreements.

Prior to, and independent of the Auditor General’s Risk assessment of the Comprehensive Agreement, VTA management organized an internal working group under the general oversight of the VTA Chief of Staff involving all affected VTA Division Directors. This group was tasked with developing the full range of provisions that need to be included in the planned O&M Agreement. This working group is already addressing most of the risks identified in the Auditor General’s report and will take into consideration the recommended mitigation strategies during development of the O&M Agreement.

For several years, VTA’s BART Silicon Valley Program, VTA management and staff have been meeting monthly with their counterparts at BART to arrange the details of implementing their mutual obligations under the VTA-BART Comprehensive Agreement. To date, as provided by the Comprehensive Agreement, VTA and BART have made arrangements for such details, including:

- Reimbursement to BART for costs incurred in making staff and other resources available to the BART SV Extension
- Providing specific equipment to BART SV Extension construction.

VTA and BART have also executed two companion agreements that address events and requirements not anticipated by the Comprehensive Agreement. These agreements cover:

- Hayward Maintenance Complex that supports the phased implementation of VTA’s Extension
- Vehicle Procurement that will supply VTA with rolling stock from BART’s vehicle fleet replacement program

VTA and BART staff are approaching the O&M Agreement in the same way as the two prior companion agreements. This involves first establishing Principles of Agreement approved by the VTA and BART General Managers, then preparing a detailed agreement from those principles for subsequent approval by their respective Boards of Directors. VTA and BART Management and staff have developed a schedule for completing the planned O&M Agreement, and have been meeting with their Divisions and Departments to define specific roles and responsibilities between VTA and BART. Internal and interagency coordination has included operations, maintenance, police, security, finance and accounting, communications, planning, real estate, labor relations, General Counsel, and other relevant considerations such as third-party interfaces.

VTA staff briefed the VTA Board of Directors on the status of the Comprehensive Agreement, including the planned O&M Agreement, at its April 2015 meeting. VTA staff will continue to provide regular briefings to the SVRT Program Working Committee (Board standing committee) as we continue developing and executing the O&M Agreement.
## APPENDIX A – RATING DEFINITIONS

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<th>Rating</th>
<th>Definition</th>
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<td><strong>Low</strong></td>
<td>Process improvements exist but are not an immediate priority for VTA. Taking advantage of these opportunities would be considered best practice for VTA.</td>
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<tr>
<td><strong>Medium</strong></td>
<td>Process improvement opportunities exist to help VTA meet or improve its goals, meet or improve its internal control structure, and further protect its brand or public perception. This opportunity should be considered in the near term.</td>
</tr>
<tr>
<td><strong>High</strong></td>
<td>Significant process improvement opportunities exist to help VTA meet or improve its goals, meet or improve its internal control structure, and further protect its brand or public perception presents. This opportunity should be addressed immediately</td>
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BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

FROM: Auditor General, Patrick J. Hagan

SUBJECT: Third-Party Fare Reporting Process Assessment

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

ACTION ITEM

RECOMMENDATION:

Review and receive the Auditor General's report on the Third-Party Fare Reporting Process Assessment.

BACKGROUND:

Since 2011, VTA has participated in the Clipper® program, an electronic fare payment system for intra- and inter-operator transit trips in the Bay Area. This program currently accounts for approximately 30% of VTA’s fare revenue, averaging $950,000 monthly.

The Clipper program is governed per terms of a Memorandum of Understanding by and among the Metropolitan Transportation Commission, VTA, and other Bay Area operators. Cubic Transportation Systems operates and maintains the Clipper system and is responsible for financial settlement of program activity.

A project contained in the Board-approved FY 2015 Internal Audit Work Plan was this Third-Party Fare Reporting Process Assessment. The Auditor General’s Office completed this review in June 2015.

DISCUSSION:

The objective of the Third-Party Fare Reporting Process Assessment was to reasonably validate that VTA sends or receives its appropriate settled revenue from the Clipper program and that VTA pays its appropriate portion of operating fees to the Clipper program.
Based on the scope of our assessment and the work performed, we observed that overall the processes and controls supporting the Clipper program reporting have been operating effectively and no material weaknesses were noted. Three observations were identified: one rated Medium and two rated Low. Based on this, an overall report rating of Low was assigned to help management understand our assessment of the overall design and operating effectiveness of VTA’s third party fare reporting process and controls.

The observations, recommendations, and VTA’s management responses to address each are described in the Detailed Observations section, beginning on page 3. VTA management agrees with all Auditor General Office’s recommendations and has committed to implement the corrective actions by June 30, 2016, with two of the three already being completed.

Recommendations for improvement or efficiency opportunities contained in this report are presented for the consideration of VTA management, which is responsible for the effective implementation of any action plans.

**FISCAL IMPACT:**

There is no financial impact associated with acceptance of this report.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Governance & Audit Committee considered this item on September 3, 2015 as part of its Regular Agenda, and without major comment unanimously recommended that the Board of Directors accept this item and that it be placed on the Board’s Consent Agenda.

Prepared by: Pat Hagan, Auditor General & Stephen Flynn, Advisory Committee Coordinator Memo No. 4646

**ATTACHMENTS:**

- A--Third-Party Fare Reporting Process (PDF)
Third-Party Fare Reporting Process
Auditor General Report No. 2015-04

June 4, 2015
EXECUTIVE SUMMARY

Background
A component project contained in the Board-approved FY 2015 Internal Audit Work Plan is this Third-Party Fare Reporting review. The Auditor General’s Office completed this review in June 2015. This review, as are all Auditor General audits and reviews, was performed in accordance with the Standards for Consulting Services issued by the American Institute of Certified Public Accountants.

Since 2011, VTA has participated in the Clipper® program, an electronic fare payment system for intra- and inter-operator transit trips in the Bay Area, which accounts for approximately 30% of VTA’s fare revenue, averaging $950 thousand monthly.

The Clipper program is governed per terms of a Memorandum of Understanding "MOU" by and among the Metropolitan Transportation Commission ("MTC"), VTA, and other Bay Area operators. Cubic Transportation Systems ("Cubic") operates and maintains the Clipper system and is responsible for financial settlement of program activity.

All participating operators agreed to implement and operate the Clipper fare payment system in accordance with the Clipper Operating Rules, pay their share of Clipper operating costs, and fulfill other responsibilities as noted in the Clipper MOU.

Objective and Scope
The objective of the review was to reasonably validate that VTA sends or receives its appropriate settled revenue from the Clipper program and that VTA pays its appropriate portion of operating fees to the Clipper program. This was accomplished by reviewing third-party fare reporting processes, testing Clipper data from Cubic, assessing the effectiveness of the design and operation of internal controls, as well as identifying potential opportunities for process and control improvements.

Fieldwork consisted of reviewing program contracts and amendments, related processes and procedures, as well as performing staff interviews, process walkthroughs, and fieldwork testing. For addition detail of the scope and fieldwork completed, refer to Appendix B on page 7.

Overall Report Rating & Observations
(See Appendix A for definitions)

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<tr>
<th>Report Rating</th>
<th>Number of Observations by Risk Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>High</td>
</tr>
<tr>
<td>Third-Party Fare Reporting</td>
<td>Low</td>
</tr>
</tbody>
</table>

Overall Summary and Review Highlights
As a result of our review, we observed that the processes and controls supporting the Clipper program reporting have been operating effectively and no material weaknesses were noted.

During our review, three observations were identified: one rated Medium and two rated Low. Based on this, an overall report rating of Low was assigned to help management understand our assessment of the overall design and operating effectiveness of VTA’s third party fare reporting process and controls.

Observations were identified in the following areas:
- Clipper Data Verification
- Cubic Service Organization Control (SOC) Report and Review
- Clipper Operating Fee Allocation & Calculation Verification

The observations, recommendations, and VTA’s management responses to each are described in the Detailed Observations section, beginning on page 3. Management has committed to complete the agreed-upon action plan by June 30, 2015.

This report was prepared for use by VTA’s Board of Directors, Governance and Audit Committee, and management. Recommendations for improvement are presented for management’s consideration, which is responsible for the effective implementation of the agreed-upon Action Plan.

We would like to thank VTA and all those involved in assisting us in connection with the assessment. Questions should be addressed to Patrick Hagan in the VTA Auditor General’s Office at Auditor.General@VTA.org.
# Observations Summary

Following is a summary of observations noted in the areas reviewed. Definitions of the observation rating scale are included in Appendix A.

<table>
<thead>
<tr>
<th>Observation Title</th>
<th>Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Independent Verification of Clipper Data from Cubic</strong></td>
<td>Medium</td>
</tr>
<tr>
<td><strong>2. Cubic SOC-1 Report Review</strong></td>
<td>Low</td>
</tr>
<tr>
<td><strong>3. Clipper Operating Fee – Allocation and Calculation Verification</strong></td>
<td>Low</td>
</tr>
</tbody>
</table>
# Detailed Observations

## Independent Verification of Clipper Data from Cubic

<table>
<thead>
<tr>
<th>Ref. #</th>
<th>Observation:</th>
<th>Recommendation:</th>
<th>Management’s Response and Action Plan:</th>
</tr>
</thead>
</table>
| 1      | VTA does not independently verify Clipper revenue-generating data for transactions that occur outside of VTA-owned terminals. | Evaluate available platforms to access Clipper transaction data from Cubic and develop a process to independently verify and reconcile the data to the Clipper Settlement Report on a periodic basis. | Responsible Party: Fare Programs and Systems  
Target Date: 06/30/2016 |

**Observation Rating: Medium**

1. During our review with VTA’s Revenue Services team in the Finance & Budget division, we observed that VTA has the ability to validate Clipper-related sales data generated from VTA’s Ticket Office Terminals (“TOTs”) and Ticket Vending Machines (“TVMs”). Currently, however, VTA does not independently validate Clipper sales data provided by Cubic, including the e-cash collected for VTA and VTA products sold by other transit operators and third-party merchants.

As part of fieldwork interviews with MTC and Cubic, we identified two possible methods where VTA could independently verify Clipper transaction data and reconcile the data to the Clipper Settlement Report. First, the MTC loads the Cubic transaction data into their own database on a daily basis, and VTA has the right to visit MTC on a periodic basis and query the database at no additional cost. Second, Cubic provides a data service called the Cubic data store (“TDS Store”) that, for a minimal additional cost to VTA, would allow VTA to obtain read-only access of Cubic’s device-related transaction data on a daily basis, but use of the data would likely require ongoing programming and IT maintenance support by VTA.

1. Because VTA is only able to verify Clipper data for transactions on VTA-owned terminals, we recommend that VTA evaluate and select one of the two platforms identified during fieldwork that would allow VTA to access Clipper transaction data. Subsequently, we recommend that VTA develop a process to independently verify Clipper transaction data and reconcile the information to the Clipper Settlement Report.

Although neither the MTC database nor the TDS Store account for back office related user data transactions, such as manual adjustments (claims), add value recoveries and auto-load settlement transactions, either alternative selected by VTA would facilitate independent verification of the completeness and accuracy for the majority of Clipper transaction data and enhance VTA’s Clipper fare recovery reconciliation process.

1. VTA management concurs that periodic testing of revenue transaction data to confirm that revenue calculations reflect actual ridership data and reconcile to Clipper Settlement Reports will enhance the fare reconciliation process.

VTA will select at least three sample days from each of the four quarters of the prior fiscal year and will review all original revenue transactions for the selected sample dates by collecting transaction data directly from the production system with the assistance of staff from MTC and Cubic.
## Cubic SOC-1 Report Review

<table>
<thead>
<tr>
<th>Ref. #</th>
<th>Observation:</th>
<th>Recommendation:</th>
<th>Management’s Response and Action Plan:</th>
</tr>
</thead>
</table>
| 2      | Cubic SOC-1 report was not reviewed by VTA management on an annual basis. | Ensure current Cubic SOC-1 reports are obtained by VTA and reviewed by management annually. | Responsible Party: Fare Programs and Systems  
Target Date: Completed as of 6/30/15 |

### Observation Rating: Low

2. As a third-party service organization, Cubic issues a Service Organization Control (SOC-1) report that provides independent auditor attestation over Cubic’s handling of financial data relevant to VTA’s interaction with the Clipper card process.

During our walkthrough with VTA’s Fare Program & Systems Manager, we noted that Cubic’s SOC-1 report was not regularly reviewed by VTA management to evaluate control implications at the service organization and if there were any potential conditions that could adversely affect VTA’s internal control over financial reporting.

2. We recommend VTA management request and review the SOC-1 report provided by Cubic on an annual basis to ensure VTA is familiar with Cubic’s internal controls and verify if any testing exceptions documented in the report are relevant to VTA.

For example, by VTA reviewing the Cubic SOC-1 report, any items identified that represent a risk of material misstatement would be identified and additional actions on VTA’s part could be taken to mitigate the associated risk.

2. VTA management concurs and has implemented the recommendation. The review was conducted by VTA personnel on 3/20/2015 on the latest Cubic SOC-1 Report (covering through 09/01/2013 to 05/31/14) and related bridge letter (through 9/22/2014), noting the relevance of the user considerations tested and reported upon in the SOC-1 report and that no adverse findings were noted that might create increased risk exposure to VTA with respect to Cubic’s processes. VTA will review SOC-1 reports and related bridge letters annually.
### Clipper Operating Fees – Calculation and Allocation Verification

<table>
<thead>
<tr>
<th>Ref. #</th>
<th>Observation:</th>
<th>Recommendation:</th>
<th>Management’s Response and Action Plan:</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Prior to issuing payment for Clipper operating fees, VTA does not verify the revenue amount used in the allocation calculation.</td>
<td>Ensure VTA reviews the revenue amount used by MTC to calculate VTA’s allocation of Clipper operating fees prior to issuing payment.</td>
<td>Responsible Party: Fare Programs and Systems&lt;br&gt;Target Date: Completed as of 6/30/15</td>
</tr>
</tbody>
</table>

**Observation Rating:** Low

3. The Metropolitan Transportation Commission ("MTC") manages the Clipper program and, on a monthly basis, operating fees are calculated and allocated to the each of the Clipper transit operators. Per Amendment No. 2 of the Clipper MOU, two-thirds of Clipper operating costs (contractual fees due to Cubic) are allocated to operators based on total fee payment transactions, while one-third of the operating costs are allocated to operators based on total revenue collected. Fee amounts are distributed among various operators based on their total fee payment transactions and total revenue collected.

On a monthly basis, MTC aggregates these calculations and remits to each transit operator its respective operating fee and supporting calculations. Although VTA has an existing review process for reviewing the monthly operating fee invoice, it was noted that the VTA revenue allocation used by MTC to calculate operating fees is not included in the review process and verified by VTA prior to issuing payments.

3. We recommend that VTA expand its existing review process of the Clipper monthly operating fee invoice to include the verification of the revenue allocation amounts used by MTC to calculate VTA’s operating fee against VTA’s revenue summary spreadsheet.

By including this verification step VTA validates the completeness and accuracy of the calculation basis of its operating fees and increases the likelihood that an inaccurate fee amount would be detected prior to remittance.

3. VTA management concurs and has enhanced the review process as follows:

**Daily:** Monitor and record revenue from Clipper Reports Server (TLF 002 Report).

**Monthly:** Calculate revenue totals from sub-total of daily report work sheets. Compare totals to revenue totals reported in monthly operator report by MTC. Review the monthly cost calculation worksheet from MTC, compare revenue totals used in cost allocation calculations to total from daily work sheets, and calculate VTA percentage share of revenue to confirm accuracy of cost allocation.
### APPENDIX A – RATING DEFINITIONS

<table>
<thead>
<tr>
<th>Observation Risk Rating Definitions</th>
<th>Report Rating Definitions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Rating</strong></td>
<td><strong>Definition</strong></td>
</tr>
<tr>
<td><strong>Low</strong></td>
<td>Process improvements exist but are not an immediate priority for VTA. Taking advantage of these opportunities would be considered best practice for VTA.</td>
</tr>
</tbody>
</table>
| **Medium** | Process improvement opportunities exist to help VTA meet or improve its goals, meet or improve its internal control structure, and further protect its brand or public perception. This opportunity should be considered in the near term. | **Medium** | Certain internal controls are either:  
- Not in place or are not operating effectively, which in the aggregate, represent a significant lack of control in one or more of the areas within the scope of the review.  
- Several moderate control weaknesses in one process, or a combination of high and moderate weaknesses which collectively are not pervasive. |
| **High** | Significant process improvement opportunities exist to help VTA meet or improve its goals, meet or improve its internal control structure, and further protect its brand or public perception presents. This opportunity should be addressed immediately | **High** | Fundamental internal controls are not in place or operating effectively for substantial areas within the scope of the review. Systemic business risks exist which have the potential to create situations that could significantly impact the control environment.  
- Significant/several control weaknesses (breakdown) in the overall control environment in part of the business or the process being reviewed.  
- Significant non-compliance with laws and regulations.  
- High observations which are pervasive in nature. |
| **Not Rated** | Opportunity to improve efficiency or profitability of operations, but does not indicate an internal control weakness or a material inefficiency. | **Not Rated** | |
APPENDIX B – DETAILED SCOPE AND WORK PLAN

Our engagement consisted of a review of existing policies, processes, and procedures; staff interviews; and process walkthroughs to validate effectiveness of process and controls.

Fieldwork Dates:

Detailed Scope:
- The scope of this review was limited to Clipper Card payment fare recovery and associated processes, including:
  - Controls in place to ensure proper segregation of duties
  - Controls in place to ensure contract compliance, including evaluation of MOU and applicable amendments in place
  - Controls in place within the third-party fare payment processing service organization
  - Accuracy and completeness of Clipper revenue data generated from Cubic

Walkthroughs Completed/Personnel Interviewed:
- VTA, Fare Program & Systems Manager
- VTA, Senior Accountants – Revenue Department
- MTC, Senior Program Coordinator of Electronic Payments
- Cubic, System Architect and Accounting Manager

In addition to the detailed observations and recommendations noted above, we noted the following during our review:
- Effective Clipper MOU and related amendments are in place.
- The following three Clipper Card fare recovery controls were successfully tested with no major exceptions identified:
  - Semi-monthly reconciliation of Clipper Settlement Report to bank settlement (sample tested: 3 months)
  - Daily reconciliation of TOT transactions (sample tested: 15 days)
  - Monthly operating fee payment verification and quarterly bank fee payment verification (sample tested: 3 months and 2 quarters)
- Clipper operating fees are calculated and collected in accordance with the Clipper MOU.
- Controls are in place to ensure proper segregation of duties, such as independent preparer and reviewer of posting of revenue related transactions.
- In order to validate the completeness and accuracy of Clipper data generated from Cubic, we met with Cubic’s System Architect and Accounting Manager to confirm VTA’s settled revenue for the following sample dates against source data generated from Cubic’s MASS Database system in person and noted the totals of raw source data, including e-cash fare collected, VTA products sold by others, and total revenue settlement, agreed to the daily Clipper Settlement reports for the tested dates.
  - January 26th, 2015: Total settlement revenue for the day - $14,208.5
  - February 2nd, 2015: Total settlement revenue for the day - $108,205.7
  - February 11th, 2015: Total settlement revenue for the day - $11,580
  - February 26th, 2015: Total settlement revenue for the day - $25,206.75
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Director of Government Affairs, Jim Lawson

SUBJECT: Legislative Update Matrix

FOR INFORMATION ONLY

BACKGROUND:

The Legislative Update Matrix describes the key bills that are being considered by the California State Legislature during the 2015-2016 regular session, as well as during the special session called by Gov. Jerry Brown to address issues related to transportation funding. The matrix indicates the status of these measures and any VTA positions with regard to them.

DISCUSSION:

The Legislature adjourned the first year of the 2015-2016 regular session during the early morning hours of September 12. Any pieces of legislation that were not sent by lawmakers to Gov. Brown prior to adjournment are now “two-year bills,” and may be reconsidered when the Assembly and Senate reconvene next year. The Legislature will be in interim recess until January 6, 2016.

Running concurrent with the regular session is a special session that Gov. Brown called on June 19 to focus the Legislature’s attention on addressing the significant funding shortfalls that exist for maintenance and rehabilitation work on both the state highway and local roadway systems. In his special session proclamation, the Governor specifically directed lawmakers to enact legislation to provide permanent and sustainable funding to maintain and repair the state’s critical infrastructure, improve the state’s key trade corridors, and complement local infrastructure efforts. It is the intent of the legislative leadership to convene a conference committee sometime in the fall made up of members of both the Assembly and Senate to work on possible solutions to address these challenges.

In an attempt to move the special session forward, Gov. Brown, on September 3, announced a plan that seeks to generate roughly $3.2 billion per year in new funding for transportation...
purposes, with an emphasis on “fix it first.” The plan, which has not yet been amended into any particular bill, estimates investing the following amounts on an annual basis:

- $1.6 billion for maintenance and rehabilitation of state highways.
- $1.05 billion for local streets/roads.
- $250 million for a local partnership program to reward counties that impose voter-approved taxes or fees for transportation purposes.
- $200 million for trade corridors.
- $100 million in savings resulting from improved efficiencies at Caltrans.

The revenues for these new, ongoing investments would be generated by:

- Increasing the diesel excise tax by 11 cents per gallon.
- Indexing both the gasoline and diesel excise taxes annually for inflation.
- Imposing a new road improvement charge of $65 per year on all motor vehicles to be collected by the Department of Motor Vehicles (DMV) as part of the annual vehicle registration process.

In addition, Gov. Brown’s plan provides one-time revenues consisting of an appropriation of $500 million in cap-and-trade auction proceeds and the repayment of $879 million in outstanding loans owed by the General Fund to various transportation accounts. Of the $500 million in one-time, cap-and-trade auction proceeds, $400 million would be allocated to the Transit and Intercity Rail Capital Program, and $100 million to a new, competitive Low Carbon Road Program for complete streets, and other city and county roadway projects that reduce greenhouse gas emissions. The $876 million in General Fund loan repayments would be distributed as follows:

- $334 million for trade corridors.
- $265 million for the Transit and Intercity Rail Capital Program.
- $132 million for state highways.
- $148 million for the Traffic Congestion Relief Program (TCRP).

Gov. Brown’s plan is the second comprehensive transportation funding proposal to surface in the special session. The first was SBX1-1 (Beall), which was introduced on June 22, and was approved by the Senate Transportation & Infrastructure Development Committee on August 19. This bill, which has been referred to the Senate Appropriations Committee, calls for generating approximately $4 billion-$5 billion a year in new transportation revenues through five different tax and fee increases, with the revenues being primarily targeted for maintenance and rehabilitation work on the state highway and local roadway systems, and for goods movement projects.

Given that both the Governor’s plan and SBX1-1 require a two-thirds vote of the Legislature, much attention is being focused on trying to find the necessary Republican votes, while at the same time, shoring up the support of moderate Democrats representing competitive districts. So far, the Assembly and Senate GOP caucuses have been holding firm in their opposition to any transportation funding package that would impose new taxes or fees. Similarly, moderate
Democrats in both chambers have expressed a reluctance to vote for any tax or fee increases.

Prior to adjourning the first year of the regular session, the Legislature passed and sent to Gov. Brown the following bills of interest:

**SB 9 (Beall): Transit and Intercity Rail Capital Program:** A high priority for VTA, SB 9 proposes to incorporate into the Transit and Intercity Rail Capital Program several concepts that have been successfully used for other federal and state transportation funding programs in order to enable the Transit and Intercity Rail Capital Program to accommodate a wider variety of projects. Administered by CalSTA, the Transit and Intercity Rail Capital Program is one of the competitive grant programs receiving cap-and-trade auction proceeds from the Greenhouse Gas Reduction Fund.

Among its key provisions, SB 9 requires CalSTA, beginning in FY 2019, to develop a five-year program of projects to be funded under the Transit and Intercity Rail Capital Program, rather than initiating a new competitive process every single fiscal year. The program of projects would be updated every two years. This approach is successfully used for the State Transportation Improvement Program (STIP).

In addition, SB 9 requires CalSTA to enter into multi-year agreements with public transit agencies for projects that are proposed to be funded under the Transit and Intercity Rail Capital Program over a number of fiscal years, rather than in one fiscal year. The Federal Transit Administration (FTA) uses multi-year funding agreement for all projects receiving money under the New Starts/Small Starts Program.

The legislation also enables a public transit agency that is seeking Transit and Intercity Rail Capital Program funding for a multi-year project to obtain a Letter of No Prejudice (LONP) from CalSTA, thereby allowing the transit agency to advance its project using local dollars and to be reimbursed with state cap-and-trade money at some later date. LONPs are commonly used at the federal level, and have been authorized through prior legislation for the state’s various Proposition 1B programs and for the TCRP.

The combination of these provisions in SB 9 would allow the Transit and Intercity Rail Capital Program to accommodate not only smaller projects, but also larger ones seeking a more sizable amount of cap-and-trade dollars that would be provided over multiple fiscal years, such as Phase 2 of VTA’s BART Silicon Valley Extension Project.

**AB 194 (Frasier): Express Lanes:** AB 194 establishes a process that would allow VTA and other regional transportation agencies to submit applications for constructing and operating express lanes and other toll facilities on the state highway system within their respective jurisdictions to the California Transportation Commission (CTC) for review and approval. While several agencies in California, including VTA, have existing statutory authority to implement express lanes on the state highway system, the number of corridors that each agency may pursue is capped. Given the success of the express lanes that are currently in operation in California, as well as a growing interest on the part of many communities throughout the state to build out full express lane networks, there is a need to put in place a way for VTA and other
regional transportation agencies to implement additional express lanes and other toll facilities on the state highway system without having to seek specific legislative authorization on a corridor-by-corridor basis. AB 194 would accomplish this objective.

**AB 1250 (Bloom): Bus Axle Weights:** Since the mid-1970s, state law has prohibited the gross weight on any single axle of a public transit bus from exceeding 20,500 pounds. However, because of numerous federal and state mandates that have been imposed since that weight limit was established, including federal Americans with Disabilities Act (ADA) requirements, mandated emissions reduction equipment, and mandated equipment and materials to improve vehicle safety, public transit buses may exceed that limit, especially when carrying significant passenger loads. This situation came to a head in 2011 when several public transit agencies in Southern California were ticketed by local police departments for operating buses that were overweight.

In response, the California Transit Association sponsored AB 1706 (Eng), which was enacted into law in 2012. This measure offered a partial solution to the problem by permanently exempting the current bus fleets of public transit agencies from the single axle weight limit, as well as any new buses procured through a solicitation issued before January 1, 2013. After January 1, 2013, AB 1706 temporarily allowed public transit agencies to procure new buses that exceeded the weight limit under the following two conditions: (1) if the buses were no heavier than the vehicles they were replacing; or (2) if the buses were being purchased in order to incorporate a new fleet class into an agency’s inventory or to expand an existing fleet class. With this latter provision set to expire on January 1, 2015, and without a permanent solution to the problem having been worked out, the California Transit Association sponsored follow-up legislation, AB 1720 (Bloom), to extend it for one more year. Therefore, under current law, the single axle weight limit will snap back into place on January 1, 2016, and apply to all public transit buses procured through a solicitation issued after January 1, 2013.

Relying on the current procedures in state law for overweight vehicles, which consists of either paying fines resulting from citations, or paying fees and administering thousands of annual overweight vehicle permits on a city-by-city basis, would be costly and time-consuming for public transit agencies. Such an approach also would continue to ignore the fact that California’s single axle weight limit was created 40 years ago and, thus, did not contemplate today’s transit operating environments, or legal and regulatory requirements. Moreover, it is a gross weight limit, meaning it takes into account both the weight of the bus and the passengers who are on board at the time the vehicle is weighed. While this weight limit may encourage manufacturers to build lighter buses, it ironically provides a disincentive to public transit agencies to actually put people on those buses.

Resulting from negotiations involving the California Transit Association, the League of California Cities, the California State Association of Counties (CSAC), and Caltrans, AB 1250 attempts to resolve the challenges that the state’s single axle weight limit poses for public transit buses once and for all, while at the same time, respecting the interests of cities, counties and the state when it comes to the condition of their roadway systems. First, the legislation permanently exempts public transit buses that were purchased under the terms of the temporary procurement provisions originally enacted by AB 1706 and extended by AB 1720 from the weight limit to
ensure that these buses will be able to continue to operate legally. Any options under these procurement contracts must be exercised within five years of the date the contract was executed or by 2021, whichever is sooner, in order for the buses being purchased and delivered under the options to be exempt.

Second, for public transit buses procured through a solicitation issued after January 1, 2016, the bill establishes new curb weight limits for standard public transit buses, and for articulated and zero-emission buses. These limits would be gradually reduced over time to push manufacturers to design and build increasingly lighter buses. Under the provisions of AB 1250, curb weight is defined to mean the weight of the bus, including fuel and all equipment used in normal operations, but excluding the weight of the driver and passengers. Converting to a curb weight limit makes more sense because it acknowledges that the weight of a public transit bus changes as people board and get off the vehicle. With a gross weight limit, a bus may or may not be in compliance, depending on when the vehicle actually gets weighed along its route. Furthermore, a curb weight limit acknowledges that the role of a public transit agency is to maximize ridership, while at the same time, operating its vehicles within prescribed federal, state and local laws and regulations.

Finally, AB 1250 requires public transit agencies operating articulated buses to provide annual notification to cities and counties within whose jurisdiction such buses will be running. The bill requires this notification to include the approximate routes where the articulated buses are expected to be scheduled for service, as well as data and information provided to the public transit agency by the bus manufacturer identifying the weight of the vehicles.

Gov. Brown signed AB 1250 into law on October 4.

**SB 413 (Wieckowski): Passenger Misconduct Violations:** SB 413 makes several changes to state statutes governing prohibited conduct on public transit vehicles. Of particular interest to VTA are provisions in the bill that would allow a public transit agency to issue citations to passengers who refuse to yield seating reserved for seniors and disabled persons, if the agency’s governing board enacts an ordinance to that effect. In addition, SB 413 addresses inconsistencies in current state law regarding what constitutes a noise violation. Specifically, the bill clarifies that a passenger could be cited for playing unreasonably loud sound equipment on a public transit vehicle, or for failing to comply with a warning from an enforcement officer related to disturbing another person by loud or unreasonable noise.

**SB 508 (Beall): TDA and STA:** SB 508 updates existing state law pertaining to public transit funding under the Transportation Development Act (TDA) and the State Transit Assistance Program (STA). The bill clarifies that liability insurance and settlement payments; fuel; alternative fuel programs; power, including electricity; and federal and state mandates are excluded from the definition of operating costs when determining whether a public transit agency meets the farebox recovery and efficiency requirements for TDA and STA funding. These provisions would ensure that an agency’s TDA and STA funds are not jeopardized because of sudden, unplanned and unavoidable operating cost increases resulting from external factors that the agency cannot reasonably control.
In addition, SB 508 attempts to lessen the impact to a public transit agency’s operating budget if the agency fails to meet the STA efficiency standard. Under current state law, a public transit agency is prohibited from using its formula share of STA funds for operating purposes if its total operating cost per revenue vehicle hour, as adjusted by the Consumer Price Index, exceeds the previous year’s cost or, alternatively, the average of the prior three years. In such cases, the public transit agency is allowed to spend its STA funds only on capital projects. This efficiency measure is set up as a “pass/fail” standard, meaning that if a public transit agency exceeds the standard by even the smallest of margins, it cannot use any of its STA formula share for operating purposes. SB 508 would replace this pass/fail approach with a proportional penalty. For example, under the provisions of the bill, if a public transit agency were to exceed the standard by 5 percent, it could not use 5 percent of its STA funds for operating purposes.

**SB 350 (de Leon): Climate Change:** SB 350 sets the following two targets related to California’s efforts to reduce greenhouse gas emissions to be achieved by 2030: (1) doubling energy savings in electricity and natural gas final end uses of retail customers through increased efficiency and conservation; and (2) increasing the amount of retail sales of electricity coming from renewable sources to 50 percent. Controversial provisions opposed by the oil industry that would have set a target of reducing petroleum use in motor vehicles by 50 percent by 2030 were stricken from SB 350 at the last minute in the Assembly when it became clear that the bill would not have sufficient votes to pass.

**AB 1171 (Linder): Project Delivery:** AB 1171, which the Governor signed into law on October 1, authorizes VTA and other regional transportation agencies to use the Construction Manager/General Contractor (CMGC) procurement method for designing and constructing projects on expressways that are not on the state highway system, if the projects are included in a voter-approved expenditure plan. Should the voters of Santa Clara County approve a future local transportation sales tax measure that includes projects on the county expressway system, VTA would be able to use CMGC for those projects pursuant to AB 1171, if the county were to ask VTA to deliver them on behalf of the county.

**AB 313 (Atkins): Enhanced Infrastructure Financing Districts:** AB 313 is a clean-up bill to existing state statutes that allow cities and counties to create an enhanced infrastructure financing district (EIFD), governed by a public financing authority, and use property tax increment revenues to fund capital facilities and projects within the boundaries of the district. Of particular interest to VTA are provisions in AB 313 that would allow a special district to participate in an EIFD’s public financing authority, if the special district is providing any portion of the funding included in the EIFD’s financing plan, regardless of the revenue source. These provisions fix a problem in current law, which limits the participation in an EIFD’s public financing authority to only those agencies that have property taxing authority. For VTA, AB 313 would open the door for consideration of another potential funding tool for BART Phase 2. Specifically, if the city of San Jose were to decide to create an EIFD for the downtown area and include elements of BART Phase 2 in the financing plan, VTA would be able to participate in the EIFD’s public financing authority as a funding partner, given that VTA would be providing local sales tax dollars for the project.

Gov. Brown signed AB 313 into law on September 22.
**SB 516 (Fuller): Motorist-Aid Programs:** Under current state law, local governments are authorized to establish a Service Authority for Freeway Emergencies (SAFE) to administer motorist-aid programs. A SAFE may impose a $1 vehicle registration surcharge to provide funding for such programs. In the nine-county Bay Area, the Metropolitan Transportation Commission (MTC) serves as the SAFE.

Current state law also specifies that the first priority for SAFE funds is the implementation and operation of a roadside call-box system. Any revenues in excess of the amount needed for call boxes may be used for other motorist-aid programs, including changeable message signs, traffic operations centers, and tow trucks to remove disabled vehicles from freeways.

Given the significant decline in call-box usage resulting from an increase in cell-phone ownership, SB 516 removes the requirement that call-box systems receive first priority for SAFE funds. Instead, the bill allows SAFE funds to be used for any motorist-aid program, including call-boxes, thereby giving SAFEs the flexibility to determine the best and most cost-effective way to provide motorist-aid services to their respective region. In addition, SB 516 adds traveler information systems and other transportation demand management services; intelligent transportation systems; and safety-related hazard and obstruction removal to the list of eligible expenditures for SAFE funds.

The Governor signed SB 516 on October 4.

Prepared By: Kurt Evans, Government Affairs Manager
Memo No. 5206
### 2015 Regular Session Calendar

<table>
<thead>
<tr>
<th>DAY</th>
<th>JANUARY</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>Statutes signed into law in 2014 take effect.</td>
</tr>
<tr>
<td>5</td>
<td>Legislature reconvenes.</td>
</tr>
<tr>
<td>10</td>
<td>Budget must be submitted by the Governor to the Legislature on or before this date.</td>
</tr>
<tr>
<td>30</td>
<td>Last day to submit bill requests to the Legislative Counsel’s Office.</td>
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<thead>
<tr>
<th>DAY</th>
<th>FEBRUARY</th>
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<tbody>
<tr>
<td>27</td>
<td>Last day for new bills to be introduced.</td>
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<table>
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<th>DAY</th>
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<td>26</td>
<td>Spring Recess begins upon adjournment.</td>
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<th>DAY</th>
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<tbody>
<tr>
<td>6</td>
<td>Legislature reconvenes from Spring Recess.</td>
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<table>
<thead>
<tr>
<th>DAY</th>
<th>MAY</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Last day for policy committees to hear and report fiscal bills introduced in their house of origin.</td>
</tr>
<tr>
<td>15</td>
<td>Last day for policy committees to hear and report to the floor non-fiscal bills introduced in their house of origin.</td>
</tr>
<tr>
<td>29</td>
<td>Last day for fiscal committees to hear and report to the floor bills introduced in their house of origin.</td>
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</tbody>
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<table>
<thead>
<tr>
<th>DAY</th>
<th>JUNE</th>
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<tbody>
<tr>
<td>5</td>
<td>Last day for bills to be passed out of their house of origin.</td>
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<tr>
<td>15</td>
<td>Budget must be passed by midnight.</td>
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<thead>
<tr>
<th>DAY</th>
<th>JULY</th>
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<tbody>
<tr>
<td>17</td>
<td>Last day for policy committees to hear and report bills introduced in the other house. Summer Recess begins upon adjournment, provided that the Budget Bill has been enacted.</td>
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<table>
<thead>
<tr>
<th>DAY</th>
<th>AUGUST</th>
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</thead>
<tbody>
<tr>
<td>17</td>
<td>Legislature reconvenes from Summer Recess.</td>
</tr>
<tr>
<td>28</td>
<td>Last day for fiscal committees to hear and report to the floor bills introduced in the other house.</td>
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<thead>
<tr>
<th>DAY</th>
<th>SEPTEMBER</th>
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<tbody>
<tr>
<td>4</td>
<td>Last day to amend bills on the Assembly and Senate floors.</td>
</tr>
<tr>
<td>11</td>
<td>Last day for each house to pass bills. Interim Study Recess begins at the end of this day’s session.</td>
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<tr>
<th>DAY</th>
<th>OCTOBER</th>
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<tbody>
<tr>
<td>11</td>
<td>Last day for the Governor to sign or veto bills passed by the Legislature before September 11, and in his possession after September 11.</td>
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<thead>
<tr>
<th>DAY</th>
<th>JANUARY 2016</th>
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<tbody>
<tr>
<td>1</td>
<td>Statutes signed into law in 2015 take effect.</td>
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<tr>
<td>6</td>
<td>Legislature reconvenes.</td>
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</table>
## State Assembly Bills

<table>
<thead>
<tr>
<th>State Assembly Bills</th>
<th>Subject</th>
<th>Last Amended</th>
<th>Status</th>
<th>VTA Position</th>
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</thead>
<tbody>
<tr>
<td><strong>AB 2</strong> (Alejo) Community Revitalization and Investment Authorities</td>
<td>Authorizes cities, counties and special districts to establish community revitalization and investment authorities to invest property tax increment revenues to carry out provisions of the state’s Community Development law for purposes related to infrastructure, affordable housing and economic revitalization. Prohibits a school entity from participating in a community revitalization and investment authority. Prohibits a city or county that created a redevelopment agency that was dissolved from forming a community revitalization and investment authority until the successor agency or designated local authority for the former redevelopment agency has received a finding of completion from the Department of Finance that the former redevelopment agency is fully dissolved. Requires at least 80 percent of the land calculated by census tracts within the area for which a community revitalization and investment authority is proposed to be formed to be characterized by both of the following conditions: (1) an annual median household income that is less than 80 percent of the statewide annual median income; and (2) three of the following four conditions: non-seasonal unemployment that is at least 3 percent higher than the statewide median unemployment, crime rates that are 5 percent higher than the statewide median crime rate, deteriorated or inadequate infrastructure, or deteriorated commercial or residential structures. Allows a community revitalization and investment authority to do the following: (1) provide funding to rehabilitate, repair, upgrade, or construct infrastructure; (2) provide for low- and moderate-income housing; (3) remedy or remove a release of hazardous substances pursuant to the Polanco Redevelopment Act; (4) provide for seismic retrofits of existing buildings; (5) acquire and transfer property pursuant to eminent domain; (6) adopt a community revitalization and investment plan; (7) make loans or grants for owners or tenants to improve, rehabilitate or retrofit buildings or structures in the plan area; (8) construct foundations, platforms and other like structural forms necessary for the provision or utilization of air rights sites for buildings to be used for residential, commercial industrial or other uses contemplated by the community revitalization and investment plan; and (9) provide direct assistance to businesses within the plan area in connection with new or existing facilities for industrial or manufacturing uses. Allows a community revitalization and investment authority to receive property tax increment revenues from only those affected taxing entities that have adopted a resolution approving the authority’s investment plan. Requires a community revitalization and investment authority to adopt a program that prohibits the number of housing units for extremely low-income, very-low-income and low-income households in the investment plan area from being reduced during the effective period of the plan. Requires the replacement of such housing units within two years of their displacement. Every 10 years, requires a community revitalization and investment authority to conduct a protest proceeding to consider whether the property owners within the area wish for the authority to continue to take further actions to implement its investment plan. Every five years, requires a community revitalization and investment authority to contract for an independent audit with respect to the maintenance and replacement of affordable housing.</td>
<td>9/4/15</td>
<td>Signed into Law: Chapter #319</td>
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<td>State Assembly Bills</td>
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<td>Status</td>
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<tr>
<td><strong>AB 4</strong>&lt;br&gt;(Linder)&lt;br&gt;Vehicle Weight Fee Revenues</td>
<td>Until January 1, 2020, prohibits vehicle weight fee revenues from being used to pay debt service on transportation-related, general obligation bonds or from being loaned to the General Fund.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
<td>Support</td>
</tr>
<tr>
<td><strong>AB 6</strong>&lt;br&gt;(Wilk)&lt;br&gt;High-Speed Rail: Bond Funding</td>
<td>Specifies that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century (Proposition 1A), except as specifically provided with respect to an existing appropriation for early improvement projects related to the Phase I blended system. Upon appropriation by the Legislature, requires the unspent proceeds received from outstanding bonds issued and sold for high-speed rail purposes prior to the effective date of the provisions of this bill to be redirected to retiring the debt incurred from the issuance and sale of those outstanding bonds. Allows the remaining unissued bonds, as of the effective date of the provisions of this bill, that were authorized for high-speed rail purposes to be issued and sold. Upon appropriation by the Legislature, requires the net proceeds from the sale of these remaining unissued bonds to be made available to fund the construction of school facilities for K-12 and higher education. Makes no changes to the authorization under Proposition 1A for the issuance of $950 million in bonds for rail purposes other than high-speed rail.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
<td></td>
</tr>
<tr>
<td><strong>AB 12</strong>&lt;br&gt;(Cooley)&lt;br&gt;State Agency Regulations</td>
<td>By January 1, 2018, requires each state agency to do all of the following: (1) review all provisions of the California Code of Regulations adopted by that state agency; (2) identify any regulations that are duplicative, overlapping, inconsistent, or out-of-date; and (3) adopt, amend or repeal regulations to reconcile or eliminate any duplication, overlap, inconsistencies, or out-of-date provisions.</td>
<td>8/19/15</td>
<td>Senate Appropriations Committee</td>
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<td><strong>AB 21</strong>&lt;br&gt;(Perea)&lt;br&gt;Global Warming Solutions Act of 2006: Scoping Plan</td>
<td>In preparing the scoping plan for reducing greenhouse gas emissions in the state pursuant to the Global Warming Solutions Act of 2006, requires the California Air Resources Board (CARB) to consider the facilitation of the electrification of the transportation sector.</td>
<td>5/5/15</td>
<td>Senate Floor</td>
<td></td>
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<tr>
<td><strong>AB 23</strong>&lt;br&gt;(Patterson)&lt;br&gt;Cap-and-Trade: Transportation Fuels</td>
<td>Prohibits the inclusion of suppliers of transportation fuels in the cap-and-trade system administered by the California Air Resources Board (CARB). Applies the provisions of the bill retroactively from January 1, 2015.</td>
<td>As Introduced</td>
<td>Assembly Natural Resources Committee</td>
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</table>
| AB 24  | (Nazarian)  
Transportation Network Companies: Public Safety Requirements | Requires a transportation network company to do all of the following: (1) participate in the Department of Motor Vehicles (DMV) pull-notice system to regularly check the driving records of all participating drivers; (2) register any vehicle used to transport passengers for compensation with the California Public Utilities Commission (CPUC) and display an identifying symbol prescribed by the CPUC on the vehicle; and (3) provide for a mandatory controlled substance and alcohol testing certification program as adopted by the CPUC. Requires drivers hired or initially retained by a transportation network company on or after January 1, 2016, to be subject to mandatory drug and alcohol testing prior to employment or retention. For drivers hired or initially retained before January 1, 2016, requires a drug and alcohol test to be completed before January 1, 2017. | 4/22/15 | Assembly Appropriations Committee |
| AB 28  | (Chu)  
Bicycle Safety: Rear Lights | Requires a bicycle operated during darkness upon a highway, sidewalk or bikeway to be equipped with a rear red reflector, or a solid or flashing red light with a built-in reflector on the rear that is visible from a distance of 500 feet to the rear when the bicycle is directly in front of lawful upper beams of headlamps on a motor vehicle. | 8/31/15 | Governor’s Office |
| AB 40  | (Ting)  
Toll Bridges: Pedestrians and Bicyclists | Until January 1, 2021, prohibits imposing a toll on the passage of a pedestrian or bicycle over the Golden Gate Bridge or any state-owned toll bridge where the travel of pedestrians and bicyclists is otherwise authorized. | 9/2/15 | Governor’s Office |
| AB 51  | (Quirk)  
Motorcycles: Lane Splitting | Allows a motorcycle that has two wheels in contact with the ground to be driven between rows of stopped or moving vehicles in the same lane, including both divided and undivided streets, roads or highways, if both of the following conditions are present: (1) the motorcycle is not driven at a speed of more than 50 miles per hour (mph); and (2) the motorcycle is not driven more than 15 mph faster than the speed of traffic moving in the same direction. Specifies that the provisions of the bill do not authorize a motorcycle to be driven in contravention of other laws relating to the safe operation of a vehicle. | 5/22/15 | Senate Transportation & Housing Committee |
| AB 61  | (Allen)  
Private Shuttles | Allows a public transit agency, by ordinance or resolution, to permit the vehicles of a private shuttle service provider to stop for the loading or unloading of its passengers alongside any or all curb spaces designated for the passengers of the public transit agency’s buses. States that it is not the intent of the Legislature to replace public transit service. | 4/20/15 | Assembly Transportation Committee |
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<td><strong>AB 95</strong>&lt;br&gt;(Budget Committee)&lt;br&gt;Transportation Budget Trailer Bill</td>
<td>Provides for the statutory changes necessary to implement the transportation elements of the FY 2016 Budget Act. Extends until July 1, 2016, the current suspension of a provision that restricts a public transit agency from using State Transit Assistance (STA) funding for operations if its operating costs have increased by more than the Consumer Price Index (CPI). Eliminates the Transportation Investment Fund and the Pedestrian Safety Account, and transfers their assets and liabilities to the State Highway Account. Modifies the qualification requirements of certain High-Speed Rail Peer Review Group member positions to broaden eligibility to include experience with large infrastructure projects and with governing intercity or commuter passenger train services. Simplifies the California High-Speed Rail Authority’s reporting requirements to align with the release of its Business Plan, which is every other year. By April 1, 2016, requires Caltrans to submit a report to the Legislature on the potential benefits to safety, greenhouse gas emissions reductions, service levels, and operating costs that would result by improving grade separations at key intersections, as defined by the Federal Railroad Administration (FRA), along the state’s intercity rail corridors. Increases the number of green stickers that can be issued by the Department of Motor Vehicles (DMV) to allow certain low-emission and fuel-efficient vehicles to use high-occupancy vehicle (HOV) lanes regardless of the number of occupants from 70,000 to 85,000.</td>
<td>6/11/15</td>
<td>Signed into Law: Chapter #12</td>
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<td><strong>AB 102</strong>&lt;br&gt;(Rodriguez)&lt;br&gt;Railroad and Surface Transportation Safety and Emergency Planning</td>
<td>Requires the Office of Emergency Services to develop a state regional railroad and surface transportation accident preparedness and immediate response plan. Requires the office to biennially review the training of all emergency response personnel with responsibilities along rail lines and other surface transportation routes to ascertain the level of readiness to respond to an accident involving hazardous materials. As part of this review, requires the office to determine where there are gaps in the ability to respond to spills of hazardous materials in California, and to specify what is required to continue funding the training and response teams to close those gaps. Creates the Regional Railroad and Surface Transportation Accident Preparedness and Immediate Response Force within the Office of Emergency Services. Requires the force to be responsible for providing regional and onsite response capabilities in the event of: (1) a release of hazardous materials from a rail car, or a railroad accident involving a rail car; or (2) a hazardous materials release from a truck accident. Requires the Office of Emergency Services to establish a schedule of fees to be impose on any person owning hazardous materials that are transported by rail or surface transportation in California. Upon appropriation by the Legislature, requires the revenues generated by these fees to be used for purposes related to the transportation of hazardous materials. Requires every person who operates a railroad that transports hazardous materials by rail car to register with the Board of Equalization.</td>
<td>3/26/15</td>
<td>Assembly Environmental Safety &amp; Toxic Materials Committee</td>
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<tr>
<td>AB 156 (Perea)</td>
<td>Cap-and-Trade: Disadvantaged Communities Technical Assistance Program</td>
<td>8/18/15</td>
<td>Senate Appropriations Committee</td>
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<td>Requires the California Air Resources Board (CARB) to prepare and post on its Internet Web site a report on the projects being funded with cap-and-trade auction proceeds from the Greenhouse Gas Reduction Fund. Requires this report to include all of the following: (1) a general description of each project; (2) the location where each project will be implemented; (3) the estimated date of completion of each project; (4) the amount awarded to each project; and (5) the status of any revenues in the Greenhouse Gas Reduction Fund not awarded to projects and the reasons why those moneys have not been awarded. Upon an appropriation of cap-and-trade auction proceeds from the Greenhouse Gas Reduction Fund, requires CARB to establish a comprehensive technical assistance program for eligible applicants assisting disadvantaged communities that CARB determines require technical assistance in accessing programs funded with cap-and-trade auction proceeds. Requires this program to provide assistance to eligible applicants with regard to any of the following: (1) identifying state agencies with appropriate grant programs; (2) developing competitive project proposals to apply for cap-and-trade funding available through state agencies; (3) coordinating existing local programs to reduce greenhouse gas emissions with new programs receiving cap-and-trade funding; or (4) conducting community outreach to residents of disadvantaged communities that CARB determines require such assistance. Requires the technical assistance provided pursuant to the bill to promote programs that reduce greenhouse gas emissions and demonstrate a direct, meaningful benefit to disadvantaged communities.</td>
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<td>AB 157 (Levine)</td>
<td>Richmond-San Rafael Bridge If the Metropolitan Transportation Commission (MTC) and Caltrans develop a project to open the third lane on the Richmond-San Rafael Bridge to automobile traffic on the eastbound level and to bicycle traffic on the westbound level, allows the lead agency for the project, to the extent feasible, to complete the design work for the project simultaneously with the environmental review conducted pursuant to the California Environmental Quality Act (CEQA).</td>
<td>6/25/15</td>
<td>Signed into Law: Chapter #393</td>
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<td>AB 162 (Rodriguez)</td>
<td>State Highways: Wrong-Way Driving Requires Caltrans, in consultation with the California Highway Patrol (CHP), to update a 1989 report on wrong-way driving on state highways. Requires this update to: (1) account for technological advancements and innovations that have occurred since the publication of the 1989 report; and (2) include a review of methods studied or implemented by other jurisdictions or non-governmental entities to prevent wrong-way drivers from entering state highways. Requires the update to identify any additional treatments and technologies that have the potential to reduce the number of instances of wrong-way driving on state highways, as well as a plan to incorporate those treatments and technologies into Caltrans’ Wrong-Way Monitoring and Mitigation Program for the state highway system.</td>
<td>5/19/15</td>
<td>Signed into Law: Chapter #101</td>
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<td>AB 169 (Maienschein)</td>
<td>Local Governments: Posting of Public Records on the Internet Requires a public record voluntarily posted by a local agency on an Internet Resource that is described or titled as “open data” to be: (1) retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications; (2) platform independent and machine readable; (3) available to the public free of charge and without restriction that would impede the reuse or redistribution of the public record; and (4) able to retain the data definitions and structure present when the data was compiled, if applicable. Specifies that the provisions of the bill do not apply to a school district.</td>
<td>6/18/15</td>
<td>Governor’s Office</td>
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<td>AB 194 (Frazier) Express Lanes and Toll Facilities</td>
<td>Authorizes the California Transportation Commission (CTC) to review and approve an unlimited number of project applications submitted to the commission by regional transportation agencies, including the Santa Clara Valley Transportation Authority (VTA), and Caltrans for constructing and operating express lanes and other toll facilities on the state highway system pursuant to eligibility criteria set forth in guidelines established by the commission. At a minimum, requires the eligibility criteria to include the following: (1) a demonstration that the proposed toll facility will improve the state highway corridor’s performance; (2) a requirement that the proposed toll facility is contained in the constrained portion of the applicable regional transportation plan (RTP); (3) evidence of cooperation between the applicable regional transportation agency and Caltrans; (4) a requirement that a project initiation document has been completed for the proposed toll facility; and (5) a demonstration that a complete funding plan has been prepared. For each application submitted, requires the CTC to conduct at least one public hearing at or near the proposed toll facility. Requires a regional transportation agency that submits an application to the CTC to reimburse the commission for all of its costs and expenses incurred in processing the application. Requires toll facilities approved by the CTC on or after January 1, 2016, to be subject to the following minimum requirements: (1) a regional transportation agency sponsoring a toll facility shall enter into an agreement with the California Highway Patrol (CHP) that addresses all law enforcement matters related to the toll facility; (2) a regional transportation agency sponsoring a toll facility shall enter into an agreement with Caltrans that addresses all matters related to the design, construction, maintenance, and operation of the toll facility; (3) a regional transportation agency sponsoring a toll facility shall be responsible for reimbursing Caltrans and the CHP for their costs related to the toll facility pursuant to agreements between the agency, and Caltrans and the CHP; and (4) the agency sponsoring the toll facility shall be responsible for establishing, collecting and administering the tolls. Provides that the revenues generated from the operation of the toll facility shall be available to the sponsoring agency for the direct expenses related to the following: (1) debt issued to construct, repair, rehabilitate, or reconstruct any portion of the toll facility; payment of debt service; and satisfaction of other covenants and obligations related to indebtedness of the toll facility; and (2) development, maintenance, repair, rehabilitation, improvement, reconstruction, administration, and operation of the toll facility, including collection and enforcement. Requires all remaining revenues generated by the toll facility to be used in the corridor from which the revenues were generated pursuant to an expenditure plan developed by the sponsoring agency. Requires a regional transportation agency and Caltrans to consult with each other in the development of such an expenditure plan. For any project involving the conversion of an existing high-occupancy vehicle (HOV) lane to an express lane, requires the sponsoring agency to demonstrate that the project will, at a minimum, result in expanded efficiency of the state highway corridor in terms of travel time reliability, passenger throughput or other efficiency benefits. Authorizes a regional transportation agency to issue bonds to finance the construction of the toll facility or any projects included in an expenditure plan specifying how any net revenues generated by the toll facility would be used. Allows a regional transportation agency and Caltrans to require any vehicle accessing a toll facility to have an electronic toll collection transponder or other electronic device for enforcement or tolling purposes. Specifies that nothing in the bill authorizes nor prohibits the conversion of any existing non-toll lanes into toll lanes, except that a HOV lane may be converted into an express lane.</td>
<td>9/4/15</td>
<td>Governor’s Office</td>
<td>Support</td>
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<tr>
<td>AB 198 (Frazier)</td>
<td>Tow Trucks</td>
<td>6/2/15</td>
<td>Signed into Law: Chapter #30</td>
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<td>In the event of an emergency occurring on a roadway that requires the rapid removal of impediments to traffic or in order to render assistance to a disabled vehicle obstructing the roadway, authorizes a tow truck driver who is either operating under an agreement with the law enforcement agency responsible for investigating traffic collisions on the roadway, or summoned by the owner or operator of a vehicle involved in a collision or that is otherwise disabled on the roadway to utilize the center median or right shoulder of the roadway if certain, specified conditions are met.</td>
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<tr>
<td>AB 210 (Gatto)</td>
<td>HOV Lanes: Los Angeles County</td>
<td>As Introduced</td>
<td>Vetoed by the Governor</td>
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<td>Beginning July 1, 2016, requires high-occupancy vehicle (HOV) lanes on the following portions of the state highway system in Los Angeles County to operate only during hours of heavy commuter traffic, as determined by Caltrans: (1) SR 134 between SR 170 and SR 210; and (2) SR 210 between SR 134 and SR 57. On or after May 1, 2017, authorizes Caltrans to reinstate 24-hour HOV lanes on these corridors if the department determines that there is an adverse impact on safety, traffic conditions or the environment by limiting the use of HOV lanes only during heavy commuter traffic hours.</td>
<td>8/31/15</td>
<td>Governor's Office</td>
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<tr>
<td>AB 219 (Daly)</td>
<td>Prevailing Wage: Concrete Delivery</td>
<td>8/31/15</td>
<td>Governor's Office</td>
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<td>Requires prevailing wages to be paid for the hauling and delivery of ready-mixed concrete to carry out a public works contract. Requires the applicable prevailing wage rate to be the rate for the geographic area in which the concrete factory or batching plant is located. Specifies that the provisions of the bill apply to contracts that are awarded after January 1, 2016.</td>
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<tr>
<td>AB 227 (Alejo)</td>
<td>Transportation Funding</td>
<td>4/15/15</td>
<td>Assembly Budget Committee</td>
<td>Support</td>
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<td></td>
<td>Retains the revenues generated by vehicle weight fees in the State Highway Account, and requires the General Fund to pay debt service on transportation general obligation bonds. With regard to the revenues derived from increases in the state gasoline excise tax resulting from the transportation funding swap initially enacted in 2010 and reaffirmed in 2011, requires all of the money to be allocated in the following manner: (1) 44 percent to the State Transportation Improvement Program (STIP); (2) 44 percent to cities and counties for local streets and roads; and (3) 12 percent to the State Highway Operation &amp; Protection Program (SHOPP). With respect to any loans made to the General Fund from the State Highway Account, the Public Transportation Account, the Bicycle Transportation Account, the Motor Vehicle Fuel Account, the Highway Users Tax Account, the Pedestrian Safety Account, the Transportation Investment Fund, the Traffic Congestion Relief Fund, the Motor Vehicle Account, and the Local Airport Loan Account with a repayment date of January 1, 2019, or later to be repaid to the account from which the loan was made by December 31, 2018. Recaptures revenues generated by Caltrans through the rental or sale of property, the sale of documents and other miscellaneous services to the public for transportation purposes.</td>
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<td>AB 239 (Gallagher)</td>
<td>Global Warming Solutions Act: Regulations</td>
<td>As Introduced</td>
<td>Assembly Natural Resources Committee</td>
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<td>Beginning January 1, 2016, prohibits the California Air Resources Board (CARB) from adopting or amending regulations pursuant to the Global Warming Solutions Act. Authorizes CARB to submit to the Legislature recommendations on how to achieve the goals of the act.</td>
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<td><strong>AB 313 (Atkins)</strong> Enhanced Infrastructure Financing Districts</td>
<td>Makes a number of changes to current state statutes pertaining to enhanced infrastructure financing districts with regard to replacement housing requirements, public financing authorities, very low income housing, hazardous substance release clean-up, appropriations limits, and validation proceedings. Authorizes an enhanced infrastructure financing district to finance the acquisition, construction or rehabilitation of housing for persons of very low income for rent or purchase. Requires an enhanced infrastructure financing district’s financing plan to include a series of specified actions if any dwelling units are proposed to be removed or destroyed either in the course of private development financed by the district or by public works construction resulting from the district’s financing plan. Requires a city or county to establish a public financing authority at the same time that it adopts a resolution of intent to form an enhanced infrastructure financing district. Allows a special district to participate on the public financing authority for an enhanced infrastructure financing district if it is providing any portion of the funding included in the district’s financing plan. Provides that property tax increment revenues allocated to an enhanced infrastructure financing district are not subject to the appropriations limits in the California Constitution.</td>
<td>8/25/15</td>
<td>Signed into Law: Chapter #320</td>
<td>8.14.a</td>
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<tr>
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<td>AB 318 (Chau)</td>
<td>Lost Items Found on Public Transit Property</td>
<td>6/11/15</td>
<td>Senate Judiciary Committee</td>
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<td>If a lost or unclaimed item worth $100 or more in value is found on a vehicle or the property of a public transit agency, requires the person who found the item to turn it in to the public transit agency, rather than to law enforcement. Provides 90 days for the owner of the item to reclaim it from the public transit agency. Allows the public transit agency to require payment by the owner of a reasonable charge to defray the costs of storage and care of the property. If the reported value of the item is $250 or more, and no owner appears and proves his or her ownership of the item within 90 days, requires the public transit agency to cause notice of the item to be published at least once in a newspaper of general circulation. If, after seven days, no owner appears and proves his or her ownership of the item, and the person who found or saved the item pays the cost of the publication, provides that the title shall vest in that person. If the item was found in the course of employment by an employee of the public transit agency, requires the item to be sold at public auction. If the reported value of the item is less than $250, and no owner appears and proves his or her ownership of the item within 90 days, provides that the title shall vest in the person who found the item. If the item was found in the course of employment by an employee of the public transit agency, requires the item to be sold at public auction. Applies all of the following with respect to lost or unclaimed bicycles turned in to or held by a public transit agency: (1) if the owner of a bicycle appears within 45 days after receipt by the public transit agency, proves his or her ownership, and pays all reasonable charges, requires the public transit agency to restore the bicycle to the owner; (2) if the bicycle remains unclaimed after 45 days, allows the public transit agency to dispose of it by sale at a public auction to the highest bidder; (3) requires the public transit agency to give notice of the sale at least five days prior to the auction by publication in a newspaper of general circulation in the county in which the bicycle was found; (4) if a bicycle remains unsold after the auction, allows the public transit agency to destroy or otherwise dispose of it; and (5) allows a public transit agency to donate an unclaimed bicycle after 45 days to a charitable organization if the agency’s board of directors holds a public hearing to determine the organization that would receive the bicycle and the agency provides notice at least five days prior to the donation by publication in a newspaper of general circulation in the county in which the agency operates. Prohibits a public transit agency from donating unclaimed bicycles more than two times per calendar year. Provides that the number of bicycles donated shall not exceed 25 percent of the total number of lost or unclaimed bicycles found or saved by the public transit agency during the prior six months. Requires any public transit agency that donates unclaimed bicycles to a charitable organization pursuant to the provisions of this bill to submit a report, as specified, to the Assembly and Senate Judiciary Committees by January 1, 2020. Repeals all of the provisions of the bill on January 1, 2021.</td>
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<td>AB 323 (Olsen)</td>
<td>CEQA: Exemption for Certain Roadway Projects</td>
<td>4/6/15</td>
<td>Signed into Law: Chapter #52</td>
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<td>Extends until January 1, 2020, an existing California Environmental Quality Act (CEQA) exemption for a project to repair, maintain or make minor alterations to an existing roadway if all of the following conditions are met: (1) the project is carried out by a city or county with a population of less than 100,000 persons; (2) the project will improve public safety; and (3) the project does not cross a waterway.</td>
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| **AB 338**  
(R. Hernandez)  
LA Metro: Local Transportation Sales Taxes | In addition to any other tax that it is authorized to impose or has imposed, allows the Los Angeles County Metropolitan Transportation Authority (LA Metro) to impose a transactions and use tax at the rate of 0.5 percent for a period not to exceed 30 years that would be applicable in the incorporated and unincorporated areas of Los Angeles County. Requires the ordinance imposing the tax to contain the following: (1) an expenditure plan that lists the transportation projects and programs to be funded from net revenues from the tax; (2) a requirement that the expenditure plan include measures to ensure that net revenues are share equitably between regions of the county; (3) a provision limiting LA Metro’s costs of administering the ordinance and the net revenues from the tax to 1.5 percent of the total tax revenues; (4) a requirement that the net revenues from the tax, defined to mean the total tax revenues less any refunds, costs of administration by the state Board of Equalization and LA Metro’s administrative costs, be used to fund the transportation projects and programs identified in the expenditure plan; (4) a requirement that LA Metro, during the period that the ordinance is operative, allocate 20 percent of all net revenues from the tax for operating costs associated with bus service provided by LA Metro and the municipal transit operators in Los Angeles County; and (5) a requirement that LA Metro, during the period that the ordinance is operative, allocate 5 percent of all net revenues from the tax for rail operations. Requires LA Metro to notify the Legislature prior to taking action on any amendments to the adopted expenditure plan. Provides that the ordinance shall become operative if approved by a two-thirds vote of the electorate in Los Angeles County. Authorizes LA Metro to incur bonded indebtedness payable from the net revenues of the tax. | 4/13/15 | Senate Transportation & Housing Committee |
| **AB 378**  
(Mullin)  
US 101 Corridor | States the intent of the Legislature to enact a bill to provide such powers, responsibilities, funding, and financing mechanisms; innovative project delivery authority; and governance structures as may be necessary, convenient and beneficial to enable responsible local, regional and state agencies to substantially improve mobility in the US 101 Corridor in San Francisco, San Mateo and Santa Clara Counties. | As Introduced | Assembly Desk |
| **AB 397**  
(Mathis)  
High-Speed Rail: Bond Funding | Specifies that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century (Proposition 1A), except as specifically provided with respect to an existing appropriation for early improvement projects related to the Phase I blended system. Upon appropriation by the Legislature, requires the unspent proceeds received from outstanding bonds issued and sold for high-speed rail purposes prior to the effective date of the provisions of this bill to be redirected to retiring the debt incurred from the issuance and sale of those outstanding bonds. Allows the remaining unissued bonds, as of the effective date of the provisions of this bill, that were authorized for high-speed rail purposes to be issued and sold. Upon appropriation by the Legislature, requires the net proceeds from the sale of these remaining unissued bonds to be made available to fund the construction of water capital projects, including desalination facilities, wastewater treatment and recycling facilities, reservoirs, water conveyance infrastructure, and acquifer recharge. Makes no changes to the authorization under Proposition 1A for the issuance of $950 in bonds for rail purposes other than high-speed rail. | 4/14/15 | Assembly Transportation Committee |
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<td>Changeable Message Signs</td>
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<td>Prior to June 30, 2016, requires Caltrans to update its internal policies to allow displays of the following information on changeable message signs: (1) safety messages; (2) transportation-related messages; (3) reminders to register to vote, as requested by the Secretary of State’s Office, but not more than 2 days prior to, and on the last day to, register to vote in a particular statewide general, primary or special election; and (4) reminders to vote, as requested by the Secretary of State’s Office, as elections approach, but not more than 2 days prior to, and on the day of, a particular statewide general, primary or special election. Prohibits Caltrans from displaying any information on a changeable message sign related to registering to vote or reminders to vote unless the U.S. Department of Transportation, or any of its agencies, has expressly approved the display of such information.</td>
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<td>8/31/15</td>
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<td>Governor’s Office</td>
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<th>AB 422</th>
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<td>(McCarty)</td>
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<td>SacRT: Line of Credit</td>
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<td>Pursuant to a resolution adopted by its board of directors, authorizes the Sacramento Regional Transit District (SacRT) to seek and obtain a short-term revolving line of credit for operating purposes in anticipation of receipt of federal operating grants, with the extension of credit evidenced by a note. Allows SacRT to pledge anticipated grants and any other funds available, including fare revenues, as security for repayment of the note, the interest on the note, and the related obligations evidenced by the note. Requires the note to have a maturity date of not more than 60 months from the date of issuance. Authorizes SacRT to pledge anticipated federal operating grants and other available funds over a multi-year period. Requires SacRT to set aside and apply all amounts received from the pledged federal operating grants to the repayment of any outstanding indebtedness incurred. Provides that these federal operating grant revenues may not be used for any other purpose until such time as the indebtedness is fully repaid.</td>
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<th>AB 457</th>
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<td>(Melendez)</td>
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<td>Express Lanes: CTC Reporting Requirements</td>
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<td>Requires the California Transportation Commission (CTC) to prepare and submit a report to the Legislature every two years, as opposed to annually, on the progress of the development and operation of express lanes that the commission previously approved for implementation by the Metropolitan Transportation Commission (MTC) and the Riverside County Transportation Commission (RCTC).</td>
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<td>Local Sales Tax Add-Ons</td>
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<td>Raises the cap on local sales tax “add-ons” that could be enacted within a county from 2 percent to 3 percent.</td>
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<td>Vetoed by the Governor</td>
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<td>AB 498 (Levine)</td>
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<td>AB 516 (Mullin)</td>
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<td>AB 518 (Frazier)</td>
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<td>AB 528 (Baker)</td>
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<td>AB 590 (Dahle)</td>
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**AB 552**

(O’Donnell)

Public Works Contracts: Delay Damages

Provides that a public works contract entered into on or after January 1, 2016, that contains a clause expressly requiring a contractor to be responsible for delay damages is not enforceable unless those damages have been liquidated to a set amount and identified in the contract. Provides that the bill shall not be construed to limit a right or remedy that a public agency has to enforce the terms of a public works contract, except for a clause that expressly requires a contractor to be liable for delay damages. Exempts certain state agencies from the provisions of the bill.

**AB 590**

(Dahle)

Cap-and-Trade: Biomass Power Generation

Allows cap-and-trade auction proceeds deposited into the Greenhouse Gas Reduction Fund to be made available to the State Energy Resources Conservation and Development Commission, upon appropriation by the Legislature, for purposes related to maintaining the current level of biomass power generation and geothermal energy generation in California, and revitalizing currently idle facilities in strategically located regions. To be eligible for funding, requires a generation facility to satisfy all of the following: (1) the energy is generated on and after January 1, 2016; (2) the energy is generated using biomass wood wastes and residues or geothermal resources, and is sold to a load-serving entity; (3) the energy is generated at a facility with a generation capacity of more than three megawatts; and (4) the energy is generated within California and sold to customers within the state. In prioritizing projects for funding, requires the State Energy Resources Conservation and Development Commission to maximize the reduction of greenhouse gas emissions achieved by a project for each dollar awarded. Working in consultation with the California Air Resources Board (CARB), requires the State Energy Resources Conservation and Development Commission to ensure that projects receiving funding achieve net reductions in greenhouse gas emissions.
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<td><strong>AB 604</strong>&lt;br&gt;(Olsen)&lt;br&gt;Electrically Motorized Boards</td>
<td>Defines “electrically motorized board” to mean any wheeled device that: (1) has a floorboard designed to be stood upon when riding that is not greater than 60 inches deep and 18 inches wide; (2) is designed to transport only one person; and (3) has an electric propulsion system averaging less than 1,000 watts, the maximum speed of which, when powered solely by a propulsion system on a paved level surface, is no more than 20 miles per hour (mph). Allows a local authority, by ordinance or resolution, to adopt rules and regulations prohibiting or restricting persons from riding or propelling electrically motorized boards on highways, sidewalks or roadways. Allows Caltrans and local authorities to prohibit or restrict the use of electrically motorized boards on freeways and expressways. Provides that an electrically motorized board shall be operated only by a person who is 16 years of age or older. Prohibits a person from operating an electrically motorized board on a highway, bikeway, or any other public bicycle path, sidewalk or trail unless the person is wearing a properly fitted and fastened bicycle helmet. Provides that an electrically motorized board may only be operated on a highway designated with a speed limit of 35 mph or less, except when the board is operated entirely within a designated Class II or Class IV bikeway. Prohibits a person from operating an electrically motorized board on a highway, bikeway, or any other public bicycle path, sidewalk or trail at a speed in excess of 15 mph. Requires an electrically motorized board operated on a highway during darkness to be equipped with certain safety equipment, as specified. By January 1, 2021, requires the California Highway Patrol (CHP) to submit a report to the Legislature to assist in determining the effect that the use of electrically motorized boards has on traffic safety. Specifies that it is unlawful for a person to operate an electrically motorized board on a highway while under the influence of an alcoholic beverage or any drug, or under the combined influence of an alcoholic beverage and any drug.</td>
<td>9/4/15</td>
<td>Governor’s Office</td>
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<td><strong>AB 620</strong>&lt;br&gt;(R. Hernandez)&lt;br&gt;Express Lanes: Hardship Exemption from Paying Tolls</td>
<td>In implementing express lanes in the I-10 and I-110 Corridors, requires the Los Angeles County Metropolitan Transportation Authority (LA Metro) to provide a hardship exemption from the payment of toll charges for low-income commuters who meet the eligibility requirements for certain, specified assistance programs.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<td><strong>AB 645</strong>&lt;br&gt;(Williams)&lt;br&gt;Electricity: California Renewables Portfolio Standard</td>
<td>Pursuant to the California Renewables Portfolio Standard, requires the California Public Utilities Commission (CPUC), by January 1, 2017, to establish the quantity of electricity products from eligible renewable energy resources to be procured by each retail seller for specified compliance periods sufficient to ensure that the procurement of electricity products from these resources achieves 50 percent of retail sales by December 31, 2030. Requires the quantities to reflect reasonable progress in each of the intervening years sufficient to ensure that the procurement of electricity products from eligible renewable energy resources achieves 25 percent of retail sales by December 31, 2016; 33 percent by December 31, 2020; 38 percent by December 31, 2023; 44 percent by December 31, 2026; and 50 percent by December 31, 2030. Requires the CPUC to require retail sellers to procure not less than 50 percent of retail sales of electricity products from eligible renewable energy resources in all subsequent years.</td>
<td>As Introduced</td>
<td>Senate Appropriations Committee</td>
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<td>AB 676 (Calderon)</td>
<td>Employment: Status as Unemployed</td>
<td>Beginning July 1, 2016, prohibits an employer from doing either of the following: (1) publishing in print, on the Internet or in any other medium an advertisement or announcement for any job that includes a provision stating or indicating that an unemployed person is not eligible for the job; or (2) asking an applicant for employment to disclose, orally or in writing, his or her employment status until the employer has determined that the applicant meets the minimum employment qualifications for the position, as stated in the published notice for the job. Specifies that the bill shall not be construed to prohibit an employer from: (1) publishing in print, on the Internet or in any other medium an advertisement or announcement for any job that contains any provisions setting forth the qualifications for the job; (2) setting forth qualifications for any job; (3) obtaining information regarding an individual’s employment, including recent relevant experience; (4) having knowledge of a person’s employment status; (5) inquiring as to the reasons for an individual’s employment status; (6) refusing to offer employment to a person because of the reasons underlying an individual’s employment status; or (7) otherwise making employment decisions pertaining to that individual.</td>
<td>8/31/15</td>
<td>Governor’s Office</td>
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<td>AB 678 (O’Donnell)</td>
<td>Energy Efficiency and Greenhouse Gas Reductions Ports Program</td>
<td>Requires the California Air Resources Board (CARB), in conjunction with the State Energy Resources Conservation and Development Commission, to develop and implement an Energy Efficiency and Greenhouse Gas Reductions Ports Program. Provides that the purpose of this program is to fund energy efficiency upgrades and investments at public ports that help reduce the emissions of criteria pollutants, toxic air contaminants and greenhouse gases. Authorizes CARB to expend cap-and-trade auction proceeds that it receives from an appropriation from the Greenhouse Gas Reduction Fund to implement the program. In order to receive funding from the program for energy-related projects, requires a port to develop and adopt, in consultation with the respective electric utility providing service to the port, an energy plan. Requires a port’s energy plan to be approved by the State Energy Resources Conservation and Development Commission. Provides that the plan shall: (1) adhere to the state’s preferred energy loading order; and (2) require benchmarking for energy retrofit projects and reporting of measurable energy savings. In prioritizing projects for funding, requires CARB to consider the extent to which a project would reduce greenhouse gas emissions, and provide environmental and public health co-benefits, including improved air and water quality.</td>
<td>8/18/15</td>
<td>Senate Appropriations Committee</td>
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<td>AB 692 (Quirk)</td>
<td>Very Low Carbon Transportation Fuels</td>
<td>Beginning January 1, 2017, requires at least 3 percent of the aggregate amount of bulk transportation fuel purchased by the state to be procured from very low carbon transportation fuel sources. Requires this amount to be increased by 1 percent each year thereafter until January 1, 2024. Defines “very low carbon transportation fuel” to mean a liquid or gaseous transportation fuel having no greater than 40 percent of the carbon intensity of the closest comparable petroleum fuel for that year, as measured by the methodology in the low-carbon fuel standard regulation promulgated by the California Air Resources Board (CARB). Provides that if the Department of General Services, in consultation with CARB, makes a determination that very low carbon transportation fuel does not perform adequately for its intended use, or is not available at a reasonable price and in a reasonable period of time, then the state shall procure such fuel only to the extent feasible.</td>
<td>9/4/15</td>
<td>Governor’s Office</td>
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<td>AB 720 (Cooley)</td>
<td>Cap-and-Trade: Market-Based Compliance Mechanisms</td>
<td>For any market-based compliance mechanism that the California Air Resources Board (CARB) might adopt pursuant to the Global Warming Solutions Act of 2006, requires CARB to allow participating entities to freely sell or transfer greenhouse gas emissions allowances held in a holding account or compliance account, except for allowances that have been expressly retired to meet a compliance obligation. In addition, requires CARB to set a price cap on any allowances offered for purchase through the board.</td>
<td>As Introduced</td>
<td>Assembly Natural Resources Committee</td>
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<td>AB 726 (Nazarian)</td>
<td>LA Metro: Articulated Buses</td>
<td>Authorizes the Los Angeles County Metropolitan Transportation Authority (LA Metro) to operate articulated buses that are longer than 60 feet, but do not exceed a length of 82 feet on the route designated as the Orange Line, and between that line, terminals and maintenance facilities. Requires LA Metro to establish a route review committee to perform a review of the Orange Line route, and any necessary routes from the Orange Line to maintenance and storage yards upon which LA Metro proposes to operate a bus greater than 60 feet in length. Requires the route review committee, by a majority vote, to determine whether the Orange Line is suitable for the safe operation of a bus exceeding 60 feet in length. Specifies that implementation of the provisions of this bill is subject to collective bargaining requirements under state law and LA Metro’s enabling statutes. If portions of the proposed routes for these buses are on state highways, requires a determination by both Caltrans and the California Highway Patrol (CHP) that those portions of the route are suitable for the operation of the buses.</td>
<td>9/1/15</td>
<td>Governor’s Office</td>
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<td>AB 742 (Gallagher)</td>
<td>Heavy-Duty Diesel-Fueled Vehicles</td>
<td>Prohibits the California Air Resources Board (CARB) from enforcing regulations relating to the reduction of emissions of diesel particulate matter, oxides of nitrogen and other criteria pollutants from in-use diesel-fueled vehicles until CARB completes a review of the safety of any particulate-matter filters required to be installed on those affected vehicles.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<td><strong>AB 744</strong>&lt;br&gt;(Chau)&lt;br&gt;Planning and Zoning: On-Site Parking Requirements</td>
<td>Upon the request of a developer, prohibits a city or county from imposing a vehicular parking ratio, inclusive of handicapped and guest parking, in excess of 0.5 spaces per bedroom on a development that meets the following criteria: (1) the development includes the maximum percentage of low-income or very low-income units; and (2) the development is located within one-half mile of a major transit stop, and there is unobstructed access to that transit stop from the development. Upon the request of a developer, prohibits a city or county from imposing a vehicular parking requirement, inclusive of handicapped and guest parking, in excess of a specified number of spaces per unit for a development consisting solely of rental units, exclusive of a manager’s unit or units, with an affordable housing cost to lower-income families, if the development meets any of the following criteria: (1) the development is located within one-half mile of a major transit stop, and there is unobstructed access to that transit stop from the development; (2) the development is a for-rent housing development for individuals who are 62 years of age or older; or (3) the development is a special needs housing development. If a city, county or independent consultant has conducted an area-wide or jurisdictional-wide parking study in the last seven years, allows the city or county to impose a higher vehicular parking ratio for these types of developments based on substantial evidence found in the parking study that includes: (1) an analysis of parking availability; (2) differing levels of transit access; (3) walkability access to transit services; (4) the potential for shared parking; (5) the effect of parking requirements on the cost of market-rate and subsidized developments; and (6) the lower rates of car ownership for low-income and very low-income individuals, including seniors and special needs individuals. Specifies that the bill does not preclude a city or county from reducing or eliminating a parking requirement for development projects of any type in any location.</td>
<td>8/18/15</td>
<td>Governor’s Office</td>
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<td><strong>AB 754</strong>&lt;br&gt;(Ridley-Thomas)&lt;br&gt;Small Business Tax Relief in LA County</td>
<td>States the intent of the Legislature to enact a bill to provide tax relief to small businesses in Los Angeles County during periods of disruption caused by transit-related construction activities conducted by the Los Angeles County Metropolitan Transportation Authority (LA Metro) that result in decreased business revenues.</td>
<td>As Introduced</td>
<td>Assembly Desk</td>
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<td><strong>AB 779</strong>&lt;br&gt;(Garcia)&lt;br&gt;Congestion Management Programs</td>
<td>Makes a number of modifications to state statutes pertaining to congestion management programs (CMPs). Eliminates the requirement that an infill opportunity zone must be located within one-half mile of a major transit stop and, instead, allows a city or county to designate an area as an infill opportunity zone if it is a transit priority area within a sustainable communities strategy or alternative planning strategy adopted by the applicable metropolitan planning organization (MPO). Replaces traffic level of service standards within a CMP with “measures of effectiveness” established for a system of highways and roadways designed by the congestion management agency (CMA). Requires the performance element of a CMP to include performance measures that support greenhouse gas emissions reduction objectives, as well as mobility, air quality, land-use, and economic objectives. Requires the land-use element of a CMP to analyze the relationship between land-use decisions made by local jurisdictions and regional transportation systems, instead of analyzing the impacts of local land-use decisions on regional transportation systems. If the capital improvement program (CIP) element of a CMP includes capacity enhancement projects, requires the CIP to evaluate the potential for those enhancement projects to induce additional travel. Requires a CMA to develop a uniform data base on transportation conditions for use in a countywide transportation computer model, instead of a uniform data base on traffic impacts. At least biennially, requires a CMA to determine if the applicable county and cities are conforming to its CMP, including, but not limited to, the following: (1) achieving performance standards for the transportation system as provided in the performance element of the CMP; (2) adoption and implementation of a program to analyze the relationship between land-use decisions and the regional transportation system; and (3) adoption and implementation of a deficiency plan, if required. Requires a city or county to prepare a deficiency plan if the CMA determines that it is not conforming with the CMP. Regarding the preparation of a deficiency plan, adds the following to the list of exclusions from an analysis of the cause of a deficiency: (1) traffic generated by any mixed-use development located within a transit priority project area or infill opportunity zone; (2) traffic generated by any transit priority project, as defined; and (3) improvements to facilities for bicyclists, pedestrians and public transportation. Specifies that the CMP statutes shall not be interpreted to require a local agency to implement improvements to reduce delay at intersections or roadway segments that the local agency determines would impede the development of a balanced, multimodal transportation network that meets the needs of all users of streets, roads and highways for safe and convenient travel in a manner set forth in the circulation element of the local agency’s general plan.</td>
<td>8/19/15</td>
<td>Senate Transportation &amp; Housing Committee</td>
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<td><strong>AB 809</strong>&lt;br&gt;(Obernolte)&lt;br&gt;Local Initiative Measures</td>
<td>If a local ordinance proposes to impose a tax or raise the rate of a current tax, requires the ballot to include in the statement of the ordinance to be voted on the amount of money to be raised annually, and the rate and duration of the tax to be levied.</td>
<td>3/26/15</td>
<td>Signed into Law: Chapter #337</td>
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<td><strong>AB 828</strong> (Low)</td>
<td>Regulated Transportation Services</td>
<td>7/14/15</td>
<td>Senate Energy, Utilities &amp; Communications Committee</td>
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<td>AB 828</td>
<td>Until January 1, 2018, excludes any motor vehicle operated in connection with a transportation network company from the definition of “commercial vehicle” if the vehicle: (1) is operated only for passenger service; (2) is limited to seven passengers, not including the driver; (3) is operated exclusively by the person to whom it is registered or insured; (4) is not a paratransit vehicle; (5) is not operated for public transit services; and (6) is not operated for school bus services. Requires the California Public Utilities Commission (CPUC) to conduct an investigation to consider whether existing statutes and regulations relating to transportation services meet the public interest, encourage innovation, and create a fair and competitive transportation market between companies that provide regulated transportation services. Requires the CPUC to complete this investigation, and report its conclusions and recommendations to the Legislature by January 1, 2017.</td>
<td></td>
<td>7/14/15</td>
<td>Senate Energy, Utilities &amp; Communications Committee</td>
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<td><strong>AB 869</strong> (Cooper)</td>
<td>Fare Evasion and Prohibited Conduct on Transit Vehicles</td>
<td>6/18/15</td>
<td>Senate Floor</td>
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<td>AB 869</td>
<td>For those public transit agencies that use an administrative adjudication process for fare evasion and passenger misconduct violations, provides that a person who fails to pay the administrative penalty when due or to have the violation dismissed may be subject to criminal penalties. Requires the public transit agency to include in the notice of fare evasion or passenger misconduct a printed statement indicating that the person may be charged with an infraction or misdemeanor if the administrative penalty is not paid when due or is not dismissed. Requires the public transit agency to dismiss the original notice of fare evasion or passenger misconduct, and to make no further attempts to collect the administrative penalty if the person is charged with an infraction or misdemeanor after failing to pay the administrative penalty or failing to successfully complete the administrative adjudication process. Requires the public transit agency to serve the person charged with an infraction or misdemeanor with a new notice of fare evasion or passenger misconduct that sets forth the criminal violation.</td>
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<td>6/18/15</td>
<td>Senate Floor</td>
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<td><strong>AB 875</strong> (Harper)</td>
<td>Low-Speed Electric Bicycles</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<td>AB 875</td>
<td>Allows a low-speed electric bicycle to be operated on a bicycle path or trail; bikeway; bicycle lane; equestrian trail; or hiking or recreational trail. Defines “low-speed electric bicycle” to mean a two- or three-wheeled device that has fully operative pedals for propulsion by human power and has an electric motor that meets all of the following requirements: (1) has a power output of not more than 750 watts; (2) is incapable of propelling the device at a speed of more than 20 miles per hour on a paved level surface when ridden by an operator who weighs 170 pounds; (3) is incapable of further increasing the speed of the device when human power is used to propel the device faster than 20 miles per hour; and (4) has a weight of not more than 80 pounds.</td>
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<td>Assembly Transportation Committee</td>
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<td><strong>AB 877</strong> (Chu)</td>
<td>California Transportation Commission and Transportation Funding</td>
<td>3/26/15</td>
<td>Assembly Transportation Committee</td>
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<td>AB 877</td>
<td>Expands the California Transportation Commission (CTC) to 15 members, with one additional ex officio, non-voting member being appointed by the Assembly Speaker and one additional ex officio, non-voting member being appointed by the Senate Rules Committee. States the intent of the Legislature to enact a bill to find a revenue stream to supplement the fuel excise tax to provide additional funding for transportation infrastructure projects in California.</td>
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<td>Assembly Transportation Committee</td>
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<td><strong>AB 883</strong> (Low)</td>
<td>Employment: Public Employee Status</td>
<td>9/4/15</td>
<td>Governor’s Office</td>
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<td>Beginning July 1, 2016, prohibits a state or local agency from doing any of the following: (1) publishing in print, on an Internet Web site or in any other medium an advertisement or announcement for any job that includes a provision stating or indicating that an individual’s status as a current or former public employee disqualifies the individual from eligibility for employment; or (2) asking an applicant for employment to specifically disclose, orally or in writing, his or her status as a current or former public employee until the employer has determined that the applicant meets the minimum employment qualifications for the position, as stated in the published notice for the job. Specifies that the bill shall not be construed to prohibit an employer from: (1) publishing in print, on an Internet Web site or in any other medium an advertisement or announcement for a job that contains provisions setting forth the qualifications for the job; (2) setting forth qualifications for a job; (3) obtaining information regarding an individual’s current or former status as a public employee, including recent relevant experience; (4) having knowledge of a person’s current or former status as a public employee; or (5) otherwise making employment decisions pertaining to that individual.</td>
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<td><strong>AB 914</strong> (Brown)</td>
<td>Toll Facilities: San Bernardino County</td>
<td>9/4/15</td>
<td>Governor’s Office</td>
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<td>Authorizes the San Bernardino County Transportation Commission to construct, administer and operate express lanes and other toll facilities on: (1) I-10 and I-15 within San Bernardino County; (2) approaching and departing connectors on I-10 extending into Los Angeles County, subject to an agreement with the Los Angeles County Metropolitan Transportation Authority (LA Metro); and (3) the connection to the I-15 express lanes in Riverside County, subject to an agreement with the Riverside County Transportation Commission (RCTC).</td>
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<td><strong>AB 946</strong> (Ting)</td>
<td>Electric Vehicle Charging Stations</td>
<td>4/21/15</td>
<td>Assembly Appropriations Committee</td>
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<td>Provides that electric vehicle charging infrastructure projects in disadvantaged communities are eligible for funding under the state’s Alternative and Renewable Fuel Vehicle Technology Program.</td>
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<td><strong>AB 1015</strong> (Bloom)</td>
<td>Parking: Car-Share Vehicles</td>
<td>4/23/15</td>
<td>Signed into Law: Chapter #41</td>
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<td>Allows a local authority, by ordinance or resolution, to designate certain streets or portions of streets for the non-exclusive parking privilege of motor vehicles participating in a car-share vehicle or ridesharing program.</td>
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<td><strong>AB 1017</strong> (Campos)</td>
<td>Salary History Information</td>
<td>8/24/15</td>
<td>Governor’s Office</td>
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<td>Prohibits an employer from seeking salary history information about an applicant for employment.</td>
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<td><strong>AB 1030</strong> (Ridley-Thomas)</td>
<td>Cap-and-Trade: Disadvantaged Workers</td>
<td>7/7/15</td>
<td>Senate Appropriations Committee</td>
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<td>For projects involving hiring that are seeking an allocation of cap-and-trade auction proceeds from the Greenhouse Gas Reduction Fund, requires priority to be given to those projects that support the targeted training and hiring of workers from disadvantaged communities for career-track jobs.</td>
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<td><strong>AB 1033</strong>&lt;br&gt;(Garcia)&lt;br&gt;Infrastructure Financing</td>
<td>Enacts the California Economic Development Infrastructure Act of 2015. Authorizes the California Infrastructure and Economic Development Bank to award participation rights to corporations to deliver infrastructure projects for the state that have been determined as appropriate for financing through a public-private partnership. Provides that such participation rights include a commitment by the state to allow a corporation to compete for state public-private partnership infrastructure projects. Provides that eligible infrastructure projects include goods movement, public transit, solid waste collection and disposal, water treatment and distribution, and defense conversion.</td>
<td>As Introduced</td>
<td>Assembly Jobs, Economic Development &amp; the Economy Committee</td>
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<td><strong>AB 1068</strong>&lt;br&gt;(Allen)&lt;br&gt;CEQA: Priority Projects</td>
<td>Enacts the Priority Project Parity Act of 2015. By November 15 of each year, authorizes each member of the Legislature to annually nominate and submit to the Governor one project within his or her respective district as a priority project. Requires the Governor to designate a project as a priority project if all of the following are met: (1) the project will result in at least 100 new or retained full-time jobs; (2) the project is consistent with an adopted sustainable communities strategy for the region in which the project is located; and (3) the project applicant certifies its intent to remain in the location of the project for a minimum of five years. For purposes of complying with the requirements of the California Environmental Quality Act (CEQA), allows the environmental impact report (EIR) for a priority project to tier from an earlier EIR completed for the existing or earlier versions of the project. Requires the tiered EIR to be limited to the consideration of significant adverse impacts resulting from the project: (1) that were not previously identified in the earlier EIR; or (2) that were identified in the earlier EIR, but are more severe than previously identified. Provides that a new EIR is not required for a priority project that has already been included in an EIR prepared and certified under CEQA; however, requires the lead agency to prepare an addendum to the prior EIR to explain to the public and other interested stakeholders the manner in which the project had been addressed in the prior EIR. Prohibits a court from staying or enjoining the implementation of a priority project unless the court finds either of the following: (1) the continued implementation of the priority project presents an imminent threat to public health and safety; or (2) the priority project site contains unforeseen important Native American artifacts; or unforeseen important historical, archaeological or ecological values that would be materially, permanently and adversely affected by the continued implementation of the project.</td>
<td>As Introduced</td>
<td>Assembly Natural Resources Committee</td>
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<td><strong>AB 1087</strong>&lt;br&gt;(Grove)&lt;br&gt;Cap-and-Trade: High-Speed Rail</td>
<td>Restates that cap-and-trade auction proceeds allocated from the Greenhouse Gas Reduction Fund for high-speed rail purposes shall be used for the following components of the initial operating segment and Phase 1 blended system as described in the California High-Speed Rail Authority’s 2012 Business Plan: (1) acquisition and construction; (2) environmental review and design; (3) other capital costs; and (4) repayment of any loans made to the High-Speed Rail Authority to fund the project.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<td>AB 1096 (Chiu) Electric Bicycles</td>
<td>Defines “electric bicycle” as a bicycle equipped with fully operable pedals and an electric motor of less than 750 watts. Establishes three classes of electric bicycles as follows: (1) class 1 electric bicycle or low-speed, pedal-assisted electric bicycle, which is defined as a bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour (mph); (2) class 2 electric bicycle or low-speed, throttle-assisted electric bicycle, which is defined as a bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 mph; and (3) class 3 electric bicycle or speed pedal-assisted electric bicycle, which is defined as a bicycle equipped with a speedometer, as well as with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 28 mph. Beginning January 1, 2017, requires manufacturers and distributors of electric bicycles to affix a label to each electric bicycle that describes its classification number, top assisted speed and motor wattage. Authorizes a public agency to adopt rules or regulations to restrict or specify the conditions for the use of electric bicycles on public property under the jurisdiction of that agency. Requires a person riding an electric bicycle to comply with all laws relating to the operation of a regular bicycle. Prohibits persons under 16 years of age from operating a class 3 electric bicycle. Requires persons operating or riding on a class 3 electric bicycle to wear a helmet. Prohibits the operation of class 3 electric bicycles on a bicycle path or trail, bikeway, bicycle lane, equestrian trail, hiking trail, or recreational trail, unless it is within or adjacent to a roadway, or unless that operation is authorized by a local ordinance. Allows a local authority, by ordinance, to prohibit the operation of class 1 or class 2 electric bicycles on such paths or trails. Requires an electric bicycle to comply with the equipment and manufacturing requirements for bicycles adopted by the U.S. Consumer Product Safety Commission. Requires an electric bicycle to operate in a manner so that either: (1) the electric motor disengages or stops functioning when the brakes are applied; or (2) the release or activation of a switch or other mechanism disengages or stops the electric motor from functioning. Specifies that a person operating an electric bicycle is not subject to financial responsibility, driver’s license, registration, or license plate requirements.</td>
<td>9/4/15</td>
<td>Governor’s Office</td>
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<td><strong>AB 1098</strong>&lt;br&gt;(Bloom)&lt;br&gt;Congestion Management Programs</td>
<td>Eliminates traffic level of service standards as an element of a congestion management program, as well as the requirement that a city or county prepare a deficiency plan when highway or roadway level of service standards are not met. Instead, requires a congestion management program to include, at a minimum, performance measures related to vehicle miles traveled, air emissions, and bicycle, pedestrian and public transit mode share, as determined by the applicable regional agency. Requires the travel demand element of a congestion management program to include a broad range of transportation options. Requires a congestion management program to analyze the interaction between land-use decisions made by local jurisdictions and the regional transportation system. For roadway capacity expansion projects included in the capital improvement program element of a congestion management program, requires an analysis of the potential for induced vehicle travel. Requires the applicable regional agency to evaluate: (1) the consistency between a county congestion management program and the regional transportation plan, including any adopted sustainable communities strategy; and (2) how a county congestion management program contributes to achieving the greenhouse gas emissions reduction target that has been assigned to the region by the California Air Resources Board (CARB).</td>
<td>3/26/15</td>
<td>Assembly Transportation Committee</td>
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<td><strong>AB 1138</strong>&lt;br&gt;(Patterson)&lt;br&gt;High-Speed Rail: Eminent Domain</td>
<td>Prohibits the California High-Speed Rail Authority, and the State Public Works Board acting on behalf of the authority, from adopting a resolution of necessity to commence an eminent domain proceeding to acquire a parcel of real property on a corridor or usable segment of the state’s proposed high-speed train system unless the resolution includes both of the following: (1) identification of the sources of all funds that are to be invested in that corridor or usable segment, and the anticipated time of receipt of those funds; and (2) a certification that the authority has completed all necessary project level environmental clearances necessary to proceed to construction of the corridor or usable segment.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<td><strong>AB 1160</strong>&lt;br&gt;(Harper)&lt;br&gt;Automated Traffic Enforcement Systems</td>
<td>Beginning January 1, 2016, prohibits a governmental agency from installing an automated traffic enforcement system. Allows a governmental agency that has an automated traffic enforcement system in place on January 1, 2016, to continue to operate the system after that date only if the agency begins conducting a traffic safety study at each intersection where the system is in use to determine whether the system resulted in a reduction in the number of traffic accidents involving failing to stop at a red light or failing to stop at a red light when making a right turn at that intersection. Requires the traffic safety study to be completed by January 1, 2017. If the traffic safety study shows that the use of an automated traffic enforcement system did not reduce the number of traffic accidents occurring at an intersection by a statistically significant number, requires the governmental agency to terminate the use of the system at that intersection no later than January 1, 2018.</td>
<td>4/14/15</td>
<td>Assembly Transportation Committee</td>
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<td><strong>AB 1169</strong>&lt;br&gt;(Gomez)&lt;br&gt;Strategic Growth Council: Signs for Project Funding</td>
<td>Requires recipients of state grant funding from the Strategic Growth Council or any of its member state agencies for a project located in a public place and that provides public benefits to post signs acknowledging the sources of funds for the project pursuant to guidelines adopted by the council. If the state funding equals 50 percent or more of the total cost of the project, requires the state funding sources to be listed first on the signs.</td>
<td>9/4/15</td>
<td>Senate Floor</td>
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<td><strong>AB 1171</strong>&lt;br&gt;(Linder)&lt;br&gt;CMGC Contacting: Local Expressways</td>
<td>Authorizes regional transportation agencies, including the Santa Clara Valley Transportation Authority (VTA), to use the Construction Manager/General Contractor (CMGC) project delivery method to design and construct projects on expressways that are not on the state highway system if the projects are developed in accordance with an expenditure plan approved by the voters. Requires the entity responsible for the maintenance of local streets and roads within the jurisdiction of the expressway to be responsible for the maintenance of the expressway.</td>
<td>6/19/15</td>
<td>Signed into Law: Chapter #413</td>
<td>Support</td>
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<td><strong>AB 1176</strong>&lt;br&gt;(Perea)&lt;br&gt;Advanced Low-Carbon Diesel Fuels Access Program</td>
<td>Establishes the Advanced Low-Carbon Diesel Fuels Access Program to be administered by the State Energy Resources Conservation and Development Commission, in consultation with the California Air Resources Board (CARB). Specifies that the purpose of the program is to reduce greenhouse gas emissions of diesel motor vehicles by providing capital assistance for projects that expand advanced low-carbon diesel fueling infrastructure in communities that are disproportionately impacted by environmental hazards and where the greatest air quality impacts can be identified. Requires cap-and-trade auction proceeds from the Greenhouse Gas Reduction Fund to be available, upon appropriation by the Legislature, for implementing this program.</td>
<td>8/18/15</td>
<td>Senate Appropriations Committee</td>
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<td><strong>AB 1179</strong>&lt;br&gt;(Rendon)&lt;br&gt;Cap-and-Trade: Reporting Requirements</td>
<td>Requires the California Air Resources Board (CARB) to prepare and post on its Internet Web site a report on the projects being funded with cap-and-trade auction proceeds from the Greenhouse Gas Reduction Fund. Requires the report to include all of the following: (1) a general description of each project; (2) the location where each project will be implemented; (3) the estimated date of completion of each project; (4) the amount awarded to each project; and (5) the status of any revenues in the Greenhouse Gas Reduction Fund not awarded to projects and the reasons why.</td>
<td>As Introduced</td>
<td>Assembly Appropriations Committee</td>
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<td><strong>AB 1236</strong>&lt;br&gt;(Chiu)&lt;br&gt;Electric Vehicle Charging Stations</td>
<td>Requires a city or county to administratively approve an application to install an electric vehicle charging station through the issuance of a building permit or similar non-discretionary permit. If a building official of a city or county makes a finding based on substantial evidence that the electric vehicle charging station could have a specific, adverse impact on public health or safety, allows the city or county to require the applicant to apply for a use permit. Prohibits a city or county from denying an application for a use permit to install an electric vehicle charging station unless it makes written findings based on substantial evidence in the record that the proposed station would have a specific, adverse impact on public health or safety, and there is no feasible method to satisfactorily mitigate or avoid that impact. By September 30, 2016, requires every city and county in the state with a population of 200,000 or more residents to adopt an ordinance that creates an expedited, streamlined permitting process for electric vehicle charging stations. By September 30, 2017, requires every city and county in the state with a population of less than 200,000 residents to adopt such an ordinance.</td>
<td>9/2/15</td>
<td>Governor’s Office</td>
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<td><strong>AB 1250</strong> (Bloom) Public Transit Buses: Single Axle Weight Limit</td>
<td>Exempts from the state’s 20,500-pound single axle gross weight limit the following: (1) a public transit bus procured through a solicitation issued before January 1, 2016; and (2) a public transit bus purchased through an option period in a multi-year contract entered into between January 1, 2013, and January 1, 2016, if that option period does not exceed five years from the date of the original contract or extend beyond January 1, 2021, whichever is earlier. For public transit buses procured through a solicitation issued after January 1, 2016, establishes a new curb weight limit, as specified. Defines “curb weight” to mean the total weight of a fully loaded public transit bus, including maximum fuel, oil and coolant, and all equipment used in the normal operation of the bus, except without passengers or a driver. By July 1, 2016, requires a public transit agency operating an articulated bus to provide notice to all cities and counties in whose jurisdiction the bus will run during the upcoming calendar year, identifying the approximate routes upon which the bus is expected to be scheduled for service. Thereafter, requires a public transit agency operating an articulated bus to annually provide notice by July 1 to all cities and counties in whose jurisdiction the bus will run during the upcoming calendar year, identifying any changes to the service on those routes and any new routes upon which the bus is expected to be scheduled for service for the upcoming year. Requires the notice to include data from information provided by the bus manufacturer to the public transit agency, identifying the weight of the articulated bus. Prohibits a public transit bus from operating on the Dwight D. Eisenhower System of Interstate and Defense Highways in excess of the weight limitation for such buses specified in federal law. Provides that if the gross weight imposed upon the highway by the wheels on any one axle of a public transit bus exceeds 20,000 pounds, then the axle must be supported by four wheels bearing load upon the highway.</td>
<td>9/9/15</td>
<td>Governor’s Office</td>
<td>Support</td>
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<td><strong>AB 1251</strong> (Gomez) Greenway Development and Sustainment Act</td>
<td>Enacts the Greenway Development and Sustainment Act. Authorizes a tax-exempt non-profit organization that has as its primary purpose the preservation, protection or enhancement of land in its natural, scenic, historical, agricultural, forested, or open-space conditions to acquire and hold a conservation easement for the development of a greenway. Defines “greenway” to mean a pedestrian and bicycle, non-motorized vehicle transportation, and recreational travel corridor that meets certain, specified requirements. Includes greenways in the definition of “open-space land” for local planning purposes. Provides that a recorded greenway easement constitutes an enforceable restriction for purposes of the property tax provisions in the federal Internal Revenue Code.</td>
<td>9/4/15</td>
<td>Governor’s Office</td>
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<td><strong>AB 1265</strong> (Perea) Public-Private Partnerships</td>
<td>Extends existing statutory authority for Caltrans and regional transportation agencies, including the Santa Clara Valley Transportation Authority (VTA), to utilize public-private partnerships for transportation infrastructure projects to January 1, 2030.</td>
<td>4/29/15</td>
<td>Assembly Appropriations Committee</td>
<td>Support</td>
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<td><strong>AB 1284</strong> (Baker) Toll Bridge Program Oversight Committee</td>
<td>Subjects the Toll Bridge Program Oversight Committee, which oversees seismic retrofit and replacement projects related to the seven state-owned toll bridges in the Bay Area, to the requirements under the Bagley-Keene Open Meeting Act.</td>
<td>4/8/15</td>
<td>Signed into Law: Chapter #172</td>
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<td><strong>AB 1287</strong></td>
<td>Indefinitely extends the authorization for the city/county of San Francisco to install forward-facing cameras on San Francisco Municipal Transportation Agency (San Francisco Muni) buses for the purpose of video-imaging parking violations occurring in transit-only traffic lanes.</td>
<td>6/18/15</td>
<td>Governor’s Office</td>
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<td>(Chiu) San Francisco: Forward-Facing Cameras</td>
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<td><strong>AB 1288</strong></td>
<td>Increases the membership of the California Air Resources Board (CARB) from 12 to 14, with the Governor appointing 12 members, and the Senate Rules Committee and the Speaker of the Assembly each appointing one member. Requires the appointments of the Senate Rules Committee and Assembly Speaker to be individuals who work directly with communities in California that are most significantly burdened by and vulnerable to high levels of pollution, including communities with diverse racial and ethnic populations, and communities with low-income populations.</td>
<td>9/10/15</td>
<td>Governor’s Office</td>
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<td>(Atkins) California Air Resources Board</td>
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<td><strong>AB 1315</strong></td>
<td>Prohibits a public entity from delegating to a contractor the development of a plan used to prevent or reduce water pollution or runoff on a public works contract.</td>
<td>4/21/15</td>
<td>Assembly Appropriations Committee</td>
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<td>(Alejo) Public Contracts: Water Pollution Prevention Plans</td>
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<td>AB 1335 (Atkins) Building Homes and Jobs Act</td>
<td>Enacts the Building Homes and Jobs Act. Beginning January 1, 2016, imposes a fee of $75 to be paid at the time of recording of every real estate instrument, paper or notice required or permitted by law to be recorded per each single transaction per single parcel of real property. Specifies that this fee shall not exceed $225. Prohibits the fee from being imposed on any real estate instrument, paper or notice recorded in connection with a transfer of real property that is a residential dwelling to an owner-occupier. Deposits the revenues derived from the fee in the Building Homes and Jobs Trust Fund for expenditure by the Department of Housing and Community Development. Upon appropriation by the Legislature, requires 20 percent of the revenues in the trust fund to be expended for affordable owner-occupied workforce housing, and 10 percent to address affordable homeownership and rental housing opportunities for agricultural workers and their families. Requires the remainder of the money in the trust fund to be expended for the following purposes: (1) the development, acquisition, rehabilitation, and preservation of rental housing that is affordable to extremely low-income, very low-income, low-income, and moderate-income households; (2) affordable rental and ownership housing that meets the needs of a growing workforce up to 120 percent of area median income; (3) matching portions of funds placed into local or regional housing trust funds; (4) matching portions of funds available through the Low and Moderate Income Housing Asset Fund; (5) capitalized reserves for services connected to the creation of new permanent supportive housing, including developments funded through the Veterans Housing and Homelessness Prevention Program; (6) emergency shelters, transitional housing and rapid rehousing; (7) accessibility modifications; (8) efforts to acquire and rehabilitate foreclosed or vacant homes; and (9) homeownership opportunities, including down payment assistance. At the time of the Department of Finance’s adjustments to the proposed FY 2016 budget, requires the Department of Housing and Community Development to submit to the Legislature an initial Building Homes and Jobs Investment Strategy. Beginning with FY 2021, and every five years thereafter, requires the department to update this investment strategy and submit it to the Legislature concurrent with the release of the Governor’s proposed budget. Requires the investment strategy to do all of the following: (1) identify the statewide needs, goals, objectives, and outcomes for housing for a five-year period; (2) provide for a geographically balanced distribution of funds, including a 50-percent direct allocation to local governments; (3) emphasize investments that serve households that are at or below 60 percent of area median income; (4) encourage economic development and job creation by helping to meet the housing needs of a growing workforce up to 120 percent of area median income; (5) identify opportunities for coordination among state departments and agencies; (6) incentivize the use and coordination of non-traditional funding sources; and (7) incentivize innovative approaches that produce cost savings to local and state services by reducing the instability of housing for frequent, high-cost users of hospitals, jails, detoxification facilities, psychiatric hospitals, and emergency shelters. Requires expenditure requests in the Governor’s proposed budget to be consistent with the Building Housing and Jobs Investment Strategy. Declares the intent of the Legislature to enact a bill to create a Secretary of Housing within state government to oversee all activities related to housing in California.</td>
<td>6/3/15</td>
<td>Assembly Floor</td>
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<td>State Assembly Bills</td>
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<td>AB 1336 (Salas)</td>
<td>Requires a minimum of 40 percent, rather than 25 percent, of available cap-and-trade auction proceeds in the Greenhouse Gas Reduction Fund to be allocated to projects that benefit disadvantaged communities.</td>
<td>3/26/15</td>
<td>Assembly Natural Resources Committee</td>
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<tr>
<td>AB 1347 (Chiu)</td>
<td>Establishes a claim resolution process that would be applicable to all public works contracts entered into by a public entity on or after January 1, 2016. Upon receipt of a claim from a contractor sent by registered mail or certified mail with return receipt requested, requires the public entity to conduct a reasonable review of the claim and, within a period not to exceed 45 days, to provide a written statement to the contractor identifying what portion of the claim is disputed and what portion is undisputed. Allows this time period to be extended by mutual agreement between the public entity and the contractor. Requires the contractor to furnish reasonable documentation to support the claim. Specifies that if a public entity needs approval from its governing board to provide such a written statement to the contractor and its governing board does not meet within the 45-day period or within the mutually agreed to extension of time following receipt of the claim, allows the public entity to have up to three days following the next publicly noticed meeting of its governing board after the 45-day period or time extension to provide the written statement to the contractor. Provides that failure by the public entity to respond to the claim within the specified time period shall result in the claim being rejected in its entirety. Requires any payment due on the undisputed portion of the claim to be processed and made within 60 days after the public entity issues its written statement. If the contractor disputes the public entity’s written statement or if the public entity fails to respond to a claim within the time prescribed, allows the contractor to demand in writing an informal conference to meet and confer for settlement of the issues in dispute. Requires any disputed portion of the claim following the conclusion of the meet-and-confer conference, as identified in writing, to be submitted to non-binding arbitration, with the public entity and the contractor sharing the associated costs equally. Unless otherwise agreed to by the public entity and the contractor in writing, provides that the mediation conducted pursuant to this bill shall excuse any further obligation to mediate after litigation has commenced. Allows a contractor to present a claim to a public entity on behalf of a subcontractor or a lower-tier subcontractor lacking legal standing to assert such a claim. Requires the contractor to notify the subcontractor in writing within 45 days as to whether the claim was presented to the public entity, or to provide the subcontractor a statement of reasons as to why the claim was not presented. Subjects amounts for claims not paid by the public entity to the contractor in a timely manner as required by this bill to bear interest at 7 percent per annum. Exempts certain state agencies from the provisions of the bill. Sunsets the provisions of the bill on January 1, 2019.</td>
<td>9/4/15</td>
<td>Governor’s Office</td>
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<td><strong>AB 1360</strong> (Ting)</td>
<td>Transportation Network Companies: Ridesharing</td>
<td>Allows a transportation network company or a charter-party carrier of passengers that prearranges a ride among multiple passengers who share the ride in whole or in part to charge an individual fare, rather than a vehicle-mileage or time-of-use fare, provided that all of the following conditions are met: (1) the vehicle seats no more than seven passengers, not including the driver; (2) the driver is a participating driver, as defined; (3) the vehicle is not used to provide public transit services or to carry passengers over a fixed route; (4) the vehicle is not used to provide pupil transportation or public paratransit services; and (5) the individual fare for each passenger is less than the fare that would be charged for the same ride to a passenger traveling alone.</td>
<td>7/2/15</td>
<td>Senate Energy, Utilities &amp; Communications Committee</td>
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<td><strong>AB 1364</strong> (Linder)</td>
<td>California Transportation Commission</td>
<td>Excludes the California Transportation Commission (CTC) from the California State Transportation Agency (CalSTA), and establishes it as a separate and independent entity in state government.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<td><strong>AB 1398</strong> (Wilk)</td>
<td>CEQA: Sustainable Environmental Protection Act</td>
<td>Enacts the Sustainable Environmental Protection Act. Prohibits a cause of action on the grounds of non-compliance with the California Environmental Quality Act (CEQA) that relates to any topical area or criteria for which compliance obligations are identified. Also prohibits challenges to environmental documents based on non-compliance with CEQA if: (1) the environmental document discloses compliance with applicable environmental laws; (2) the project conforms with the use designation, density or building intensity in an applicable plan; and (3) the project approval incorporates applicable mitigation requirements into the environmental document. Specifies that the provisions of this bill only apply if the lead agency or project applicant has agreed to provide to the public in a readily accessible electronic format an annual compliance report prepared pursuant to a mitigation monitoring and reporting program required by CEQA.</td>
<td>As Introduced</td>
<td>Assembly Natural Resources Committee</td>
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<td><strong>AB 1422</strong> (Cooper)</td>
<td>Transportation Network Companies: Pull-Notice System</td>
<td>Requires a transportation network company to participate in the Department of Motor Vehicles (DMV) pull-notice system to regularly check the driving records of all participating drivers, regardless of whether the participate driver is an employee or an independent contractor of the transportation network company.</td>
<td>7/16/15</td>
<td>Governor’s Office</td>
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<td><strong>AB 1459</strong> (Kim)</td>
<td>Toll Lanes: Orange County</td>
<td>Prohibits Caltrans from seeking or providing funding for construction of a toll lane on a public highway in Orange County unless the project is first approved by a two-thirds vote of the board of directors of the Orange County Transportation Authority (OCTA).</td>
<td>4/14/15</td>
<td>Assembly Transportation Committee</td>
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<td><strong>AB 1482 (Gordon)</strong></td>
<td>Climate Adaptation</td>
<td>By July 1, 2017, and every three years thereafter, requires the Natural Resources Agency to update the state’s climate adaptation strategy, known as the Safeguarding California Plan. As part of the update, requires the Natural Resources Agency to coordinate with other state agencies to identify a lead agency or group of agencies to lead adaptation efforts in each sector. Requires updates to the Safeguarding California Plan to include all of the following: (1) vulnerabilities to climate change by sector, as identified by the lead agency or group of agencies, and by regions; and (2) priority actions needed to reduce risks in those sectors, as identified by the lead agency or group of agencies. Requires the Natural Resources Agency to report annually to the Legislature on actions taken by each applicable agency to implement the Safeguarding California Plan. To address the vulnerabilities identified in the Safeguarding California Plan, requires state agencies to work to maximize, where applicable and feasible, the following objectives: (1) educating the public about the consequences of climate change; (2) ensuring that there is a continued repository for scientific data on climate change and climate adaptation in California in order to facilitate educated state and local policy decisions; and to help identify primary risks from climate change to residents, property, communities, and natural systems across the state; (3) promoting the use of the plan to inform planning decisions; and to ensure that state investments consider climate change impacts, as well as promote the use of natural systems and natural infrastructure, when developing physical infrastructure to address adaptation; (4) encouraging regional collaborative planning efforts to address regional climate change impacts and adaptation strategies; (5) promoting drought resiliency through an integrated water supply, delivery and capture system that is coordinated; and that can be resilient to a multi-year drought scenario, while protecting water quality and public health; (6) building resilient communities by developing urban greening projects that reduce air pollution and heat reflection in urban areas; and that create livable, sustainable communities in urban cores to promote infill development and reduce greenhouse gas emissions; (7) protecting and enhancing habitat, species strongholds and wildlife corridors that are critical to the preservation of species that are at risk from the consequences of climate change; and (8) promoting actions to ensure healthy soils and sustainable agriculture; inform reliable transportation planning; improve emergency management response across sectors; ensure sufficient, reliable and safe energy; improve capacity to reduce and respond to public health threats; address the impacts of climate change on disadvantaged communities; and protect cultural resources from the impacts of climate change.</td>
<td>9/1/15</td>
<td>Governor’s Office</td>
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<td><strong>AB 1509 (R. Hernandez)</strong></td>
<td>Employees: Protected Disclosures and Complaints</td>
<td>Prohibits an employer from discharging an employee, or in any manner discriminating, retaliating or taking an adverse action against an employee because he or she is a family member of a person who has: (1) filed a claim with or instituted a proceeding before the Labor Commissioner; (2) testified or is going to testify in a proceeding before the Labor Commissioner; (3) disclosed information to a government or law enforcement agency, as specified; (4) participated on an occupational health and safety committee; or (5) exercised any other rights under the state’s Whistleblower Protection Statutes.</td>
<td>8/31/15</td>
<td>Governor’s Office</td>
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<td>ACA 3 (Gallagher)</td>
<td>Public Employees’ Retirement</td>
<td>Calls for placing before the voters an amendment to the California Constitution to make several changes to retirement benefits for public employees. Requires any enhancement to a public employee’s retirement formula or benefit adopted on or after the effective date of this constitutional amendment to apply only to service performed on and after the operative date of the enhancement, and not to any service performed prior to that date. Provides that if a change to a public employee’s retirement membership classification or a change in employment results in an enhancement to the retirement formula or benefit applicable to that employee, requires that enhancement to apply only to service performed on or after the operative date of the change, and not to service performed prior to that date. Specifies that an increase to a retiree’s annual cost-of-living adjustment within existing statutory limits is not considered to be an enhancement to a retirement benefit.</td>
<td>As Introduced</td>
<td>Assembly Public Employees, Retirement &amp; Social Security Committee</td>
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<td>ACA 4 (Frazier)</td>
<td>Local Transportation Special Taxes</td>
<td>Calls for placing before the voters an amendment to the California Constitution to allow a city, county or special district to impose, extend or increase a sales and use or a transactions and use tax for the purpose of providing funding for local transportation projects, if approved by a 55 percent majority vote. Defines “local transportation project” to mean the planning, design, development, financing, construction, reconstruction, rehabilitation, improvement, acquisition, lease, operation, or maintenance of local streets, roads and highways; state highways and freeways; and public transit systems. Specifies that this constitutional amendment shall become effective upon approval by the voters, and shall apply to any local measure imposing, extending or increasing a sales and use or transactions and use tax to fund local transportation projects that is submitted at the same election.</td>
<td>8/17/15</td>
<td>Assembly Appropriations Committee</td>
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<td>ABX1-1 (Alejo)</td>
<td>Transportation Funding</td>
<td>Retains the revenues generated by vehicle weight fees in the State Highway Account, and requires the General Fund to pay debt service on transportation general obligation bonds. With regard to the revenues derived from increases in the state gasoline excise tax resulting from the transportation funding swap initially enacted in 2010 and reaffirmed in 2011, requires all of the money to be allocated in the following manner: (1) 44 percent to the State Transportation Improvement Program (STIP); (2) 44 percent to cities and counties for local streets and roads; and (3) 12 percent to the State Highway Operation &amp; Protection Program (SHOPP). With respect to any loans made to the General Fund from the State Highway Account, the Public Transportation Account, the Bicycle Transportation Account, the Motor Vehicle Fuel Account, the Highway Users Tax Account, the Pedestrian Safety Account, the Transportation Investment Fund, the Traffic Congestion Relief Fund, the Motor Vehicle Account, and the Local Airport Loan Account with a repayment date of January 1, 2019, or later to be repaid to the account from which the loan was made by December 31, 2018. Recaptures revenues generated by Caltrans through the rental or sale of property, the sale of documents and other miscellaneous services to the public for transportation purposes.</td>
<td>As Introduced</td>
<td>Assembly Desk</td>
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<td>ABX1-2 (Perea)</td>
<td>Public-Private Partnerships</td>
<td>Extends existing statutory authority for Caltrans and regional transportation agencies, including the Santa Clara Valley Transportation Authority (VTA), to utilize public-private partnerships for transportation infrastructure projects indefinitely.</td>
<td>As Introduced</td>
<td>Assembly Desk</td>
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<td>ABX1-3 (Frazier) Transportation Funding: State Highways and Local Roadways</td>
<td>Declares the intent of the Legislature to enact a bill to establish permanent, sustainable sources of transportation funding to maintain and repair highways, local roads, bridges, and other critical transportation infrastructure.</td>
<td>9/3/15</td>
<td>Conference Committee</td>
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<tr>
<td>ABX1-4 (Frazier) Transportation Funding: Trade Corridors and Local Transportation Infrastructure</td>
<td>Declares the intent of the Legislature to enact a bill to establish permanent, sustainable sources of transportation funding to improve the state’s key trade corridors, and support efforts by local governments to repair and improve local transportation infrastructure.</td>
<td>As Introduced</td>
<td>Senate Rules Committee</td>
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<td>ABX1-6 (R. Hernandez) Cap-and-Trade: Affordable Housing and Sustainable Communities Program</td>
<td>Requires 20 percent of the cap-and-trade auction proceeds provided to the Affordable Housing and Sustainable Communities Program to be allocated to rural areas. Requires half of these funds to be allocated to eligible affordable housing projects. Requires the Strategic Growth Council to amend its guidelines for the Affordable Housing and Sustainable Communities Program to be consistent with the provisions of this bill.</td>
<td>As Introduced</td>
<td>Assembly Desk</td>
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<td>ABX1-7 (Nazarian) Cap-and-Trade: Public Transit Funding</td>
<td>Increases the amount of cap-and-trade auction proceeds continuously appropriated from the Greenhouse Gas Reduction Fund to the Low Carbon Transit Operations Program from 5 percent to 10 percent, and to the Transit and Intercity Rail Capital Program from 10 percent to 20 percent.</td>
<td>As Introduced</td>
<td>Assembly Desk</td>
<td>Support</td>
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<td>ABX1-8 (Chiu) Diesel Sales Tax</td>
<td>Increases the sales and use tax rate on diesel fuel by 3.5 percent. Dedicates the revenues derived from this increase to the State Transit Assistance Program (STA).</td>
<td>As Introduced</td>
<td>Assembly Desk</td>
<td>Support</td>
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<td>ABX1-9 (Levine) Richmond-San Rafael Bridge</td>
<td>By September 30, 2015, requires Caltrans to implement an operational improvement project that does the following: (1) temporarily restores to automobile traffic the third eastbound lane on I-580 that existed prior to 1977 and that was temporarily restored immediately following the Loma Prieta earthquake, from the beginning of the Richmond-San Rafael Bridge in Marin County to Marine Street in Contra Costa County; and (2) temporarily converts the existing one-way bicycle lane along the north side of westbound I-580 from the Marine Street Interchange to Stenmark Drive and the toll plaza in Contra Costa County into a bidirectional bicycle and pedestrian lane. Requires Caltrans to keep the temporary third automobile lane and the temporarily bidirectional bicycle lane in place until the department has completed the Richmond-San Rafael Bridge Access Improvement Project.</td>
<td>As Introduced</td>
<td>Assembly Desk</td>
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<td>ABX1-10</td>
<td>(Levine) Public Works Contracts: Mega-Infrastructure Projects Prohibits a state entity in a mega-infrastructure project contract from providing for the payment of extra compensation to the contractor until the project has been completed, and an independent third party has verified that the project meets all architectural or engineering plans and safety specifications of the contract. Applies to contracts entered into or amended on or after the effective date of the bill. Defines “mega-infrastructure project” to mean the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind that exceeds $1 billion in cost.</td>
<td>As Introduced</td>
<td>Assembly Desk</td>
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<td>ABX1-12</td>
<td>(Nazarian) LA Metro: Public-Private Partnerships Authorizes the Los Angeles County Metropolitan Transportation Authority (LA Metro) to enter into agreements with private entities for transportation projects in Los Angeles County, including on the state highway system, subject to various terms and requirements. Allow LA Metro to impose tolls and user fees for use of those projects. Requires LA Metro to implement such projects on the state highway system in cooperation with Caltrans pursuant to an agreement that addresses all matters related to design, construction, maintenance, and operation of state highway facilities in connection with the project. Authorizes LA Metro to issue bonds to finance any costs necessary to implement such a project, payable from revenues generated from the project or other available resources.</td>
<td>As Introduced</td>
<td>Assembly Desk</td>
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<td>ABX1-13</td>
<td>(Grove) Cap-and-Trade: State Highways and Local Streets/Roads For FY 2016, reduces the amount of cap-and-trade auction proceeds deposited into the Greenhouse Gas Reduction Fund that are continuously appropriated to the Affordable Housing and Sustainable Communities Program from 20 percent to 10 percent. Beginning in FY 2017, continuously appropriates 50 percent of the cap-and-trade auction proceeds deposited into the Greenhouse Gas Reduction Fund to the State Highway Operation and Protection Program (SHOPP), and 50 percent to cities and counties for local streets/roads.</td>
<td>As Introduced</td>
<td>Assembly Desk</td>
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<td>ABX1-14</td>
<td>(Waldron) General Fund Appropriations: State Highways and Local Streets/Roads Continuously appropriates $1 billion from the General Fund to be distributed as follows: (1) 50 percent to the State Highway Operation and Protection Program (SHOPP); and (2) 50 percent to cities and counties for local streets/roads.</td>
<td>As Introduced</td>
<td>Assembly Desk</td>
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<td>ABX1-15</td>
<td>(Patterson) Caltrans: Capital Outlay Support Reduces the FY 2016 appropriation to Caltrans for capital outlay support by $500 million and, instead, distributes this money as follows: (1) 50 percent to the State Highway Operation and Protection Program (SHOPP); and (2) 50 percent to cities and counties for local streets/roads.</td>
<td>As Introduced</td>
<td>Assembly Desk</td>
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ABX1-16  
(Patterson)  
Pilot Program:  
Transferring State Highways to Local Agencies  

Establishes a five-year pilot program under which two counties, one in Northern California and one in Southern California, would be selected to operate, maintain and make improvements to all state highways within their respective jurisdictions. For the duration of the pilot program, requires Caltrans to convey all of its authority and responsibility over state highways in a participating county to the applicable county or regional transportation agency. Requires the pilot program to begin no later than January 1, 2017. Requires the California Transportation Commission (CTC) to administer and oversee the pilot program, and to select the counties that will participate in the program from applications received by the commission. For the duration of the pilot program, requires funding to be appropriated as block grants in the annual Budget Act to the participating counties in an amount equivalent to federal and state dollars otherwise to be expended by Caltrans on state highways in those counties, including money for operations, maintenance, capital outlay support, the State Highway Operation and Protection Program (SHOPP), and the State Transportation Improvement Program (STIP). In consultation with Caltrans, requires the CTC to determine the applicable grant amounts for each participating county, and to submit its recommendations to the Governor and the Legislature. Provides that any cost savings realized by a participating county, compared to comparable expenditures that otherwise would have been undertaken by Caltrans on state highways in the county in the absence of the pilot program, may be used by the county for other transportation priorities consistent with eligible expenditures for the funding sources involved, subject to approval by the CTC.

ABX1-17  
(Achadjian)  
Cap-and-Trade: State Highway Operation and Protection Program  

Beginning in FY 2017, continuously appropriates 25 percent of the cap-and-trade auction proceeds deposited into the Greenhouse Gas Reduction Fund to the State Highway Operation and Protection Program (SHOPP).

ABX1-18  
(Linder)  
Vehicle Weight Fee Revenues  

Beginning January 1, 2016, prohibits vehicle weight fee revenues from being used to pay debt service on transportation-related, general obligation bonds.

ABX1-19  
(Linder)  
California Transportation Commission  

Excludes the California Transportation Commission (CTC) from the California State Transportation Agency (CalSTA), and establishes it as a separate and independent entity in state government.

ABX1-20  
(Gaines)  
State Government: Elimination of Vacant Positions  

Requires the Department of Human Resources to eliminate 25 percent of the vacation positions in state government that are funded by the General Fund. Continuously appropriates $685 million from the General Fund, with 50 percent to be made available to Caltrans for maintenance of the state highway system or for projects funded under the State Highway Operation and Protection Program (SHOPP), and 50 percent to be made available to cities and counties for local streets/roads.
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<td>ABX1-21 (Obernolte) Environmental Quality: Highway Projects</td>
<td>Prohibits a court in a judicial action or proceeding under the California Environmental Quality Act (CEQA) from staying or enjoining a project related to constructing or improving a highway unless the court finds either of the following: (1) the project presents an imminent threat to the public health and safety; or (2) the project site contains unforeseen important Native American artifacts, or unforeseen important historical, archaeological or ecological values that would be materially, permanently and adversely affected by the project unless the court stays or enjoins the project.</td>
<td>As Introduced</td>
<td>Assembly Desk</td>
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<td>ABX1-22 (Patterson) Design-Build Contracting: Highway Projects</td>
<td>Authorizes Caltrans to utilize design-build contracting for an unlimited number of state highway projects, and requires the department to contract with consultants to perform construction inspection services related to those projects. For design-build contracts for state highway projects administered by regional transportation agencies, including the Santa Clara Valley Transportation Agency (VTA), eliminates the requirement in existing law that Caltrans perform construction inspection services related to those projects.</td>
<td>As Introduced</td>
<td>Assembly Desk</td>
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<td>ABX1-23 (E. Garcia) Transportation Projects: Disadvantaged Communities</td>
<td>By January 1, 2017, requires the California Transportation Commission (CTC) to establish a process whereby Caltrans and local agencies receiving funding for highway capital improvement projects from the State Highway Operation and Protection Program (SHOPP), or from the State Transportation Improvement Program (STIP) prioritize projects that provide meaningful benefits to the mobility and safety needs of disadvantaged community residents, as identified by the community through strong public participation. In this regard, requires the CTC to do all of the following: (1) establish a funding floor where no less than 35 percent of rehabilitation and reconstruction projects are located in urban and rural disadvantaged communities, and provide meaningful benefits to the residents of those communities; (2) include robust public stakeholder engagement with regard to the development of guidelines relating to the prioritization of projects in disadvantaged communities; and (3) prioritize projects that recruit, hire and train low-income, formerly incarcerated, or disconnected youth and adults, as well as other individuals with barriers to employment. Specifies that a “disadvantaged community” means a community with any of the following characteristics: (1) an area with a median household income that is less than 80 percent of the statewide median household income based on the most current census-tract-level data from the American Community Survey; (2) an area identified as among the most disadvantaged 25 percent of areas in the state according to the California Environmental Protection Agency (CalEPA), based on the latest version of CalEnviroScreen scores; or (3) an area where at least 75 percent of public school students are eligible to receive free or reduced-price meals under the National School Lunch Program. Requires $125 million to be appropriated annually from the State Highway Account to the Active Transportation Program, with these additional funds to be used for network grants that prioritize projects in underserved areas.</td>
<td>As Introduced</td>
<td>Assembly Desk</td>
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<td>ABX1-24 (Levine) Bay Area Transportation Commission</td>
<td>Effective January 1, 2017, redesignates the Metropolitan Transportation Commission (MTC) as the Bay Area Transportation Commission. Requires commissioners to be elected by districts comprised of approximately 750,000 residents, based on the 2010 Census. Declares the intent of the Legislature that the district boundaries should be drawn by a citizen’s redistricting commission. Requires each district to elect one commissioner, except that a district with a toll bridge within its boundaries would elect two commissioners. Requires the initial elections for commissioners to occur in 2016. Requires the elected commissioners to take office on January 1, 2017. Declares the intent of the Legislature that campaigns for commissioners should be publicly financed. Specifies that each commissioner’s term of office is four years. Effective January 1, 2017, deletes the Bay Area Toll Authority’s status as a separate entity from MTC and merges the authority into the Bay Area Transportation Commission.</td>
<td>As Introduced</td>
<td>Assembly Desk</td>
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## State Senate Bills

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<tr>
<th>State Senate Bills</th>
<th>Subject</th>
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<th>Status</th>
<th>VTA Position</th>
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<tr>
<td><strong>SB 1</strong> (Gaines)</td>
<td>Cap-and-Trade: Transportation Fuels</td>
<td>As Introduced</td>
<td>Senate Environmental Quality Committee</td>
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<td>Delays the inclusion of suppliers of transportation fuels in the cap-and-trade system administered by the California Air Resources Board (CARB) from January 1, 2015, to January 1, 2025.</td>
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<td><strong>SB 3</strong> (Leno)</td>
<td>Minimum Wage</td>
<td>3/11/15</td>
<td>Assembly Appropriations Committee</td>
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<td>Increases the minimum wage for all industries as follows: (1) to $11 per hour beginning January 1, 2016; and (2) to $13 per hour beginning July 1, 2017. Commencing on January 1, 2019, requires the Industrial Welfare Commission to automatically adjust the minimum wage each year to maintain employee purchasing power diminished by the rate of inflation that occurred during the previous year. Requires the automatic adjustment to be calculated using the California Consumer Price Index. Prohibits the Industrial Welfare Commission from adjusting the minimum wage if the average percentage of inflation for the previous year was negative. Specifies that the provisions of the bill apply to all industries, including public and private employment.</td>
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<td><strong>SB 5</strong> (Vidak)</td>
<td>Cap-and-Trade: Transportation Fuels</td>
<td>As Introduced</td>
<td>Senate Environmental Quality Committee</td>
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<td>Delays the inclusion of suppliers of transportation fuels in the cap-and-trade system administered by the California Air Resources Board (CARB) from January 1, 2015, to January 1, 2020. Applies the provisions of the bill retroactively from January 1, 2015.</td>
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<td><strong>SB 8</strong> (Hertzberg)</td>
<td>Sales and Use Tax: Services</td>
<td>2/10/15</td>
<td>Senate Governance &amp; Finance Committee</td>
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<td>Imposes a state sales and use tax on the gross receipts from the sale of, or the receipt of the benefits of, services at an unspecified rate.</td>
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<td>State Senate Bills</td>
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<td>SB 9 (Beall)</td>
<td>Clarifies that the Transit and Intercity Rail Capital Program funded with cap-and-trade auction proceeds will be used for transformative capital improvements that will modernize California's intercity, commuter and urban rail systems; and bus and ferry transit systems to achieve all of the following policy objectives: (1) reducing greenhouse gas emissions; (2) expanding and improving public transit service to increase ridership; (3) integrating the service of the state’s various public rail operators, including integration with high-speed rail; and (4) improving public transit safety. Defines “transformative capital improvements” to mean a rail, bus or ferry project that will significantly reduce vehicle miles traveled, congestion and greenhouse gas emissions by creating a new transit system, increasing the capacity of an existing transit system, or otherwise significantly increasing the ridership of a transit system. In selecting projects for funding under this program, requires the California State Transportation Agency (CalSTA) to consider the extent to which a project reduces greenhouse gas emissions. In addition, requires CalSTA to consider whether a project: (1) reduces the number of auto trips; (2) improves connectivity, integration and coordination of the state’s various public transit systems, including the high-speed rail system; (3) has supplemental funding committed to it from non-state sources; and (4) increases public transit ridership. Allows an eligible applicant to submit an application to CalSTA to fund a project over multiple fiscal years. Authorizes CalSTA to make multi-year funding commitments for projects that are proposed by an eligible applicant to be funded from the Transit and Intercity Rail Capital Program over a period of more than one fiscal year. Requires an application to: (1) define the project purpose, intended scope, proposed cost, intended funding sources, and schedule for project completion; (2) specify the phases of work for which an eligible applicant is seeking an allocation of funds from the Transit and Intercity Rail Capital Program; (3) identify the sources and timing of all funds required to undertake and complete any phase of a project for which an eligible applicant is seeking an allocation of funds from the Transit and Intercity Rail Capital Program; and (4) include information describing the funding sources and approach to ensuring that ongoing operating and maintenance costs of the project are funded through the useful life of the project, as applicable. Allows an eligible applicant to submit more than one grant application for consideration for funding under the Transit and Intercity Rail Capital Program. By July 1, 2018, requires CalSTA to approve a five-year program of projects for funding under the Transit and Intercity Rail Capital Program, beginning with FY 2019. Requires CalSTA to update the program of projects every two years. Allows an eligible applicant to use a project study report or equivalent document to demonstrate the eligibility of a project for inclusion in the five-year program of projects. For a project to be funded from the Transit and Intercity Rail Capital Program over a period of more than one fiscal year, requires CalSTA, at the request of an eligible application, to enter into and execute a multi-year funding agreement with the applicant for an amount of program dollars and for a duration, as determined jointly by CalSTA and the applicant. Allows for the use of Letters of No Prejudice (LONPs), so that project sponsors can advance their projects with local money and then get reimbursed with Transit and Intercity Rail Capital Program dollars when they become available.</td>
<td>9/1/15</td>
<td>Governor’s Office</td>
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<td>SB 16 (Beall)</td>
<td>Establishes the Road Maintenance and Rehabilitation Program for an initial five-year period running through FY 2020. Allows the Legislature to reauthorize the program beyond FY 2020. Proposes to generate between $2 billion and $4 billion per year in new revenues for transportation purposes from the following sources: (1) a temporary 10-cent increase in the gasoline excise tax; (2) a temporary 12-cent increase in the diesel excise tax; (3) a temporary registration surcharge of $35 per year imposed on all motor vehicles; (4) an additional, permanent registration surcharge of $100 per year imposed on zero-emission vehicles; (5) full repayment over the next three years of all outstanding loans owed by the General Fund to the State Highway Account, the Motor Vehicle Fuel Account, the Highway Users Tax Account (HUTA), and the Motor Vehicle Account; and (6) permanent recapture of vehicle weight fee revenues for transportation projects to be accomplished incrementally over a five-year period. Provides for an incremental increase over a five-year period in the vehicle license fee from 0.65 percent to 1 percent of the market value of a vehicle to backfill the General Fund for the loss of vehicle weight fee revenues. Dedicates these license fee revenues to paying debt service for transportation-related general obligation bonds. Terminates the increases in the gasoline and diesel excise taxes, as well as the $35 vehicle registration surcharge, if the Road Maintenance and Rehabilitation Program is not reauthorized. Calls for 2 cents of the 12-cent increase in the diesel excise tax to be deposited into the Trade Corridors Improvement Fund and used for goods movement projects programmed by the California Transportation Commission (CTC). Requires the balance to be deposited into a new Road Maintenance and Rehabilitation Account. Requires 5 percent of the funds in the Road Maintenance and Rehabilitation Account to be set aside for allocation to counties that currently do not have a local transportation sales tax in place, but gain voter approval for one after July 1, 2015. Requires the CTC to develop guidelines to define the specific methodology that would be used to distribute these funds to eligible counties. Specifies that any of the 5-percent set-aside that is not allocated to counties in a given fiscal year would be split 50/50 between the State Highway Operation and Protection Program (SHOPP) and local streets/roads. Allocates the remaining balance in the account after the 5-percent set-aside as follows: (1) 50 percent to the SHOPP; and (2) 50 percent to cities and counties for maintenance and rehabilitation work on their local roadway systems. In order to remain eligible for an allocation under the Road Maintenance and Rehabilitation Program, requires cities and counties to maintain their historic commitment of local funds for street/road purposes by annually spending not less than the average of its expenditures from FY 2010, FY 2011 and FY 2012. Establishes a substantial oversight role for the CTC to ensure that the funds allocated under the Road Maintenance and Rehabilitation Program are used by Caltrans and cities/counties in the most efficient and effective manner possible. Requires Caltrans, by April 1, 2016, to submit a plan to the CTC to increase the department’s efficiency by up to 30 percent over the subsequent three years.</td>
<td>6/1/15</td>
<td>Senate Floor</td>
<td>Support</td>
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<td>SB 32 (Pavley)</td>
<td>Requires the California Air Resources Board (CARB), based on the best available scientific, technological and economic assessments, to approve a statewide greenhouse gas emissions limit that is equivalent to 40 percent below the 1990 level to be achieved by 2030. Requires CARB to make recommendations to the Governor and the Legislature on how to continue reductions of greenhouse gas emissions beyond 2030. Provides that the Legislature and appropriate state agencies should adopt complementary policies ensuring that long-term emissions reductions advance all of the following: (1) job growth and local economic benefits; (2) public health benefits for California residents, particularly in disadvantaged communities, that result from direct onsite reductions of greenhouse gas emissions; (3) innovation in technology, as well as in energy, water and resource management practices; and (4) regional and international collaboration to adopt similar greenhouse gas emissions reduction policies. Specifies that CARB shall not take any action to implement the next update of its scoping plan for reducing greenhouse gas emissions unless it has conducted an evaluation of both of the following: (1) the current and projected actions that other jurisdictions within the United States and around the world are taking to reduce greenhouse gas emissions, and how those actions compare to and complement California’s efforts; and (2) the cost effectiveness of the various emissions reduction strategies that CARB has undertaken to achieve the 2020 statewide greenhouse gas emissions limit. Requires CARB to submit the next update of its scoping plan to the Legislature. Allows the Legislature to modify, reject or delay some or all of the scoping plan update before its approval by CARB. By January 1, 2017, and each year thereafter, requires CARB to submit to the Legislature a report that contains both of the following: (1) a detailed list of regulatory policies that have been adopted and implemented by state agencies in furtherance of achieving the statewide greenhouse gas emissions limit; and (2) the amounts, sources and locations of greenhouse gas emissions reductions achieved toward the statewide limit. By July 1, 2017, requires the Office of Environmental Health Hazard Assessment to prepare and make available a report analyzing the impacts of the statewide greenhouse gas emissions limit on disadvantaged communities. Requires this report to include all of the following: (1) tracking and analysis of greenhouse gas emissions, criteria air pollutants and other pollutant emission levels in disadvantaged communities; (2) compliance strategies used for greenhouse gas emissions sources in disadvantaged communities; and (3) analysis of public health and other relevant environmental health exposure indicators related to air pollutants in disadvantaged communities.</td>
<td>9/10/15</td>
<td>Assembly Natural Resources Committee</td>
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<td>SB 34 (Hill) Automated License Plate Recognition Systems</td>
<td>Requires an operator and an end-user of an automated license plate recognition (ALPR) system to do all of the following: (1) maintain reasonable security procedures and practices, including operational, administrative, technical, and physical safeguards, to protect ALPR information from unauthorized access, destruction, use, modification, or disclosure; and (2) implement a usage and privacy policy in order to ensure that the collection, use, maintenance, sharing, and dissemination of ALPR information is consistent with respect for individuals' privacy and civil liberties. If an ALRP operator accesses or provides access to ALPR information, requires the operator to do both of the following: (1) maintain a record of that access; and (2) use that ALRP information only for the authorized purposes in its usage and privacy policy. In addition to any other sanctions, penalties or remedies provided under current law, allows an individual who has been harmed by a violation under the provisions of this bill to bring a civil action in any court of competent jurisdiction against a person who knowingly caused the harm. Includes in the definition of “personal information” data collected through the use or operation of an ALPR system, when that information is not encrypted and is used in combination with an individual’s name.</td>
<td>9/1/15</td>
<td>Governor’s Office</td>
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<td>SB 39 (Pavley) HOV Lanes: Low-Emission and Fuel-Efficient Vehicles</td>
<td>Increases the number of green stickers that can be issued by the Department of Motor Vehicles (DMV) to allow certain low-emission and fuel-efficient vehicles to use high-occupancy vehicle (HOV) lanes regardless of the number of occupants from 70,000 to 85,000.</td>
<td>4/8/15</td>
<td>Assembly Transportation Committee</td>
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<td>SB 64 (Liu) California Transportation Plan</td>
<td>Requires the California Transportation Commission (CTC) to: (1) review the update to the California Transportation Plan prepared by Caltrans in 2015 and every five years thereafter; and (2) prepare specific, action-oriented and pragmatic recommendations for transportation system improvements. Requires the CTC to submit a report containing its specific recommendations to the Governor and the Legislature by December 31, 2016, and every five years thereafter. Requires the CTC to include in its annual report to the Legislature specific, action-oriented and pragmatic recommendations for legislation to improve California’s transportation system.</td>
<td>6/24/15</td>
<td>Governor’s Office</td>
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<td>SB 122 (Jackson) CEQA: Record of Proceedings</td>
<td>At the request of a project applicant, requires the lead agency for California Environmental Quality Act (CEQA) purposes to prepare a record of proceedings concurrently with the preparation of a negative declaration, mitigated negative declaration, environmental impact report (EIR), or other environmental documents for the project, as specified. Requires the Office of Planning and Research to establish and maintain a database for the collection, storage, retrieval, and dissemination of environmental documents, notices of exemption, notices of preparation, notices of determination, and notices of completion provided to the office. Requires a lead agency to submit a sufficient number of copies, in either a hard copy or electronic form as required by the Office of Planning and Research, of its draft environmental document, proposed negative declaration or proposed mitigated negative declaration to the State Clearinghouse for review and comment by state agencies. Requires a lead agency to accept comments on these documents through electronic mail and to treat such comments as equivalent to written comments.</td>
<td>6/1/15</td>
<td>Assembly Appropriations Committee</td>
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<td><strong>SB 158</strong>&lt;br&gt;(Huff)&lt;br&gt;Public-Private Partnerships: I-710 Gap Closure Project</td>
<td>Allows Caltrans to enter into an agreement to implement a public-private partnership for the I-710 Gap Closure Project in Los Angeles County on or after January 1, 2017, which is when current state statutory authority for utilizing public-private partnerships for transportation projects expires.</td>
<td>3/26/15</td>
<td>Senate Transportation &amp; Housing Committee</td>
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<td><strong>SB 189</strong>&lt;br&gt;(Hueso)&lt;br&gt;Clean Energy and Low-Carbon Economic and Jobs Growth Blue Ribbon Committee</td>
<td>Creates the Clean Energy and Low-Carbon Economic and Jobs Growth Blue Ribbon Committee within the California Environmental Protection Agency (CalEPA) to be comprised of seven members appointed by the Governor, the Speaker of the Assembly and the Senate Rules Committee. Requires the committee to consist solely of persons with expertise in economic, financial or policy aspects of clean energy, economic growth, job creation, workforce standards, or employment opportunities for disadvantaged workers. Requires the committee to advise state agencies on the most effective ways to: (1) expend funds related to clean energy and the reduction of greenhouse gas emissions; and (2) implement policies in order to maximize California’s economic and employment benefits. In addition, requires the committee to do all of the following: (1) develop guidance for tracking, reporting and evaluating jobs outcomes for state clean energy and low-carbon investments; (2) develop guidance to measure the quantity and quality of jobs created by state clean energy and low-carbon investments, as well as the geographic and demographic distribution of those jobs; (3) advise state agencies on the most effective ways to require responsible contractor standards, as applicable, and minimum training and skill certifications for workers to ensure high-quality work for state clean energy and low-carbon investments; (4) advise state agencies on the most effective ways to connect disadvantaged communities to good quality jobs and career pathways created by state clean energy and low-carbon investments; and (5) advise state agencies on the most effective ways to align state clean energy and low-carbon training funds with existing state workforce development investments and strategies.</td>
<td>8/17/15</td>
<td>Assembly Appropriations Committee</td>
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<td><strong>SB 192</strong>&lt;br&gt;(Liu)&lt;br&gt;Bicycle Helmets</td>
<td>Requires the Office of Traffic Safety to conduct a comprehensive study of bicycle helmet use in California. Requires this study to include: (1) a determination of the percentage of California bicyclists who do not wear helmets; and (2) the fatalities and serious injuries that could have been avoided if helmets had been worn. Requires a report of the study’s findings to be submitted to the Legislature by January 1, 2017.</td>
<td>4/30/15</td>
<td>Senate Appropriations Committee</td>
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<td><strong>SB 206</strong>&lt;br&gt;(Gaines)&lt;br&gt;Vehicle Information Systems</td>
<td>Prohibits the California Air Resources Board (CARB) from obtaining locational data from a vehicle information system, except to assist the vehicle owner or operator to use as a defense in an enforcement action brought by CARB.</td>
<td>5/6/15</td>
<td>Senate Appropriations Committee</td>
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<td><strong>SB 207</strong>&lt;br&gt;(Wieckowski)&lt;br&gt;Greenhouse Gas Reduction Fund: State Agency Reporting</td>
<td>Requires any state agency expending cap-and-trade auction proceeds from the Greenhouse Gas Reduction Fund to post on its Internet Website a record describing each expenditure and how that expenditure would reduce greenhouse gas emissions.</td>
<td>3/24/15</td>
<td>Assembly Natural Resources Committee</td>
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<td><strong>SB 231</strong></td>
<td>Allows water-borne transit to be eligible for cap-and-trade funding under the Low Carbon Transit Operations Program, and the Affordable Housing and Sustainable Communities Program.</td>
<td>6/2/15</td>
<td>Signed into Law: Chapter #286</td>
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<td>(Gaines) Cap-and-Trade Funding: Water-Borne Transit</td>
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<td><strong>SB 236</strong></td>
<td>Until January 1, 2018, authorizes the San Jose City Council to vacate a public service easement located between Casselino Drive and Mullinix Way that is impassable for vehicular travel, if the council finds that the vacation will protect the public safety, or otherwise serve the public interest and convenience. Allows the council to reserve and except from such vacation an easement for a non-vehicular pathway for use by the public.</td>
<td>6/24/15</td>
<td>Signed into Law: Chapter #353</td>
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<td>(Beall) City of San Jose: Streets, Highways and Public Service Easements</td>
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<td><strong>SB 246</strong></td>
<td>By January 1, 2017, requires the Office of Planning and Research to establish the Integrated Climate Adaptation and Resiliency Program to coordinate regional and local efforts with state climate adaptation strategies. Requires this program to include the following: (1) working with and coordinating local and regional efforts for climate adaptation and resilience; (2) assisting the Office of Emergency Services and other relevant state agencies with coordinating regular reviews and updates, as needed, of the state’s Adaptation Planning Guide; (3) establishing, coordinating and maintaining a state clearinghouse for climate adaptation information; and (4) creating and conducting regular meetings of an advisory committee comprised of members from a range of disciplines in order to provide scientific and technical support. Within one year of an update of the Safeguarding California Plan, requires the Office of Emergency Services to review and update, as necessary, the state’s Adaptation Planning Guide to provide tools and guidance to regional and local governments and agencies in creating and implementing climate adaptation and community resiliency plans and projects. Requires this update to: (1) consider the nexus between climate adaptation, community resiliency, public safety, and security; and (2) provide information and planning support for assessing climate vulnerabilities across impact sectors and regions, and for developing adaptation strategies that can be tailored to meet local needs.</td>
<td>9/4/15</td>
<td>Governor’s Office</td>
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<td>SB 254</td>
<td>Authorizes the California Transportation Commission (CTC), without legislative action, to relinquish portions of the state highway system to a city or county, provided that the state highway facility is not an interstate highway or part of the state’s interregional road network. Requires Caltrans to enter into an agreement with the local jurisdiction before the state highway facility can be relinquished. Requires this agreement to transfer all legal liability for the relinquished state highway facility from Caltrans to the local jurisdiction, as well as include any financial terms. Requires Caltrans and the local jurisdiction to agree on the condition of the relinquished state highway facility at the time of its transfer from the department to the local jurisdiction. Specifies that relinquishment shall not occur unless all of the following conditions are met: (1) the CTC has determined that the relinquishment is in the best interest of the state; (2) Caltrans completes a cost-benefit analysis on behalf of the state; and (3) the CTC holds a public hearing on the proposed relinquishment. In the case of a state highway that has been superseded by relocation, prohibits relinquishment until Caltrans has placed the facility in a state of good repair. By April 1, 2016, and biennially thereafter, requires Caltrans to report to the CTC on which state highway routes or segments primarily serve regional travel, and do not primarily facilitate the interregional movement of people and goods. Requires this report to: (1) identify those routes or segments that are the best candidates for relinquishment; and (2) include an aggregate estimate of future maintenance and preservation costs of the identified routes and segments. Requires the CTC to compile a list of all portions of the state highway system that have been relinquished in the previous 12 months and to include this information in its annual report to the Legislature.</td>
<td>6/2/15</td>
<td>Assembly Transportation Committee</td>
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<td>SB 272</td>
<td>In implementing the California Public Records Act, requires each local agency, except for a local educational agency, to create a catalog of enterprise systems to be made publicly available upon request in the office of the person designated by the agency’s legislative body. Requires the catalog to disclose a list of the enterprise systems utilized by the local agency, as well as the following information for each system: (1) current system vendor; (2) current system product; (3) a brief statement of the system’s purpose; (4) a general description of categories, modules or layers of data; (5) the department within the agency that serves as the system’s primary custodian; (6) how frequently the system data is collected; and (7) how frequently system data is updated. Requires the catalog to be posted in a prominent location on the local agency’s Internet Web site. Defines “enterprise system” to mean a software application or computer system that collects, stores, exchanges, and analyzes information that the agency uses that is both of the following: (1) a multi-departmental system or system that contains information collected about the public; and (2) a system of record that serves as an original source of data within the agency. Specifies that an enterprise system does not include the following: (1) information technology security systems, including firewalls and other cybersecurity systems; (2) physical access control systems, employee identification management systems, video monitoring, and other physical control systems; (3) infrastructure and mechanical control systems, including those that control or manage street lights; or electrical, natural gas, water, or sewer functions; (4) systems related to 911 dispatch and operation, or emergency services; or (5) the specific records that the information technology system collects, stores, exchanges, or analyzes. Specifies that if, on the facts of the particular case, the public interest served by not disclosing this information clearly outweighs the public interest served by disclosure, allows the local agency to instead provide a system name, brief title or identifier of the system. Requires the local agency to complete and post its catalog of enterprise systems by July 1, 2016, and to update the catalog annually.</td>
<td>9/2/15</td>
<td>Governor’s Office</td>
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| **SB 321**  
(Beall)  
Variable Gas Tax Rate | In calculating adjustments to the variable gas tax rate to be made for FY 2017 and each fiscal year thereafter in order to ensure that the same amount of revenue is generated as by the former state sales tax on gasoline pursuant to the 2010-2011 transportation funding swap, requires the Board of Equalization to use a combined average based on an estimate of fuel prices for the current fiscal year and the actuals for the four previous fiscal years, rather than using projections of fuel prices for only the upcoming fiscal year. | 8/18/15 | Senate Floor: Concurrence | Support |
| **SB 344**  
(Monning)  
Commercial Driver’s License: Education | Beginning January 1, 2018, requires a person, in addition to a written and driving test, to successfully complete a course of instruction from either a commercial driver training institution or a program offered by an employer that has been certified by the Department of Motor Vehicles (DMV) before he or she is issued an original commercial driver’s license. Provides an exemption to this course of instruction requirement in the following cases: (1) a commercial motor vehicle driver with military motor vehicle experience who is currently licensed with the U.S. Armed Forces; (2) a commercial motor vehicle driver who presents a valid certificate of driving skill from an approved employer-testing program that includes a course of instruction that meets the minimum standards set by the DMV; (3) a commercial motor vehicle driver who presents a certificate issued by the California Highway Patrol (CHP) or a Transit Driver Training Record DL 260 form signed by an employer trainer certified by the Federal Transit Administration’s “Train-the-Trainer” Program; or (4) a commercial motor vehicle driver who has received and documented training in compliance with the Education Code. | 6/23/15 | Assembly Appropriations Committee |  |
| **SB 348**  
(Galgiani)  
CEQA: Exemption for Railroad Grade Crossings | Extends from January 1, 2016, to January 1, 2019, an existing California Environmental Quality Act (CEQA) exemption relating to the closure of a railroad grade crossing by order of the California Public Utilities Commission (CPUC) that is determined to present a threat to public safety. | 4/6/15 | Signed into Law: Chapter #143 |  |
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<th>Status</th>
<th>VTA Position</th>
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<td>SB 350 (de Leon)</td>
<td>Clean Energy and Pollution Reduction Act of 2015. Requires the amount of electricity generated from renewable sources to be equal to at least 50 percent by December 31, 2030. Requires the state Energy Commission to establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of such savings in electricity and natural gas final end uses of retail customers by January 1, 2030. By January 1, 2017, requires CARB to develop and publish a study on barriers for low-income customers to zero-emission and near-zero-emission transportation options, including those in disadvantaged communities. Requires this study to include recommendations on how to increase access to zero-emission and near-zero-emission transportation options for low-income customers, including those in disadvantaged communities. Establishes a state policy to encourage transportation electrification as a means to achieve ambient air quality standards and California’s climate change goals. Requires the California Public Utilities Commission (CPUC) to direct electrical corporations to file applications for programs and investments to accelerate widespread transportation electrification to reduce dependence on petroleum, meet air quality standards, and reduce greenhouse gas emissions to 40 percent below 1990 levels by 2030 and to 80 percent below 1990 levels by 2050. Requires CARB to identify and adopt appropriate policies, rules or regulations to remove regulatory disincentives preventing retail sellers and local publicly owned electric utilities from facilitating the achievement of greenhouse gas emissions reductions in other sectors through increased investments in transportation electrification. Requires these policies to include an allocation of greenhouse gas emissions allowances to retail sellers and local publicly owned electric utilities, or other regulatory mechanisms to account for increased greenhouse gas emissions in the electric sector from transportation electrification.</td>
<td>9/11/15</td>
<td>Governor’s Office</td>
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<td>SB 358 (Jackson)</td>
<td>California Equal Pay Act. Makes a number of changes to the California Equal Pay Act. Expressly states that the employer has the burden of proving that a wage disparity is based on a legitimate factor, other than sex, as opposed to the plaintiff having the burden of proving that the wage differential is not justified. Modifies the existing prohibition on sex-based wage discrimination by prohibiting an employer from paying any of its employees at wage rates less than the rates paid to employees of the opposite sex for “substantially similar work,” as opposed to “equal work,” when viewed as a composite of skill, effort and responsibility, and performed under similar working conditions. Eliminates a requirement that the claim of discrimination be based on a comparison of the wages of employees in “the same establishment.” Increases from two to three years the period of time that an employer must maintain records relating to wages and job classifications, and other conditions of employment. Prohibits an employer from taking any adverse action against an employee who seeks to enforce the provisions of the Equal Pay Act, or who discusses his or her wages with fellow employees.</td>
<td>7/9/15</td>
<td>Governor’s Office</td>
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<td>SB 379 (Jackson)</td>
<td>General Plans: Safety Element. Requires the safety element of a city’s or county’s general plan to be reviewed and updated as necessary to address climate adaptation and resiliency strategies applicable to that city or county. Requires the update to include a set of goals, policies and objectives based on a vulnerability assessment identifying the risks that climate change poses to the local jurisdiction and the geographic areas at risk from climate change impacts.</td>
<td>7/6/15</td>
<td>Governor’s Office</td>
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<td>SB 389 (Berryhill)</td>
<td>CEQA: Sustainable Environmental Protection Act Enacts the Sustainable Environmental Protection Act. Prohibits a cause of action on the grounds of non-compliance with the California Environmental Quality Act (CEQA) that relates to any topical area or criteria for which compliance obligations are identified. Also prohibits challenges to environmental documents based on non-compliance with CEQA if: (1) the environmental document discloses compliance with applicable environmental laws; (2) the project conforms with the use designation, density or building intensity in an applicable plan; and (3) the project approval incorporates applicable mitigation requirements into the environmental document. Specifies that the provisions of this bill only apply if the lead agency or project applicant has agreed to provide to the public in a readily accessible electronic format an annual compliance report prepared pursuant to a mitigation monitoring and reporting program required by CEQA.</td>
<td>4/6/15</td>
<td>Senate Environmental Quality Committee</td>
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<td>SB 391 (Huff)</td>
<td>Assault and Battery: Public Transit Employees Makes an assault committed against a public transit employee punishable by imprisonment in a county jail for up to one year, by a fine not to exceed $2,000, or by both imprisonment and that fine. Makes a battery committed against a public transit employee punishable by imprisonment in a county jail for up to one year, by a fine not to exceed $2,000, or by both imprisonment and that fine. Makes a battery committed against a public transit employee that results in an injury punishable by imprisonment in a county jail for up to one year, by a fine not to exceed $2,000, or by both imprisonment and that fine; or by imprisonment in a county jail for 16 months, or two or three years.</td>
<td>4/21/15</td>
<td>Senate Public Safety Committee</td>
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<td>SB 398 (Leyva)</td>
<td>Green Assistance Program Establishes the Green Assistance Program to be administered by the California Environmental Protection Agency (CalEPA). Requires the Green Assistance Program to provide technical assistance to small businesses, small non-profit organizations and disadvantaged communities in applying for an allocation of cap-and-trade auction proceeds from the Greenhouse Gas Reduction Fund. Specifies that the Green Assistance Program may include the following: (1) basic information on available programs funded with cap-and-trade auction proceeds, and the eligibility requirements and deadlines for those programs; and (2) referrals to designated contact people in public agencies administering programs funded with cap-and-trade auction proceeds. Requires CalEPA to use existing resources appropriated by the Legislature in the annual Budget Act to administer the Green Assistance Program.</td>
<td>6/2/15</td>
<td>Assembly Appropriations Committee</td>
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<td>SB 400 (Lara)</td>
<td>Cap-and-Trade: High-Speed Rail Requires not less than 25 percent of the cap-and-trade auction proceeds continuously appropriated to the California High-Speed Rail Authority from the Greenhouse Gas Reduction Fund to be allocated for projects that either reduce or offset greenhouse gas emissions directly associated with the construction of the high-speed rail project and provide a co-benefit of improving air quality. Requires priority to be given to measures and projects in communities that are located in areas designated as extreme non-attainment. Provides that measures and project eligible for funding may include the following: (1) public transit improvements that reduce congestion; (2) transportation improvements that reduce congestion, including network improvements and roadway modifications; (3) alternative transportation options, including infrastructure improvements that support clean transportation, facilitate bicycle and pedestrian use, and connect bicycle and pedestrian routes to public transit facilities; (4) natural systems, including rural and urban forests, that reduce greenhouse gas emissions or increase the sequestration of carbon to mitigate the impacts of greenhouse gas emissions, and create greater climate resiliency; and (5) the use of low- and zero-emission equipment for transportation and construction.</td>
<td>6/1/15</td>
<td>Assembly Appropriations Committee</td>
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<td>SB 413 (Wieckowski) Public Transit: Prohibited Conduct</td>
<td>Allows a public transit agency to issue citations for the following: (1) playing unreasonably loud sound equipment on or in a public transit facility or vehicle; (2) failing to comply with the warning of a public transit official related to disturbing another person by loud or unreasonable noise; and (3) failing to yield seating on a public transit vehicle reserved for an elderly or disabled person, if the agency enacts an ordinance to that effect after a public hearing.</td>
<td>9/3/15</td>
<td>Governor’s Office</td>
<td>Support</td>
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<td>SB 433 (Berryhill) Variable Gas Tax Rate: Department of Finance</td>
<td>For FY 2017 through FY 2021, requires the Department of Finance, rather than the Board of Equalization, to calculate any adjustments to the variable gas tax rate that would be needed to ensure that the same amount of revenue is generated as by the former state sales tax on gasoline pursuant to the 2010 transportation funding swap. Similarly, for FY 2017 through FY 2021, requires the Department of Finance, rather than the Board of Equalization, to adjust the diesel excise tax rate to maintain revenue neutrality with the increase in the state sales tax rate on diesel fuel that was enacted as part of the 2010 transportation funding swap.</td>
<td>5/7/15</td>
<td>Assembly Revenue &amp; Taxation Committee</td>
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<td>SB 481 (Hueso) Local Government: Auditors</td>
<td>Prohibits the General Counsel’s Office of a city, county or special district from having direct oversight over employees who conduct audits of those respective agencies.</td>
<td>6/18/15</td>
<td>Vetoed by the Governor</td>
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<td>SB 491 (Transportation Committee) Omnibus Transportation Bill</td>
<td>Enacts the annual omnibus bill of non-controversial and technical changes to state statutes pertaining to transportation. Among other things, requires the agency responsible for administering a county’s share of Transportation Fund for Clean Air (TFCA) 40 percent funds to conduct a public meeting to adopt criteria for the expenditure of those funds, if the criteria have been modified from the previous year.</td>
<td>6/29/15</td>
<td>Signed into Law: Chapter #451</td>
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<td>SB 497 (Vidak) Pupil Transportation Data</td>
<td>Beginning in FY 2015 and for each fiscal year thereafter, requires the state Department of Education to request pupil transportation data from each school district, charter school, county office of education, joint powers authority, and regional occupational center or program that provides pupil transportation. Specifies that the provision of this transportation data to the department shall be voluntary on the part of these entities. Requires the data requested to include the following: (1) revenues received for transportation purposes; (2) number of buses; (3) ridership of all pupils; (4) ridership of pupils with an individualized education program; (5) ridership of pupils who are eligible for free or reduced-price meals; (6) number of miles driven; (7) approved costs; (8) cost per mile; and (9) cost per pupil. Requires the department to annually post the data received on its Internet Web site.</td>
<td>4/8/15</td>
<td>Vetoed by the Governor</td>
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<td>SB 502 (Leno) BART: Purchase and Delivery of Electricity</td>
<td>Upon request by the Bay Area Rapid Transit District (BART), requires any electrical corporation that owns and operates transmission and distribution facilities that deliver electricity at one or more locations to the BART system to use the same facilities to delivery electricity generated by an eligible renewable energy resource without discrimination or delay.</td>
<td>4/8/15</td>
<td>Signed into Law: Chapter #146</td>
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| **SB 508**  
(Beall)  
Transportation Development Act and State Transit Assistance Program Funding | For purposes of determining eligibility for Transportation Development Act (TDA) funding, deletes the requirement for public transit agencies to maintain higher farebox recovery requirements based on FY 1979. Excludes from the definition of “operator cost” used to determine compliance with required TDA farebox recovery ratios the principal and interest payments on capital projects funded with certificates of participation, as well as the start-up costs for new services for a period of not more than two years. In addition, excludes cost increases beyond the change in the Consumer Price Index for all of the following: (1) fuel; (2) alternative fuel programs; (3) power, including electricity; (4) insurance premiums and payments in settlement of claims arising out of a public transit agency’s liability; and (5) federal and state mandates. Broadens the definition of “local funds” that could be used to supplement fare revenues when calculating the farebox recovery ratio for purposes of TDA to include any non-federal or non-state grant funds or other revenues generated by, earned by or distributed to a public transit agency. Clarifies that TDA Article 3 funds may be used for both bicycle and pedestrian safety education programs. Beginning July 1, 2016, rather than making a public transit agency ineligible to receive State Transit Assistance Program (STA) funding for operations for an entire year for failing to meet the required efficiency standard, instead reduces the agency’s operating allocation by a specified percentage based on the percentage amount that the agency failed to meet the standard, and requires these funds to be used for capital purposes. | 8/20/15 | Governor’s Office | Support |
| **SB 513**  
(Beall)  
Carl Moyer Program | Makes a number of changes to the Carl Moyer Memorial Air Quality Standards Attainment Program. Authorizes any local air quality management and air pollution control district, regardless of its state attainment designation, to levy a motor vehicle registration fee of up to $6 pursuant to the Carl Moyer Program. Authorizes the revenues from this fee to be used for the attainment or maintenance of state or federal ambient air quality standards, the reduction of toxic air contaminant emissions from motor vehicles, and alternative fuel and electric infrastructure projects. Increases the amount of fee revenues that an air district can use for administrative costs. Requires the California Air Resources Board (CARB) to establish cost–effectiveness values for projects funded under the Carl Moyer Program, taking into consideration the following factors: (1) the cost of emission control technologies; and (2) the cost–effectiveness values for NOx, particulate matter or reactive organic gases for any adopted rule or control measure in any air district’s approved state implementation plan, or rule adopted by CARB. Specifies that funds from federal, state and local programs or other public sources to be used for a project shall not be factored into the cost–effectiveness value calculation for that project. Specifies that project grants shall not be made to projects that exceed the cost–effectiveness values. Allows CARB to adjust the values of the maximum grant award criteria to improve the ability of the Carl Moyer Program to achieve its goals. Authorizes CARB to reserve up to 10 percent of program funds available each year to directly fund any project that is a covered source, as defined. Specifies that any Carl Moyer Program funds not liquidated by an air district by June 30 of the fourth calendar year following the date that CARB reserved the money for that district shall be returned to CARB within 90 days for future allocation. Requires CARB to revise the project grant criteria and guidelines pursuant to the changes proposed in this bill by July 1, 2017. | 8/31/15 | Governor’s Office |
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<td><strong>SB 516</strong> (Fuller) Service Authority for Freeway Emergencies</td>
<td>Clarifies that a Service Authority for Freeway Emergencies (SAFE) shall determine how any funding it receives will be used for implementing, maintaining and operating a motorist aid system. Allows a SAFE to expend its funds for any of the following: (1) call boxes; (2) changeable message signs; (3) lighting for call boxes; (4) support for traffic operations centers; (5) contracting with tow truck operators to remove disabled vehicles from the traveled portion of a freeway right-of-way; (6) traveler information systems, intelligent transportation system architecture and infrastructure, and other transportation demand management services; and (7) safety-related hazard and obstruction removal. Requires a SAFE to submit any plan to remove call boxes from state highway routes within its jurisdiction to Caltrans and the California Highway Patrol (CHP) for review and approval.</td>
<td>8/24/15</td>
<td>Governor’s Office</td>
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<td><strong>SB 530</strong> (Pan) Pedicabs</td>
<td>Expands the definition of “pedicabs” to include a four-wheeled device that: (1) is primarily or exclusively pedal-powered; (2) has a seating capacity for eight or more passengers; (3) cannot travel in excess of 15 miles per hour (mph); and (4) is being used for transporting passengers for hire. For pedicabs meeting this definition, requires the operator to: (1) be at least 21 years of age, with a valid California driver’s license; and (2) be able to establish financial responsibility at all times in a minimum amount of $1 million general liability insurance coverage and $500,000 general umbrella insurance that covers the pedicab. In addition, requires the pedicab to: (1) have a seating capacity for not more than 15 passengers; (2) be authorized by local ordinance or resolution to operate within the applicable local jurisdiction; and (3) be equipped with seat belts for all passengers, seat backs, brakes, reflectors, headlights, and grab rails. Prohibits a pedicab from operating on any freeway, and on any highway with a posted speed limit in excess of 30 mph, except to cross the highway at an intersection. Requires the operator of pedicab to report annually to the California Highway Patrol (CHP) regarding any accidents caused or experienced by the pedicab. Prohibits a pedicab from loading or unloading passengers on roadways or in the middle of highways. Requires pedicabs to be operated as close as practicable to the right-hand curb or edge of the roadway, except when necessary to overtake another vehicle, to avoid a stationary object, or when preparing to make a left turn. If alcoholic beverages are consumed on board the pedicab, requires all of the following: (1) the on-board consumption of alcoholic beverages to be authorized by a local ordinance or resolution; (2) the presence of an on-board safety monitor who is 21 years of age or older; (3) both the operator and the safety monitor to have completed either the Licensee Education on Alcohol and Drugs (LEAD) Program implemented by the Department of Alcoholic Beverage Control, or a training course utilizing the curriculum components recommended by the Responsible Beverage Service Advisory Board; (4) all passengers to be 21 years of age or older; (5) the alcoholic beverages to be supplied only by the passengers of the pedicab in enclosed, sealed and unopened containers prior to their consumption on board the pedicab; and (6) the alcoholic beverages to be consumed by a passenger only while he or she is physically on board and within the pedicab.</td>
<td>9/3/15</td>
<td>Governor’s Office</td>
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<td><strong>SB 564</strong> (Cannella) Traffic Violations: School Zones</td>
<td>Adds $35 to the base fine for certain traffic violations that occur: (1) when passing a school building or grounds contiguous to a highway; or (2) when passing any school grounds not separated from the highway by a fence, gate or other physical barrier while in use by children. Requires the revenues from these additional fines to be deposited in the State Transportation Fund for school zone safety projects in the Active Transportation Program.</td>
<td>As Introduced</td>
<td>Assembly Transportation Committee</td>
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<td><strong>SB 578</strong>&lt;br&gt;(Block)&lt;br&gt;Income and Corporate Tax Credit for Electric Vehicle Charging Stations</td>
<td>For taxable years beginning on or after January 1, 2016, allows a tax credit in an amount equal to 30 percent of the cost of purchasing Level 2 or direct current fast charger electric vehicle charging stations to be used in the trade or business of the taxpayer. Provides that this tax credit may not exceed $30,000 per taxable year.</td>
<td>4/13/15</td>
<td>Senate Appropriations Committee</td>
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<td><strong>SB 599</strong>&lt;br&gt;(Mendoza)&lt;br&gt;State Agencies: Public Transit Service Contracts</td>
<td>Requires a state agency to give a 10 percent preference to any bidder on a contract to provide public transit services who agrees to retain employees of the prior contractor or subcontractor for a period of not less than 90 days.</td>
<td>As Introduced</td>
<td>Governor’s Office</td>
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<td><strong>SB 627</strong>&lt;br&gt;(Galgiani)&lt;br&gt;Commuting Miles Tax Credit</td>
<td>For taxable years beginning on or after January 1, 2015, allows a tax credit in an amount computed by multiplying an unspecified dollar figure by the total number of a taxpayer’s commuting miles.</td>
<td>As Introduced</td>
<td>Senate Governance &amp; Finance Committee</td>
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<td><strong>SB 698</strong>&lt;br&gt;(Cannella)&lt;br&gt;Cap-and-Trade: School Zone Safety Projects</td>
<td>Requires an unspecified amount of cap-and-trade auction proceeds from the Greenhouse Gas Reduction Fund to be continuously appropriated to the State Highway Account for purposes of funding school zone safety projects under the state’s Active Transportation Program.</td>
<td>As Introduced</td>
<td>Senate Environmental Quality Committee</td>
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<td><strong>SB 705</strong>&lt;br&gt;(Hill)&lt;br&gt;Transactions and Use Taxes: Monterey and San Mateo Counties</td>
<td>Authorizes San Mateo County to impose a transactions and use tax for the support of countywide transportation programs at a rate of no more than 0.5 percent that would exceed the 2-percent maximum combined rate for all local option transactions and use taxes that could be imposed in the county. Authorizes the Transportation Agency for Monterey County (TAMC) to impose a transactions and use tax for the support of countywide transportation programs at a rate of no more than 0.375 percent that would exceed the 2-percent maximum combined rate for all local option transactions and use taxes that could be imposed in the county. In the case of both San Mateo County and TAMC, the provisions of this bill would be repealed as of January 2, 2026, if the ordinance proposing the tax is not approved by the voters of their respective counties.</td>
<td>9/3/15</td>
<td>Governor’s Office</td>
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<td><strong>SB 706</strong>&lt;br&gt;(Pavley)&lt;br&gt;Cap-and-Trade: Alternative Fuels</td>
<td>Allows cap-and-trade auction proceeds deposited into the Greenhouse Gas Reduction Fund to be used to encourage the in-state production of alternative fuels with low-carbon intensity from new and existing facilities using sustainable feedstocks.</td>
<td>4/6/15</td>
<td>Senate Appropriations Committee</td>
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<td><strong>SB 719</strong>&lt;br&gt;(E. Hernandez)&lt;br&gt;Caltrans: Motor Vehicle Technologies Testing</td>
<td>Authorizes Caltrans, in coordination with the California Highway Patrol (CHP), to conduct testing of technologies that enable drivers to safely operate motor vehicles with less than 100 feet between each vehicle or combination of vehicles. Requires Caltrans to report its findings from such testing to the Legislature by July 1, 2017.</td>
<td>4/21/15</td>
<td>Signed into Law: Chapter #163</td>
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| **SB 757**  
(Wieckowski)  
South Bay Area  
Public Transit Service | States the intent of the Legislature to enact a bill to do the following: (1) require the Alameda County Transportation Commission to explore the feasibility of a multimodal station in the city of Fremont at a location that can be served by both Bay Area Rapid Transit District (BART) and Altamont Commuter Express (ACE) trains; and (2) require the Santa Clara Valley Transportation Authority (VTA) to explore expansion of light rail service to Levi’s Stadium in the city of Santa Clara. | As Introduced | Senate Rules Committee |  |
| **SB 767**  
(de Leon)  
LA Metro: Local Transportation Sales Taxes | In addition to any other tax that it is authorized to impose or has imposed, allows the Los Angeles County Metropolitan Transportation Authority (LA Metro) to impose a transactions and use tax for a period to be determined by the authority that would be applicable in the incorporated and unincorporated areas of Los Angeles County. Specifies that the rate of the tax authorized by this bill, when combined with the rate of the tax authorized by voter approval of Measure R in 2008 during any period when Measure R is in effect, and upon the expiration of Measure R, shall not exceed 1 percent. Requires the ordinance imposing the tax to contain the following: (1) an expenditure plan that lists the transportation projects and programs to be funded from net revenues from the tax; (2) a provision limiting LA Metro’s costs of administering the ordinance and the net revenues from the tax to 1.5 percent of the total tax revenues; (3) a requirement that the net revenues from the tax, defined to mean the total tax revenues less any refunds, costs of administration by the state Board of Equalization and LA Metro’s administrative costs, be used to fund the transportation projects and programs identified in the expenditure plan; and (4) the rate of the tax. For each project and program included in the expenditure plan, requires all of the following: (1) the most recent cost estimate; (2) the identification of the accelerated cost, if applicable; (3) the approximate schedule during which LA Metro anticipates funds will be available; and (4) the expected completion date within a three-year range. Provides that the ordinance shall become operative if approved by a two-thirds vote of the electorate in Los Angeles County. Allows LA Metro to incur bonded indebtedness payable from the net revenues of the tax. | 7/16/15 | Governor’s Office |  |
| **SB 773**  
(Allen)  
Vehicle Registration Fraud Study | Requests the University of California to conduct a study on motor vehicle registration fraud and failure to register a motor vehicle. If conducted, requires the study to include all of the following: (1) quantification of the magnitude of the problem; (2) the strategies being used by motorists to commit motor vehicle registration fraud; (3) the reasons for the behaviors of motorists who commit motor vehicle registration fraud or who fail to register their motor vehicles; (4) the costs to the state and local governments in lost revenues; (5) increases in air pollution; (6) other costs and consequences of these behaviors; and (7) recommended strategies for increasing compliance with registration requirements. Requires the Department of Motor Vehicles (DMV) to enter into an agreement with the University of California to share its vehicle registration information with university researchers for purposes of conducting the study. Requests the University of California to post a report regarding the study on its Internet Web site by January 1, 2017. | 6/23/15 | Assembly Transportation Committee |  |
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<td>SCA 7 (Huff)</td>
<td>Motor Vehicle Fees and Taxes: Restrictions on Expenditures</td>
<td>Calls for placing before the voters an amendment to the California Constitution to prohibit the Legislature from borrowing revenues derived from fees and taxes imposed by the state on motor vehicles or their use or operations, and from using these revenues other than for state highways, local streets and roads, and fixed guideway mass transit as specified in Article 19 of the Constitution. Also prohibits these revenues from being pledged or used for the payment of principal and interest on bonds, or for other indebtedness. Requires the revenues derived from that portion of the vehicle license fee that exceeds 0.65 percent of the market value of a vehicle to be used for street and highway purposes. Prohibits the Legislature from borrowing these revenues and from using them other than as specifically permitted. Also prohibits these revenues from being pledged or used for the payment of principal and interest on bonds, or for other indebtedness.</td>
<td>5/28/15</td>
<td>Senate Transportation &amp; Housing Committee</td>
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<td>SBX1-1 (Beall)</td>
<td>Transportation Funding</td>
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</tbody>
</table>

Proposes to generate between $4 billion and $5 billion per year in new revenues for transportation purposes from the following sources: (1) an increase in the gasoline excise tax of 12 cents per gallon; (2) an increase in the diesel excise tax of 22 cents per gallon; (3) a registration surcharge of $35 per year imposed on all motor vehicles; (4) a registration surcharge of $100 per year imposed on zero-emission vehicles; and (5) a road access charge of $35 per year imposed on all motor vehicles to be collected by the Department of Motor Vehicles (DMV) as part of the annual vehicle registration process. Requires the repayment over the next three years of approximately $1 billion in outstanding loans owed by the General Fund to the State Highway Account, the Motor Vehicle Fuel Account, the Highway Users Tax Account (HUTA), and the Motor Vehicle Account. Beginning July 1, 2019, and every three years thereafter, indexes the gas tax and the diesel excise tax to inflation. Calls for 12 cents of the 22-cent increase in the diesel excise tax to be deposited into the Trade Corridors Improvement Fund and used for goods movement projects programmed by the California Transportation Commission (CTC). Requires the balance of the new revenues generated from the five tax and fee increases, as well as the one-time revenues from the General Fund loan repayments, to be deposited into a new Road Maintenance and Rehabilitation Account. Requires the revenues in the account to be used for the following purposes: (1) road maintenance and rehabilitation; (2) safety projects; (3) railroad grade separations; (4) active transportation and pedestrian/bicycle safety projects in conjunction with any other allowable project; or (5) wildlife crossings. Every year, requires 5 percent of the funds in the Road Maintenance and Rehabilitation Account to be set aside for allocation to counties that currently do not have a local transportation sales tax, but gain voter approval for one after July 1, 2015. Requires the CTC to develop guidelines to define the specific methodology that would be used to distribute these funds to eligible counties. Requires any of the 5-percent set-aside that is not allocated to counties in a given fiscal year to be split 50/50 between Caltrans and cities/counties. Allocates the remaining balance in the account after the 5-percent set-aside as follows: (1) 50 percent to Caltrans for state highway maintenance, State Highway Operation and Protection Program (SHOPP) projects, or other eligible purposes; and (2) 50 percent to cities and counties for their local roadway systems. In the latter case, equally divides the funds between cities and counties, with the cities’ portion being allocated by a formula based on population, and the counties’ share by a formula based on vehicle registrations and miles of maintained county roads. Requires cities and counties to use their formula shares for any of the following: (1) improvements to transportation facilities that will assist in reducing further deterioration of the existing roadway system; (2) to satisfy a local match requirement for federal or state funds for similar purposes; (3) an active transportation project that is done in conjunction with a roadway maintenance, repair or rehabilitation project; or (4) any other eligible project, as specified. Allows a city or county to spend its formula share for other priorities only if it has an average Pavement Condition Index that meets or exceeds 85. In order to remain eligible for an allocation from the Road Maintenance and Rehabilitation Account, requires cities and counties to maintain their historic commitment of local funds for street/road purposes by annually spending not less than the average of its expenditures from FY 2010, FY 2011 and FY 2012. Establishes a substantial oversight role for the CTC to ensure that the funds allocated from the Road Maintenance and Rehabilitation Account are used by Caltrans and cities/counties in manner that is consistent with performance criteria adopted by the commission related to highway/roadway performance, greenhouse gas emissions, social equity impacts, and public health impacts. Requires Caltrans, by April 1, 2016, to submit a plan to the CTC to increase its efficiency by up to 30 percent over the subsequent three years.
<table>
<thead>
<tr>
<th>State Senate Bills</th>
<th>Subject</th>
<th>Last Amended</th>
<th>Status</th>
<th>VTA Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>SBX1-2 (Huff)</td>
<td>Requires the Legislature to appropriate cap-and-trade auction proceeds generated from the transportation fuels sector for transportation infrastructure, including public streets and highways, but excluding high-speed rail.</td>
<td>As Introduced</td>
<td>Senate Transportation &amp; Infrastructure Development Committee</td>
<td></td>
</tr>
<tr>
<td>SBX1-3 (Vidak)</td>
<td>Specifies that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century (Proposition 1A), except as specifically provided with respect to an existing appropriation for early improvement projects related to the Phase I blended system. Upon appropriation by the Legislature, requires the unspent proceeds received from outstanding bonds issued and sold for high-speed rail purposes prior to the effective date of the provisions of this bill to be redirected to retiring the debt incurred from the issuance and sale of those outstanding bonds. Allows the remaining unissued bonds, as of the effective date of the provisions of this bill, that were authorized for high-speed rail purposes to be issued and sold. Upon appropriation by the Legislature, requires the net proceeds from the sale of these remaining unissued bonds to be made available as follows: (1) 50 percent to Caltrans to fund repair and new construction projects on state highways and freeways; and (2) 50 percent to Caltrans to create a program to fund repair and new construction projects on local streets and roads, with each county receiving a base amount of funding, and any additional funding being allocated based on a county’s population. Makes no changes to the authorization under Proposition 1A for the issuance of $950 million in bonds for rail purposes other than high-speed rail.</td>
<td>8/17/15</td>
<td>Senate Transportation &amp; Infrastructure Development Committee</td>
<td></td>
</tr>
<tr>
<td>SBX1-4 (Beall)</td>
<td>Declares the intent of the Legislature to enact statutory changes to establish permanent, sustainable sources of transportation funding to maintain and repair the state’s highways, local roads, bridges, and other critical transportation infrastructure.</td>
<td>9/4/15</td>
<td>Conference Committee</td>
<td></td>
</tr>
<tr>
<td>SBX1-5 (Beall)</td>
<td>Declares the intent of the Legislature to enact a bill to establish permanent, sustainable sources of transportation funding to improve the state’s key trade corridors, and support efforts by local governments to repair and improve local transportation infrastructure.</td>
<td>As Introduced</td>
<td>Assembly Desk</td>
<td></td>
</tr>
<tr>
<td>SBX1-6 (Runner)</td>
<td>Prohibits the use of cap-and-trade auction proceeds for the state’s high-speed rail project. Requires 65 percent of the cap-and-trade auction proceeds deposited into the Greenhouse Gas Reduction Fund to be distributed to the California Transportation Commission (CTC) for allocation to high-priority transportation projects, as determined by the commission. Requires the CTC to allocate these funds as follows: (1) 40 percent to state highway projects; (2) 40 percent to local street/road projects, equally divided between cities and counties; and (3) 20 percent to public transit projects.</td>
<td>As Introduced</td>
<td>Senate Transportation &amp; Infrastructure Development Committee</td>
<td></td>
</tr>
<tr>
<td>State Senate Bills</td>
<td>Subject</td>
<td>Last Amended</td>
<td>Status</td>
<td>VTA Position</td>
</tr>
<tr>
<td>-------------------</td>
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</tr>
<tr>
<td>SBX1-7 (Allen) Diesel Sales Tax</td>
<td>Increases the sales and use tax rate on diesel fuel by 3.5 percent. Dedicates the revenues derived from this increase to the State Transit Assistance Program (STA). Restricts the expenditure of these revenues to transit capital projects, or services to maintain or repair a public transit agency’s existing vehicle fleet or facilities, including the following: (1) rehabilitation or modernization of existing vehicles or facilities; (2) design, acquisition and construction of new vehicles or facilities that improve existing public transit services or that enable the implementation of future planned services; or (3) services that complement local efforts for repair and improvement of local transportation infrastructure.</td>
<td>9/3/15</td>
<td>Senate Appropriations Committee</td>
<td>Support</td>
</tr>
<tr>
<td>SBX1-8 (Hill) Cap-and-Trade: Public Transit Funding</td>
<td>Increases the amount of cap-and-trade auction proceeds continuously appropriated from the Greenhouse Gas Reduction Fund to the Low Carbon Transit Operations Program from 5 percent to 10 percent, and to the Transit and Intercity Rail Capital Program from 10 percent to 20 percent.</td>
<td>As Introduced</td>
<td>Senate Appropriations Committee</td>
<td>Support</td>
</tr>
<tr>
<td>SBX1-9 (Moorlach) Caltrans: Architectural and Engineering Services</td>
<td>Prohibits Caltrans from using any non-recurring funds, including loan repayments, bond funds or grant funds, to pay the salaries or benefits of any permanent civil service position within the department. Beginning on July 1, 2016, requires Caltrans to contract with qualified private entities for a minimum of 15 percent of the total annual value of architectural and engineering services with respect to public works projects undertaken by the department. Increases this percentage each year to a minimum of 50 percent by July 1, 2023.</td>
<td>As Introduced</td>
<td>Senate Transportation &amp; Infrastructure Development Committee</td>
<td></td>
</tr>
<tr>
<td>SBX1-10 (Bates) State Transportation Improvement Program</td>
<td>Revises the process for programming and allocating the 75-percent share of federal and state funds available for regional transportation improvement programs (RTIPs). Requires the California Transportation Commission (CTC) to compute the annual county share amounts for each county for programming and allocation under the RTIPs. Requires these funds, along with an appropriate amount of capital outlay support dollars, to be appropriated annually through the Budget Act. Upon the enactment of the Budget Act, requires Caltrans to apportion the RTIP county shares for each county as block grants to the applicable regional transportation planning agency (RTPA). Requires the RTPAs to identify the transportation capital improvement projects to be funded with these dollars in their RTIPs. Requires the CTC to incorporate the RTIPs into the State Transportation Improvement Program (STIP). Eliminates the role of the CTC in programming and allocating funding for RTIP projects, but retains certain oversight roles of the commission with respect to the expenditure of these dollars. Repeals provisions in current law governing the computation of county shares over multiple fiscal years.</td>
<td>As Introduced</td>
<td>Senate Transportation &amp; Infrastructure Development Committee</td>
<td></td>
</tr>
<tr>
<td>State Senate Bills</td>
<td>Subject</td>
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<td>Status</td>
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<td>-------------------</td>
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</tr>
<tr>
<td><strong>SBX1-11</strong>&lt;br&gt;(Berryhill)&lt;br&gt;CEQA: Exemption for Certain Transportation Projects</td>
<td>Exempts from the California Environmental Quality Act (CEQA) a project that consists of the inspection, maintenance, repair, restoration, reconditioning, relocation, replacement, or removal of existing transportation infrastructure, including highways, roadways, bridges, tunnels, public transit systems, and paths and sidewalks serving either bicycles or pedestrians, if the project meets all of the following conditions: (1) the project is located within an existing right-of-way; (2) any area surrounding the right-of-way that is altered as a result of construction activities that are necessary for the completion of the project will be restored to its condition before the project; and (3) the project applicant agrees to comply with all conditions otherwise authorized by law or imposed by a city or county as part of any local agency permit process that are required to mitigate potential impacts of the project. Prohibits a court in a judicial action or proceeding under CEQA from staying or enjoining a transportation infrastructure project that is included in a regional sustainable communities strategy (SCS) or alternative planning strategy unless the court finds either of the following: (1) the project presents an imminent threat to the public health and safety; or (2) the project site contains unforeseen important Native American artifacts, or unforeseen important historical, archaeological or ecological values that would be materially, permanently and adversely affected by the project unless the court stays or enjoins the project.</td>
<td>9/4/15</td>
<td>Senate Transportation &amp; Infrastructure Development Committee</td>
<td></td>
</tr>
<tr>
<td><strong>SBX1-12</strong>&lt;br&gt;(Runner)&lt;br&gt;California Transportation Commission</td>
<td>Excludes the California Transportation Commission (CTC) from the California State Transportation Agency (CalSTA) and, instead, establishes the commission as a separate entity in state government to act in an independent oversight role. Requires Caltrans to submit its proposed program of projects for the State Highway Operation and Protection Program (SHOPP) to the CTC for review by January 31 of each even-numbered year. Requires Caltrans to program capital outlay support resources for each project included in the SHOPP. Requires Caltrans to provide the CTC with detailed information for all programmed SHOPP projects, including cost, scope and schedule. Specifies that the CTC is not required to approve the SHOPP in its entirety, as submitted by Caltrans, and may approve or reject individual SHOPP projects programmed by the department. Requires Caltrans to submit to the CTC for approval any changes in a programmed SHOPP project’s cost, scope or schedule.</td>
<td>8/20/15</td>
<td>Senate Appropriations Committee</td>
<td></td>
</tr>
<tr>
<td>State Senate Bills</td>
<td>Subject</td>
<td>Last Amended</td>
<td>Status</td>
<td>VTA Position</td>
</tr>
<tr>
<td>-------------------</td>
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</tr>
<tr>
<td>SBX1-13 (Vidak) Office of the Transportation Inspector General</td>
<td>Creates the Office of the Transportation Inspector as an independent state government entity to ensure that Caltrans; the California High-Speed Rail Authority; and all other state agencies expending state transportation funds are operating efficiently, effectively, and in compliance with applicable federal and state laws. Requires the Governor to appoint a transportation inspector general, subject to confirmation by the Senate, to a six-year term. Provides that the transportation inspector general cannot be removed from office during that term, except for good cause. Requires the transportation inspector general to review policies, practices and procedures, and to conduct audits and investigations of activities involving state transportation funds in consultation with all affected state agencies. Specifically, requires the transportation inspector general to do all of the following: (1) examine the operating practices of Caltrans, the High-Speed Rail Authority and all other state agencies expending state transportation funds to identify fraud and waste, opportunities for efficiencies, and opportunities to improve the data used to determine appropriate project resource allocations; (2) identify best practices in the delivery of transportation projects, and develop policies or recommend proposed legislation enabling state agencies to adopt these practices when practicable; (3) provide objective analysis of, and when possible, offer solutions to, concerns raised by the public or generated within agencies involving the state’s transportation infrastructure and project delivery methods; (4) conduct, supervise and coordinate audits and investigations relating to the programs and operations of all state transportation agencies with state-funded transportation projects; and (5) recommend policies promoting economy and efficiency in the administration of programs and operations of all state transportation agencies with state-funded transportation projects. Prohibits the Office of the Transportation Inspector General from conducting any audit or investigation that would be redundant to or concurrent with any audit or investigation of the same matter.</td>
<td>9/3/15</td>
<td>Senate Appropriations Committee</td>
<td></td>
</tr>
<tr>
<td>SBX1-14 (Cannella) Public-Private Partnerships</td>
<td>Extends existing statutory authority for Caltrans and regional transportation agencies, including the Santa Clara Valley Transportation Authority (VTA), to utilize public-private partnerships for transportation infrastructure projects indefinitely.</td>
<td>As Introduced</td>
<td>Senate Transportation &amp; Infrastructure Development Committee</td>
<td>Support</td>
</tr>
<tr>
<td>SCAX1-1 (Huff) Motor Vehicle Fees and Taxes: Restrictions on Expenditures</td>
<td>Calls for placing before the voters an amendment to the California Constitution to prohibit the Legislature from borrowing revenues derived from fees and taxes imposed by the state on motor vehicles or their use or operations, and from using these revenues other than for state highways, local streets and roads, and fixed guideway mass transit as specified in Article 19 of the Constitution. Also prohibits these revenues from being pledged or used for the payment of principal and interest on bonds, or for other indebtedness. Requires the revenues derived from that portion of the vehicle license fee that exceeds 0.65 percent of the market value of a vehicle to be used for street and highway purposes. Prohibits the Legislature from borrowing these revenues and from using them other than as specifically permitted. Also prohibits these revenues from being pledged or used for the payment of principal and interest on bonds, or for other indebtedness.</td>
<td>As Introduced</td>
<td>Senate Appropriations Committee</td>
<td></td>
</tr>
</tbody>
</table>
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Chief Financial Officer, Raj Srinath

SUBJECT: Monthly Investment Report for August 2015

FOR INFORMATION ONLY

BACKGROUND:

The investment activities of the Santa Clara Valley Transportation Authority are in compliance with the Investment of Non-Trust Held Funds Investment Policy, the VTA Retirees’ Other Post Employment Benefits Trust Investment Policy and the ATU, Local 265 Pension Investment Policy.

DISCUSSION:

Economic Watch

Real gross domestic product (GDP) increased 3.9% in the second quarter of 2015 at a seasonally adjusted annual rate, according to the “third” estimate released by the Bureau of Economic Analysis.

Headline consumer prices, as measured by the consumer price index (CPI), increased 0.20% year over year as of August 2015 on a seasonally adjusted basis. Core CPI, which excludes volatile food and energy prices increased at a rate of 1.80% year over year as of August 2015 on a seasonally adjusted basis. The Federal Reserve continues to target an inflation rate of 2.0%.

The unemployment rate in the San Jose-Sunnyvale-Santa Clara MSA was 4.1% in August 2015, down from a revised 4.3% in July 2015, and below the year-ago estimate of 5.4%. This compares with an unadjusted unemployment rate of 6.1% for California and 5.2% for the nation during the same period.
Market Watch

The S&P 500 Index returned -6.03% in August 2015. Large cap stocks returned -6.02% and small cap stocks returned -6.28%. Within the large cap space, growth stocks underperformed value stocks, returning -6.07% and -5.96% respectively. The top-performing sectors were utilities, energy and materials /processing. The worst-performing sectors were consumer discretionary, financial services and healthcare.

The Barclays Aggregate index returned -0.14% in August 2015. The treasury sector returned 0.04%, and the government related sector returned -0.38% for the month. The investment grade corporate bond sector returned -0.59% for the month.

VTA Enterprise Funds

VTA Enterprise Funds are invested in portfolios managed by Payden & Rygel and in the LAIF investment account or an interest bearing checking account. Investment performance for the Payden & Rygel managed accounts is included in the table below.

The Payden & Rygel composite portfolio matched its policy benchmark at -0.01% in the current month, but outperformed its policy benchmark by 0.09% calendar year-to-date. The current yield for the Payden long-term portfolio is 1.39%, the mid-term portfolio is 0.94%, and the short-term portfolio is 0.56%.

The current yield for funds invested in LAIF is 0.33% and VTA’s checking accounts is 0.02%.

Market performance for each Payden & Rygel account is summarized in the following table:

<table>
<thead>
<tr>
<th>Asset Class</th>
<th>Fund Manager</th>
<th>Aug 3 Mo</th>
<th>Y-T-D</th>
<th>1 Yr</th>
<th>3 Yr</th>
<th>5 Yr</th>
<th>10 Yr</th>
<th>I-T-D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Long-Term Fixed Income</td>
<td>Payden &amp; Rygel</td>
<td>0.02%</td>
<td>-0.05%</td>
<td>1.22%</td>
<td>1.68%</td>
<td>0.93%</td>
<td>1.89%</td>
<td>3.68%</td>
</tr>
<tr>
<td>Barclays Cap US Govt. Intermediate Index</td>
<td></td>
<td>0.06%</td>
<td>0.07%</td>
<td>1.28%</td>
<td>1.88%</td>
<td>0.84%</td>
<td>1.78%</td>
<td>3.68%</td>
</tr>
<tr>
<td>Mid-Term Fixed Income 1</td>
<td>Payden &amp; Rygel</td>
<td>-0.02%</td>
<td>0.03%</td>
<td>0.74%</td>
<td>0.83%</td>
<td>0.72%</td>
<td>0.92%</td>
<td>-</td>
</tr>
<tr>
<td>Merrill Lynch 1 to 3 Year Treasury Index</td>
<td></td>
<td>-0.04%</td>
<td>0.04%</td>
<td>0.68%</td>
<td>0.80%</td>
<td>0.57%</td>
<td>0.73%</td>
<td>-</td>
</tr>
<tr>
<td>Short-Term Fixed Income 2</td>
<td>Payden &amp; Rygel</td>
<td>-0.01%</td>
<td>0.01%</td>
<td>0.31%</td>
<td>0.32%</td>
<td>0.36%</td>
<td>0.44%</td>
<td>1.83%</td>
</tr>
<tr>
<td>iMoney.net Money Market Index</td>
<td></td>
<td>0.00%</td>
<td>0.00%</td>
<td>0.00%</td>
<td>0.00%</td>
<td>0.02%</td>
<td>0.03%</td>
<td>1.41%</td>
</tr>
</tbody>
</table>

1 Implemented February 11, 2009    2 Implemented February 14, 2003
VTA Retirees’ Other Post Employment Benefits (OPEB) Trust

The VTA Retirees’ OPEB Trust Investment Policy requires the following asset allocation:

<table>
<thead>
<tr>
<th>Asset Allocation</th>
<th>Range</th>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic Fixed Income</td>
<td>35-70%</td>
<td>48%</td>
<td>40%</td>
</tr>
<tr>
<td>Domestic Large Cap Index</td>
<td>25-60%</td>
<td>50%</td>
<td>61%</td>
</tr>
<tr>
<td>Cash</td>
<td>0-5%</td>
<td>2%</td>
<td>-1%</td>
</tr>
</tbody>
</table>

The Retirees’ OPEB composite portfolio underperformed its policy benchmark by 0.79% in the current month, and by 0.45% calendar year-to-date. The current yield for the fixed income portfolio is 4.10%.

Market performance for each money manager is summarized in the following table:

<table>
<thead>
<tr>
<th>Asset Class</th>
<th>Fund Manager</th>
<th>Aug</th>
<th>3 Mo</th>
<th>Y-T-D</th>
<th>1 Yr</th>
<th>3 Yr</th>
<th>5 Yr</th>
<th>10 Yr</th>
<th>I-T-D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fixed Income</td>
<td>Dodge &amp; Cox</td>
<td>-0.60%</td>
<td>-1.09%</td>
<td>0.00%</td>
<td>0.59%</td>
<td>2.52%</td>
<td>3.76%</td>
<td>5.24%</td>
<td>6.05%</td>
</tr>
<tr>
<td>Barclays Cap US Aggregate Bond Index</td>
<td>-0.14%</td>
<td>-0.54%</td>
<td>0.45%</td>
<td>1.55%</td>
<td>1.53%</td>
<td>2.99%</td>
<td>4.46%</td>
<td>5.48%</td>
<td>5.89</td>
</tr>
<tr>
<td>Large Cap Index</td>
<td>State Street</td>
<td>-6.01%</td>
<td>-5.89%</td>
<td>-2.88%</td>
<td>0.50%</td>
<td>14.27%</td>
<td>15.82%</td>
<td>7.17%</td>
<td>4.14%</td>
</tr>
<tr>
<td>S&amp;P 500 Index</td>
<td></td>
<td>-6.03%</td>
<td>-5.92%</td>
<td>-2.87%</td>
<td>0.50%</td>
<td>14.32%</td>
<td>15.87%</td>
<td>7.15%</td>
<td>4.01%</td>
</tr>
<tr>
<td>Composite Portfolio Returns</td>
<td></td>
<td>-3.88%</td>
<td>-3.97%</td>
<td>-1.53%</td>
<td>0.82%</td>
<td>9.73%</td>
<td>11.17%</td>
<td>7.09%</td>
<td>6.32%</td>
</tr>
<tr>
<td>Policy Benchmark Returns</td>
<td></td>
<td>-3.09%</td>
<td>-3.22%</td>
<td>-1.08%</td>
<td>1.17%</td>
<td>7.88%</td>
<td>9.47%</td>
<td>6.10%</td>
<td>5.12%</td>
</tr>
</tbody>
</table>

DODGE & COX - The Fixed Income portfolio manager underperformed its benchmark in August 2015 by 0.46%, and by 0.45% calendar year-to-date. The main contributors to relative performance were the portfolio’s shorter relative duration and nominal yield advantage; the primary detractor to relative performance was an overweight to corporate bonds.

A 7.00% rate of return assumption is used in the annual actuarial analysis for the Retirees’ OPEB. The results of the actuarial analysis determine VTA’s annual contribution rates. Any difference between actual investment returns and the 7.00% assumed annual return is recognized in the same year. The annual returns for the Retirees’ OPEB portfolio have been equivalent to or exceeded the 7.00% assumed rate of return in 8 out of 14 years.

Historic Portfolio Performance for the last six calendar years:

<table>
<thead>
<tr>
<th>Year</th>
<th>Performance</th>
<th>Year</th>
<th>Performance</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>22.2%</td>
<td>2012</td>
<td>12.4%</td>
</tr>
<tr>
<td>2010</td>
<td>12.5%</td>
<td>2013</td>
<td>18.9%</td>
</tr>
<tr>
<td>2011</td>
<td>4.0%</td>
<td>2014</td>
<td>10.8%</td>
</tr>
</tbody>
</table>
SCVTA-ATU, Local 265 Pension Plan Assets

It is the policy of the SCVTA-ATU Board of Pensions to have a well-managed investment program that provides for the financial needs of the pension plan and allows the investments to be appropriately diversified and prudently invested to protect the safety of the principal while maintaining a reasonable return. Assets are invested within the following investment guidelines:

<table>
<thead>
<tr>
<th>Asset Allocation</th>
<th>Range</th>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic Fixed Income</td>
<td>28-38%</td>
<td>33%</td>
<td>33%</td>
</tr>
<tr>
<td>Domestic Large-Cap Value</td>
<td>12-22%</td>
<td>17%</td>
<td>16%</td>
</tr>
<tr>
<td>Domestic Large-Cap Index</td>
<td>8-18%</td>
<td>13%</td>
<td>12%</td>
</tr>
<tr>
<td>Domestic Small-Cap Value</td>
<td>2-12%</td>
<td>7%</td>
<td>7%</td>
</tr>
<tr>
<td>Int’l Equity Developed Markets</td>
<td>9-19%</td>
<td>14%</td>
<td>13%</td>
</tr>
<tr>
<td>Int’l Equity Emerging Markets</td>
<td>2-10%</td>
<td>5%</td>
<td>4%</td>
</tr>
<tr>
<td>US Core Real Estate</td>
<td>5-15%</td>
<td>10%</td>
<td>11%</td>
</tr>
<tr>
<td>Cash</td>
<td>0-5%</td>
<td>1%</td>
<td>4%</td>
</tr>
</tbody>
</table>

The SCVTA-ATU Pension Plan composite portfolio underperformed its policy benchmark in August 2015 by 0.12%, but outperformed its policy benchmark by 0.84% calendar year-to-date. The current yield of the Dodge & Cox Fixed Income portfolio is 4.30%.

Market performance for each money manager is summarized in the following table:
### Investment Performance as of August 2015

<table>
<thead>
<tr>
<th>Asset Class</th>
<th>Fund Manager</th>
<th>Aug 3 Mo</th>
<th>Y-T-D</th>
<th>1 Yr</th>
<th>3 Yr</th>
<th>5 Yr</th>
<th>10 Yr</th>
<th>I-T-D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fixed Income</td>
<td>Dodge &amp; Cox</td>
<td>-0.69%</td>
<td>-1.28%</td>
<td>0.08%</td>
<td>0.71%</td>
<td>2.54%</td>
<td>3.75%</td>
<td>5.27%</td>
</tr>
<tr>
<td>Barclays Cap US Aggregate Bond Index</td>
<td>-0.14%</td>
<td>-0.54%</td>
<td>0.45%</td>
<td>1.55%</td>
<td>1.53%</td>
<td>2.99%</td>
<td>4.46%</td>
<td>5.04%</td>
</tr>
<tr>
<td>Large-Cap Value Stocks</td>
<td>Boston Partners</td>
<td>-5.63%</td>
<td>-6.85%</td>
<td>-4.37%</td>
<td>-1.18%</td>
<td>15.22%</td>
<td>16.58%</td>
<td>8.59%</td>
</tr>
<tr>
<td>Russell 1000 Value Index</td>
<td></td>
<td>-5.96%</td>
<td>-7.44%</td>
<td>-6.14%</td>
<td>-3.49%</td>
<td>13.92%</td>
<td>14.68%</td>
<td>6.18%</td>
</tr>
<tr>
<td>Large-Cap Index</td>
<td>State Street</td>
<td>-6.01%</td>
<td>-5.89%</td>
<td>-2.88%</td>
<td>0.50%</td>
<td>14.27%</td>
<td>15.82%</td>
<td>7.17%</td>
</tr>
<tr>
<td>S&amp;P 500 Index</td>
<td></td>
<td>-6.03%</td>
<td>-5.92%</td>
<td>-2.87%</td>
<td>0.50%</td>
<td>14.32%</td>
<td>15.87%</td>
<td>7.15%</td>
</tr>
<tr>
<td>Small-Cap Value Stocks</td>
<td>Wedge 4</td>
<td>-5.07%</td>
<td>-6.59%</td>
<td>-2.91%</td>
<td>-0.48%</td>
<td>15.76%</td>
<td>16.39%</td>
<td>6.00%</td>
</tr>
<tr>
<td>Russell 2000 Value Index</td>
<td></td>
<td>-4.91%</td>
<td>-7.41%</td>
<td>-6.83%</td>
<td>-4.95%</td>
<td>11.76%</td>
<td>13.23%</td>
<td>5.70%</td>
</tr>
<tr>
<td>Int’l Equity Dev. Markets Growth</td>
<td>MFS 5</td>
<td>-7.96%</td>
<td>-8.76%</td>
<td>-0.32%</td>
<td>-6.16%</td>
<td>6.41%</td>
<td>7.58%</td>
<td>-</td>
</tr>
<tr>
<td>MSCI AC World ex-US Growth Index</td>
<td>-7.51%</td>
<td>-9.69%</td>
<td>-2.26%</td>
<td>-8.68%</td>
<td>6.18%</td>
<td>5.63%</td>
<td>-</td>
<td>-0.68%</td>
</tr>
<tr>
<td>US Core Real Estate</td>
<td>UBS 6</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NCREIF NFI-ODCE</td>
<td></td>
<td>5.99%</td>
<td>12.68%</td>
<td>10.97%</td>
<td>12.20%</td>
<td>-</td>
<td>12.20%</td>
<td></td>
</tr>
<tr>
<td>MCSI World Emerging Market</td>
<td></td>
<td>-9.04%</td>
<td>-17.54%</td>
<td>-12.84%</td>
<td>-22.94%</td>
<td>-2.42%</td>
<td>-3.18%</td>
<td></td>
</tr>
<tr>
<td>Composite Portfolio Returns</td>
<td></td>
<td>-3.81%</td>
<td>-4.80%</td>
<td>-1.15%</td>
<td>-0.50%</td>
<td>8.87%</td>
<td>10.26%</td>
<td>7.50%</td>
</tr>
<tr>
<td>Policy Benchmark Returns</td>
<td></td>
<td>-3.69%</td>
<td>-4.89%</td>
<td>-1.99%</td>
<td>-1.50%</td>
<td>7.64%</td>
<td>8.69%</td>
<td>5.60%</td>
</tr>
</tbody>
</table>

4 Funded April 1, 2009. Prior manager was Brandywine with the same benchmark.
5 Funded December 14, 2007. Prior managers were Putnam and Fidelity with MSCI EAFE as their benchmark.
6 Initially funded July 1, 2010. UBS Realty Investors LLC with NCREIF NFI-ODCE as their benchmark. Performance report 45 days after quarter ended.
7 Initially funded December 1, 2010
8 Investment performances by prior managers are included in composite returns and historical policy benchmark returns.

DODGE & COX - The Fixed Income portfolio manager underperformed its benchmark in August 2015 by 0.55%, and by 0.37% calendar year-to-date. The main contributors to relative performance were the portfolio’s shorter relative duration and nominal yield advantage; the primary detractor to relative performance was an overweight to corporate bonds.

BOSTON PARTNERS - The Domestic Large Cap Value Equity manager outperformed its policy benchmark in August 2015 by 0.33%, and by 1.77% calendar year-to-date. Stock selection was the largest contributor relative performance. Over weights to the finance and healthcare sectors were negative contributors to relative performance.
WEDGE - The Domestic Small Cap Value Equity manager underperformed its policy benchmark in August 2015 by 0.16%, but outperformed its policy benchmark by 3.92% calendar year-to-date. Strong relative performance was driven by stock selection in the consumer discretionary and healthcare sectors.

MFS - The International Equity manager underperformed its policy benchmark in August 2015 by 0.45%, but outperformed its policy benchmark by 1.94% calendar year-to-date. Positive contributors to relative performance were stock selection in the financial services, technology and basic materials sectors. An underweight to the Utilities sector a negative contributor to relative performance for the month.

ROBECO - The Emerging Markets Equity manager underperformed its policy benchmark in August 2015 by 0.38%, and by 1.63% calendar year-to-date. Overweight positions in both China and India were detractors from relative performance. Stock selection made a modest contribution to relative performance.

A 7.50% rate of return assumption is used in the annual actuarial analysis for the ATU Pension Plan. The results of the actuarial analysis determine VTA’s annual contribution rates. The annual returns for the ATU Pension Plan portfolio have been equivalent to or exceeded the 7.50% assumed rate of return 7 out of 14 years.

Historic Portfolio Performance (calendar year) for the last six calendar years:

<table>
<thead>
<tr>
<th>Year</th>
<th>Performance</th>
<th>Year</th>
<th>Performance</th>
</tr>
</thead>
<tbody>
<tr>
<td>2009</td>
<td>25.7%</td>
<td>2012</td>
<td>14.5%</td>
</tr>
<tr>
<td>2010</td>
<td>14.0%</td>
<td>2013</td>
<td>16.5%</td>
</tr>
<tr>
<td>2011</td>
<td>1.7%</td>
<td>2014</td>
<td>7.2%</td>
</tr>
</tbody>
</table>
ATU Spousal Medical Trust Fund, Dental, and Vision Plan

Asset allocation for the ATU Spousal Medical Trust Fund (including funds for dental and vision plans) is provided for in the SCVTA-ATU Pension Plan Investment Policy.

<table>
<thead>
<tr>
<th>Asset Allocation</th>
<th>Range</th>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic Fixed Income</td>
<td>30-50%</td>
<td>38%</td>
<td>38%</td>
</tr>
<tr>
<td>Domestic Large Cap Index</td>
<td>50-70%</td>
<td>60%</td>
<td>60%</td>
</tr>
<tr>
<td>Cash</td>
<td>0-5%</td>
<td>2%</td>
<td>2%</td>
</tr>
</tbody>
</table>

The ATU Spousal Medical Trust Fund composite portfolio underperformed its policy benchmark in the current month by 0.34%, and by 0.33% calendar year-to-date. The current yield for the fixed income portfolio is 4.30%

Market performance for each money manager is summarized in the following table:

<table>
<thead>
<tr>
<th>Investment Performance as of August 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asset Class</td>
</tr>
<tr>
<td>-------------</td>
</tr>
<tr>
<td>Fixed Income</td>
</tr>
<tr>
<td>Barclays Cap US Aggregate Bond Index</td>
</tr>
<tr>
<td>Large-Cap Index</td>
</tr>
<tr>
<td>S&amp;P 500 Index</td>
</tr>
<tr>
<td>Composite Portfolio Returns</td>
</tr>
<tr>
<td>Policy Benchmark Returns</td>
</tr>
</tbody>
</table>

DODGE & COX - The Fixed Income portfolio manager underperformed its benchmark in August 2015 by 0.67%, and by 0.99% calendar year-to-date. The main contributors to relative performance were the portfolio’s shorter relative duration and nominal yield advantage; the primary detractor to relative performance was an overweight to corporate bonds.

Other Data

The valuation of VTA’s securities is provided by Interactive Data Corporation (IDC), Merrill Lynch Securities Pricing Service and Bloomberg Generic Pricing Service. These firms are the leading providers of global securities data. They offer the largest information databases with current and historical prices on securities traded in all major markets.

This report complies with VTA’s adopted investment policies. Based on budgeted revenues and expenditures as well as actual transfers to/from reserves, there are sufficient funds available to meet expenditure requirements for the six months ending February 29, 2016.

Prepared By: Sean Bill, Investment Program Manager
Memo No. 4863
VTA INVESTMENT COMPOSITE PORTFOLIO PERFORMANCE.

PER GENERAL LEDGER BALANCE - SETTLEMENT DATE

FOR THE MONTH OF AUGUST 2015

**SUMMARY: AUGUST 31, 2015**

<table>
<thead>
<tr>
<th>Description</th>
<th>Jul-15 Book Value /Cost</th>
<th>Aug-15 Book Value /Cost</th>
<th>Fiscal 16 Year-to-Date July 2015 Earnings - $</th>
<th>Fiscal 16 Aug 15 Realized Earnings - $</th>
<th>Change for the Month Realized Earnings - $</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>VTA FUNDS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 - Fixed Income - Long-Term Investment Pool</td>
<td>276,448,563</td>
<td>276,815,671</td>
<td>-267,626</td>
<td>41,067</td>
<td>308,693</td>
</tr>
<tr>
<td>2 - Fixed Income - Mid-Term Investment Pool</td>
<td>562,492,995</td>
<td>563,046,382</td>
<td>-102,210</td>
<td>298,503</td>
<td>400,713</td>
</tr>
<tr>
<td>3 - Fixed Income - Short-Term Investment Pool</td>
<td>231,160,582</td>
<td>231,295,159</td>
<td>-45,688</td>
<td>13,891</td>
<td>59,579</td>
</tr>
<tr>
<td>4 - Fixed Income - Collateral</td>
<td>1,688,788</td>
<td>1,688,811</td>
<td>22</td>
<td>38</td>
<td>16</td>
</tr>
<tr>
<td>5 - VTA Bond Funds with Fiscal Agent (2)</td>
<td>62,338,438</td>
<td>73,071,275</td>
<td>2,242</td>
<td>2,242</td>
<td>0</td>
</tr>
<tr>
<td>6 - Funds with LAIF Investment Pool</td>
<td>22,000,000</td>
<td>50,000,000</td>
<td>11,575</td>
<td>23,150</td>
<td>11,575</td>
</tr>
<tr>
<td>7 - Funds with Union Bank-Congestion Management</td>
<td>6,835,042</td>
<td>8,799,279</td>
<td>646</td>
<td>1,356</td>
<td>710</td>
</tr>
<tr>
<td>8 - Funds with Union Bank-Measure B</td>
<td>7,600,540</td>
<td>7,567,876</td>
<td>694</td>
<td>1,387</td>
<td>693</td>
</tr>
<tr>
<td>9 - Funds with Union Bank Pooled DDA account</td>
<td>24,031,674</td>
<td>35,657,497</td>
<td>0</td>
<td>97</td>
<td>97</td>
</tr>
<tr>
<td><strong>Total VTA Funds</strong></td>
<td>1,194,596,622</td>
<td>1,247,941,950</td>
<td>-400,345</td>
<td>381,731</td>
<td>782,076</td>
</tr>
<tr>
<td><strong>RETIREES' OPEB FUNDS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 - Retirees' OPEB -Fixed Income</td>
<td>102,661,385</td>
<td>102,830,491</td>
<td>398,362</td>
<td>722,701</td>
<td>324,339</td>
</tr>
<tr>
<td>2 - Retirees' OPEB -State Street - Index</td>
<td>94,302,619</td>
<td>94,302,619</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Retirees' OPEB Funds</strong></td>
<td>196,964,004</td>
<td>197,133,110</td>
<td>398,362</td>
<td>722,701</td>
<td>324,339</td>
</tr>
<tr>
<td><strong>ATU PENSION FUNDS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 - VTA/ATU Pension Fund -Fixed Income</td>
<td>156,243,246</td>
<td>156,352,970</td>
<td>675,541</td>
<td>1,169,080</td>
<td>493,539</td>
</tr>
<tr>
<td>2 - VTA/ATU Pension Fund -Stock Large Cap Value - BOSTON</td>
<td>67,439,994</td>
<td>67,667,054</td>
<td>923,248</td>
<td>1,388,718</td>
<td>465,470</td>
</tr>
<tr>
<td>3 - VTA/ATU Pension Fund -State Street - Index</td>
<td>31,782,135</td>
<td>31,782,135</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>4 - VTA/ATU Pension Fund -Stock Small Cap Value - WEDGE</td>
<td>24,450,596</td>
<td>24,769,853</td>
<td>507,799</td>
<td>833,420</td>
<td>325,621</td>
</tr>
<tr>
<td>5 - VTA/ATU Pension Fund -Int'l - Equity Growth - MFS</td>
<td>50,574,856</td>
<td>50,574,856</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>6 - VTA/ATU Pension Fund -Emerging Markets - ROBECO (3)</td>
<td>23,500,000</td>
<td>23,500,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>7 - VTA/ATU Pension Fund -US Core Real Estate - UBS (4)</td>
<td>35,000,000</td>
<td>35,000,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total ATU Pension Funds</strong></td>
<td>388,990,827</td>
<td>389,646,868</td>
<td>2,106,588</td>
<td>3,391,218</td>
<td>1,284,630</td>
</tr>
<tr>
<td><strong>ATU SPOUSAL MEDICAL PLAN FUNDS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 - ATU Spousal Med Fund -Dodge &amp; Cox - Index</td>
<td>5,927,234</td>
<td>5,927,234</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2 - ATU Spousal Med Fund -State Street - Index</td>
<td>7,607,187</td>
<td>7,607,187</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total ATU Spousal Plan Funds</strong></td>
<td>13,534,421</td>
<td>13,534,421</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Investments</strong></td>
<td>1,794,085,874</td>
<td>1,848,256,349</td>
<td>2,104,605</td>
<td>4,495,650</td>
<td>2,391,045</td>
</tr>
</tbody>
</table>

Legend:
(1) Total includes contributions / withdrawals made during current month.
(2) Bonds Reserves and/or Debt Service Funds
(3) Initial funding 12/1/2010
(4) Initial funding 7/1/2010
VTA INVESTMENT COMPOSITE PORTFOLIO PERFORMANCE.
PER GENERAL LEDGER BALANCE - SETTLEMENT DATE
FOR THE MONTH OF AUGUST 2015
### VTA INVESTMENT COMPOSITE PORTFOLIO PERFORMANCE

#### MONEY MANAGERS’ TOTAL MARKET RETURN - TRADE DATE

#### FOR THE MONTH OF AUGUST 2015

**SUMMARY: August 31, 2015**

<table>
<thead>
<tr>
<th>Description</th>
<th>Total Market Value Prior Month</th>
<th>Total Market Value Current Month</th>
<th>Aug Total Market Return $Unrealized Gain/Loss</th>
<th>Total Market Return %Unrealized Gain/Loss</th>
<th>VTA Calendar YTD</th>
<th>Benchmark Calendar YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 - Fixed Income Long-Term Investment Pool</td>
<td>277,517,421</td>
<td>277,573,118</td>
<td>55,697</td>
<td>0.02%</td>
<td>1.22%</td>
<td>1.28%</td>
</tr>
<tr>
<td>1 - Fixed Income Mid-Term Investment Pool</td>
<td>563,674,936</td>
<td>563,564,900</td>
<td>(10,036)</td>
<td>-0.02%</td>
<td>0.74%</td>
<td>0.68%</td>
</tr>
<tr>
<td>2 - Fixed Income Short-Term Investment Pool</td>
<td>231,330,070</td>
<td>231,294,112</td>
<td>(35,958)</td>
<td>-0.01%</td>
<td>0.31%</td>
<td>0.00%</td>
</tr>
<tr>
<td>3 - Fixed Income Collateral Investment Pool (3)</td>
<td>1,688,788</td>
<td>1,688,811</td>
<td>-2279</td>
<td>-0.01%</td>
<td>0.00%</td>
<td>0.00%</td>
</tr>
<tr>
<td>4 - VTA Bond Funds with Fiscal Agents (2)</td>
<td>62,338,438</td>
<td>73,071,275</td>
<td>10,732,837</td>
<td>16.8%</td>
<td>16.8%</td>
<td>16.8%</td>
</tr>
<tr>
<td>5 - Funds with LAIF Investment Pool</td>
<td>22,000,000</td>
<td>50,000,000</td>
<td>28,000,000</td>
<td>127.3%</td>
<td>127.3%</td>
<td>127.3%</td>
</tr>
<tr>
<td>6 - Funds with Union Bank-Congestion Management</td>
<td>6,835,042</td>
<td>8,799,279</td>
<td>1,964,237</td>
<td>28.9%</td>
<td>28.9%</td>
<td>28.9%</td>
</tr>
<tr>
<td>7 - Funds with Union Bank-Measure B</td>
<td>7,600,540</td>
<td>7,567,876</td>
<td>32,674</td>
<td>0.42%</td>
<td>0.42%</td>
<td>0.42%</td>
</tr>
<tr>
<td>8 - Funds with Union Bank DDA account</td>
<td>24,031,674</td>
<td>35,657,497</td>
<td>11,625,823</td>
<td>48.3%</td>
<td>48.3%</td>
<td>48.3%</td>
</tr>
<tr>
<td><strong>Total VTA Funds</strong></td>
<td>1,197,016,909</td>
<td>1,249,216,868</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Total Retirees’ OPEB Funds**

<table>
<thead>
<tr>
<th>Description</th>
<th>Total Market Value Prior Month</th>
<th>Total Market Value Current Month</th>
<th>Aug Total Market Return $Unrealized Gain/Loss</th>
<th>Total Market Return %Unrealized Gain/Loss</th>
<th>VTA Calendar YTD</th>
<th>Benchmark Calendar YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 - Retirees' OPEB - Fixed Income</td>
<td>106,000,318</td>
<td>105,362,169</td>
<td>(638,149)</td>
<td>-0.60%</td>
<td>0.00%</td>
<td>0.45%</td>
</tr>
<tr>
<td>2 - Retirees' OPEB - State Street - Index</td>
<td>172,646,398</td>
<td>162,270,453</td>
<td>(10,375,945)</td>
<td>-6.01%</td>
<td>-2.88%</td>
<td>-2.87%</td>
</tr>
<tr>
<td><strong>Total Retirees’ OPEB Funds</strong></td>
<td>278,646,716</td>
<td>267,632,622</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Total Pension Fund**

<table>
<thead>
<tr>
<th>Description</th>
<th>Total Market Value Prior Month</th>
<th>Total Market Value Current Month</th>
<th>Aug Total Market Return $Unrealized Gain/Loss</th>
<th>Total Market Return %Unrealized Gain/Loss</th>
<th>VTA Calendar YTD</th>
<th>Benchmark Calendar YTD</th>
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<tbody>
<tr>
<td>1 - VTA/ATU Pension Fund-Fixed Income</td>
<td>160,989,087</td>
<td>159,858,635</td>
<td>(1,130,452)</td>
<td>-0.69%</td>
<td>0.08%</td>
<td>0.45%</td>
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<tr>
<td>2 - VTA/ATU Pension Fund-Stock Large Cap Value</td>
<td>84,078,747</td>
<td>79,342,033</td>
<td>(4,736,714)</td>
<td>-5.63%</td>
<td>-4.37%</td>
<td>-6.14%</td>
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<tr>
<td>3 - VTA/ATU Pension Fund-State Street - Index</td>
<td>64,636,197</td>
<td>60,751,600</td>
<td>(3,884,597)</td>
<td>-6.01%</td>
<td>-2.88%</td>
<td>-2.87%</td>
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<tr>
<td>4 - VTA/ATU Pension Fund-Stock Small Cap Value</td>
<td>33,748,712</td>
<td>32,036,007</td>
<td>(1,712,705)</td>
<td>-5.07%</td>
<td>-2.91%</td>
<td>-6.83%</td>
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<tr>
<td>5 - VTA/ATU Pension Fund-Intl - Equity Growth</td>
<td>71,618,065</td>
<td>65,917,530</td>
<td>(5,700,535)</td>
<td>-7.96%</td>
<td>-0.32%</td>
<td>-2.26%</td>
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<td>6 - VTA/ATU Pension Fund- Emerging Markets (4)</td>
<td>21,837,781</td>
<td>19,794,124</td>
<td>(2,043,657)</td>
<td>-9.42%</td>
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<td>7 - VTA/ATU Pension Fund- US Core Real Estate (5)</td>
<td>53,537,936</td>
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<tr>
<td><strong>Total Pension Fund</strong></td>
<td>490,446,525</td>
<td>471,237,866</td>
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**Total ATU Spousal Funds**

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<tr>
<th>Description</th>
<th>Total Market Value Prior Month</th>
<th>Total Market Value Current Month</th>
<th>Aug Total Market Return $Unrealized Gain/Loss</th>
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<th>Benchmark Calendar YTD</th>
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</thead>
<tbody>
<tr>
<td>1 - ATU Spousal Med Fund - Dodge &amp; Cox - Index</td>
<td>8,335,030</td>
<td>8,267,812</td>
<td>(67,218)</td>
<td>-0.81%</td>
<td>-0.44%</td>
<td>0.45%</td>
</tr>
<tr>
<td>2 - ATU Spousal Med Fund-State Street - Index</td>
<td>14,101,803</td>
<td>13,254,293</td>
<td>(847,510)</td>
<td>-6.01%</td>
<td>-2.88%</td>
<td>-2.87%</td>
</tr>
<tr>
<td><strong>Total ATU Spousal Funds</strong></td>
<td>22,436,833</td>
<td>21,522,105</td>
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**Total Investments**

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</table>

**Legend:**

1. Total includes contributions / withdrawals made during current month.
2. Bonds Reserves for Debt Service Funds and Measure A Project Funds. During August 2015 no cash was drawn from 2010 project fund for Measure A Projects.
4. Initial funded December 1, 2010 - Performance reported quarterly.
5. Initial funded July 1, 2010 - Performance reported quarterly.
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Director of Engr. & Trans. Infrastructure Dev., Carolyn M. Gonot


FOR INFORMATION ONLY

BACKGROUND:

Please find attached the Semi-Annual Report for the Measure A Program for the period of January 1 to June 30, 2015. Highlights for this reporting period include the following:

a. BART Extension Line Track Station and Systems (Fremont/Milpitas/San Jose)
   The Berryessa Aerial Structure was substantially completed and the contractor completed the north and south approaches. At Milpitas Station, the concourse deck was completed and structural steel/decking were installed.

b. BART Extension Parking Garages (Milpitas and San Jose)
   VTA awarded a contract for the design and construction of parking garages at the Milpitas and Berryessa BART Stations to McCarthy Building Companies, Inc.

c. BART Extension Campus (Milpitas and San Jose)
   The Milpitas Campus surface parking lot construction contract (C740) was awarded on February 5, 2015, and work is underway. The Berryessa Station Campus and Roadways construction contract was advertised for bids on March 26, 2015. The contract was awarded in August 2015, with work planned to begin in September 2015.

d. Mission and Warren Bridges (Fremont)
   On the Mission Boulevard/Warren Avenue/Union Pacific Railroad Relocation Project, Mission Boulevard was fully opened to traffic in spring 2015. Warren Avenue was opened to traffic in August 2014.

e. Mountain View Double Tracking (Mountain View)
   VTA awarded the Mountain View Double Tracking Phase I contract to Shimmick Construction Inc. Phase II was awarded to B&C Transit Inc. in January 2015.
Construction is in progress under both contracts and all major construction is expected to be completed by December 2015.

f. **Eastridge Transit Center (San Jose)**
   Construction of the Eastridge Transit Center, Bus Operators Facility and Park and Ride was completed and opened to public in May 2015.

g. **Caltrain Pedestrian Underpass (Santa Clara)**
   VTA established a final configuration based on stakeholder input and plans. Cooperative agreements are expected to be executed by August 2015 and construction contract advertised for bids in February 2016.

h. **Santa Clara - Alum Rock BRT (San Jose)**
   Construction contract for the Santa Clara Bus Rapid Transit project was awarded in November 2013. Field work started in March 2014. Construction has been suspended after a safety shutdown was issued to the Contractor for a gas line hit. Project team is working with contractor(s), VTA legal and the community in developing a contracting strategy to complete the unfinished work.

i. **El Camino BRT (Palo Alto, Mountain View, Sunnyvale, Santa Clara, San Jose)**
   The environmental document for the El-Camino BRT was released for public comment in October 2014. The comment period closed in January 2015. VTA has engaged an independent third party review team to ensure that the quality of the transportation analysis in the Draft Environmental Impact Report (DEIR)/Environmental Assessment (EA) is adequate to select a Locally Preferred Alternative.

**ADVISORY COMMITTEE DISCUSSION/RECOMMENDATION:**

The Citizens Watchdog Committee received the 2000 Measure A Semi-Annual Report as part of its October 7, 2015 Regular Agenda. Staff provided a more detailed overview of the current conditions in the Santa Clara-Alum Rock construction strategy.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Transit Planning & Operations Committee received the 2000 Measure A Semi-Annual Report as part of its October 14, 2015 Regular Agenda. Staff provided a brief presentation of recent construction highlights. Committee members requested that staff follow up and provide the planned time savings anticipated from the Mountain View light rail efficiency project. Committee members also expressed the importance of providing a transit solution to connect passengers from the planned Santa Clara Caltrain station pedestrian undercrossing to the San Jose airport. Finally, in relation to the bus rapid transit projects and connection to future BART extension to Berryessa, staff agreed to provide an update on the Rapid 523 Project at a future Committee meeting.

Prepared By: Suja Prasad, Sr. Cost & Schedule Coordinator
Memo No. 4748
Semi-Annual Report
June 2015
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<td>2. BRT - Santa Clara / Alum Rock</td>
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<td>3. BRT - El Camino Real</td>
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<td>1-10</td>
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<tr>
<td>C</td>
<td>1.3 Funds Outgoing From Measure A</td>
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<tr>
<td>C</td>
<td>1.4 Funds Incoming To Measure A</td>
<td>C-1</td>
</tr>
</tbody>
</table>
SECTION 1.0

EXECUTIVE SUMMARY AND PROJECT COSTS
SECTION 1.0

EXECUTIVE SUMMARY AND PROJECT COSTS

A. EXECUTIVE SUMMARY

The Semi-Annual Report is a periodic update of the 2000 Measure A Transit Improvement Program prepared by VTA staff and provided to the 2000 Measure A Citizens Watchdog Committee and the VTA Board of Directors. The report is based on the Program’s budgeted, forecast, and incurred costs as of June 30, 2015. Additionally, key activities that occurred in the six months leading up to that date are described.

This report covers the six-month period from January 1, 2015 to June 30, 2015:

Silicon Valley Rapid Transit
- On the Mission Boulevard/Warren Avenue/Union Pacific Railroad Relocation Project, Mission Boulevard was fully opened to traffic in spring 2015. Warren Avenue was opened to traffic in August 2014.
- The Berryessa Aerial Structure was substantially completed and the contractor completed the north and south approaches.
- At Milpitas Station, the concourse deck was completed and structural steel/decking were installed.
- Work on shoring and excavation for Hostetter trench, south of the Sierra/Lundy intersection, was completed.
- The Milpitas Campus surface parking lot construction contract (C740) was awarded on February 5, 2015, and work is underway.
- The Berryessa Station Campus and Roadways construction contract (C742) was advertised for bids on March 26, 2015. Seven bids were received on June 10. The contract was awarded in August 2015, with work planned to begin in September 2015.
- A section of Floating Slab Track (FST) was completed near Calaveras Boulevard with full production placement of the FST prefab panels, and a 50-foot Tire Derived Aggregate (TDA) test strip was also placed north of the Calaveras Boulevard FST.
- VTA conducted a series of public outreach meetings during the reporting period, in support of the SVRT Phase 2 environmental review process.
Light Rail Program

- Construction for the **Phase I of the Light Rail to Eastridge Transit Center** which involves pedestrian and bus improvements along Capitol Expressway was completed in spring 2013. The new Eastridge loop road and pump station was completed and opened to traffic in July 2014. Construction of the Eastridge Transit Center, Bus Operators Facility and Park and Ride was completed and opened to public in May 2015.

- **Tasman Drive Pocket Track** construction work started in February 2014 and all major construction was completed in March 2015. Contract closeout is currently in progress.

- In August 2014, VTA Board authorized award of the **Mountain View Double Tracking Phase I** contract to Shimmick Construction Inc., in the amount of $16.7 million. Construction started in September with the relocation of Caltrain tracks to facilitate installation of the second light rail track. **Phase II** was advertised for bids in September 2014 and was awarded to B&C Transit Inc. in January 2015. All major construction work under both contracts are expected to be completed by December 2015.

Commuter Rail Program

- Preliminary design for approximately 15 crossings along the UPRR for at-grade crossings, for improvements to pedestrian gates, sidewalks, signing and striping, warning bands, advanced signal preemption and channelization for pedestrians is currently under review by stakeholders. Design was on hold pending review and funding. With the approval of additional budget in June 2015, final design is planned to restart to complete the bid package and advertise in early 2016.

- For the Santa Clara Station Pedestrian Underpass Extension, VTA established a final configuration based on stakeholder input. VTA Board approved amendment of the design contract to complete final design and incorporate stakeholder comments in June 2015. Construction contract will be advertised for bids early 2016 for construction to start summer 2016.

Bus Program

- Construction Contract for the Santa Clara Bus Rapid Transit project was awarded in November 2013. Field work started in March 2014. Sanitary sewer relocation on the north side of Alum Rock Ave. is complete. Street widening and pavement reconstruction along the north side of Alum Rock has been significantly completed. Traffic has been shifted to the north side of the roadway to allow construction on the south side to commence. There are significant delays in construction and project team is working with the contractor to mitigate safety issues and resolve issues impacting the progress of work.

- The environmental document for the El-Camino BRT was released for public comment in October 2014. The comment period closed in January 2015. VTA has engaged an independent third party review team to ensure that the quality of the transportation analysis in the Draft Environmental Impact Report (DEIR)/Environmental Assessment (EA) is adequate to select a Locally Preferred Alternative.
In the same manner VTA was committed to and completed all projects in the 1996 Measure B Program, VTA is committed to completing all the projects in the 2000 Measure A Program. During FY2015, VTA will advance projects to a ready state and advocate for outside fund sources and matched funds to advance projects including potential public-private partnerships.

This report shows a snapshot of the 2000 Measure A Program at the time of writing. However, it is important to understand that the timing and prioritization of projects in the program remains fluid.
B. PROJECT APPROPRIATIONS

Figure 1.1, on page 1-8, shows the prior and current appropriations for each project/category in the 2000 Measure A Program. Changes in appropriations during the report period are discussed below.

2000 Measure A Programwide

Programwide costs are incurred when activities are performed that provide either an indirect benefit to multiple projects or provide benefit to the overall 2000 Measure A Program. There are five programwide cost components to the 2000 Measure A Program:

- Capitalized Interest and Bond Costs
- Non-Capitalized Interest and Bond Costs
- Programwide Expenses
- VTA Operating Assistance
- Miscellaneous Operating Expenses

Interest and Bond Costs

Interest and Bond Costs represent interest and other bond charges (net of interest earned on bond proceeds) related to 2000 Measure A Sales Tax Revenue Bonds. Other bond charges include periodic fees related to variable rate bonds, including liquidity, remarketing, trustee and rating fees.

Capitalized interest/bond charges need to be associated with the assets that were funded by the bond proceeds. In accordance with Financial Accounting Standards Board (FASB) 62, capitalized interest related to restricted assets should be net of the interest income earned by the reinvested bond proceeds. Costs are allocated directly to specific projects based on the prorata share of bond proceeds used to fund expenditures on a quarterly basis. These costs will continue to be allocated directly to project expenditures until the bonds are repaid in full or until such projects are completed, whichever comes first.

Non-Capitalized interest/bond charges represent the bond costs allocated to projects that have been completed as well as the costs associated with Taxable Build America Bonds proceeds that have not yet been drawn down.

Bonds were initially issued beginning in 2003, prior to the start of the 2000 Measure A Sales Tax, in order to advance the SVRT, Commuter Rail, and Light Rail programs prior to sales tax revenue collections. Currently there are approximately $933.2 million in 2000 Measure A Sales Tax Revenue Bonds outstanding.
Programwide Expenses

Programwide expenses include preparation of progress and cost reports and other general project related tasks that are not attributable to individual projects. On a quarterly basis, the programwide expenses are allocated to individual projects based on the incremental costs of the projects during the quarter. The allocation is necessary to associate the costs to the individual projects that were benefited by the incurrence of the programwide costs.

VTA Operating Assistance

18.46% of the Measure A Sales Tax revenue is used in support of VTA operations. Through June 30, 2015, a cumulative total of $280.3 million has been expended for this purpose.

Miscellaneous Operating Expenses

Miscellaneous Operating Expenses represent expenditures related to the ongoing costs of administering the overall Measure A program. These expenses include financial forecasting, investment consultants, annual financial audit preparation, election fees, publication of annual financial audits and public hearings conducted by the 2000 Measure A Citizen’s Watchdog Committee, and other general tasks.

Changes in Appropriations

1. Programwide Costs (including VTA Operating Assistance)

   The appropriation increased by $133.6 million to a new value of $827.2 million due to the following:

   a. $5.7 million of Capitalized Interest and Bond costs were allocated to various ongoing projects, as described below and appropriation increased by $95.1 million with the adoption of the FY16 budget.

   b. $1.6 million was transferred to VTA Operating Assistance, $0.1 million was transferred to Miscellaneous Operating Expenses, $12.5 million of the Operating Budget expired, and appropriation increased $14.7 million with the adoption of the FY16 budget.

   c. $0.5 million of Measure A Programwide costs were allocated to various projects as described below and appropriation increased $2.2 million with the adoption of the FY16 budget.

   d. $1.6 million was transferred from Non-Capitalized Interest and Bond Costs and appropriation increased $38.3 million with the adoption of the FY16 budget.

   e. $0.1 million was transferred from Non-Capitalized Interest and Bond Costs, $25.9 million of the Operating Budget expired and appropriation increased $27.8 million with the adoption of the FY16 budget.
2. **Silicon Valley Rapid Transit and Freight Rail Relocation**
   The project appropriation increased by $241.9 million to a new total of $3.270 billion due to the following:
   a. The Berryessa Extension project increased by $169.8 million with the adoption of the FY16/17 budget.
   b. BART Core System Modifications increased by $16.8 million with the adoption of the FY16/17 budget.
   c. SVRT Project Development increased by $50.4 million with the adoption of the FY16/17 budget.
   d. The project appropriation increased by $4.9 million due to the allocation of Bond Interest to the SVRT project.

3. **Light Rail Program**
   The appropriation increased by $11.5 million to a new value of $489.8 million due to the following:
   a. CELR to Eastridge projects increased $0.6 million due to program-wide cost and bond interest allocated to the projects.
   b. Light Rail Efficiency projects increased by $1.9 million primarily due to authorization of $1.8 million to the Santa Clara Pocket Track project and due to program-wide cost and bond interest allocated to the projects.
   c. Two new projects light rail improvements were adopted as part of the FY16/17 budget. This includes the North First St. Speed Improvements and First/ Tasman Modification project for $ 7.0 million and Winchester Light Rail Line Double Tracking and Platform Extension project for $2.0 million.

4. **Commuter Rail Program**
   The appropriation increased by $7.0 million to a new value of $169.1 million due to the following:
   a. Caltrain Safety Enhancements increased by $4.5 million with the adoption of the FY16/17 budget.
   b. Santa Clara Station Pedestrian Underpass Extension increased by $2.3 million due to increase in the project estimate as design progressed.
   c. Appropriation increased by $0.3 million due to allocation of program-wide cost and bond interest to the various active projects.
5. **Bus Program**

   The appropriation increased by $74.8 million to a new value of $291.6 million due to the following:

   a. Santa Clara Alum Rock BRT increased by $12.2 million with the adoption of the FY16/17 budget and allocation of program-wide cost and bond interest.

   b. El Camino Real BRT increased by $26.7 million with the adoption of the FY16/17 budget and allocation of program-wide cost and bond interest.

   c. Steven Creek BRT/523 Rapid increased by $1.6 million with the adoption of the FY16/17 budget and allocation of program-wide cost and bond interest. New project De Anza College Transit Center Improvements with an appropriation of $10 million was adopted as part of the FY 16/17 budget. BART Transit Integration Analysis & Implementation increased by $0.6 million with the adoption of the FY16/17 budget and allocation of program-wide cost and bond interest.

   d. BRT Modifications to Chaboya and North Yard increased by $10.6 million with the adoption of the FY16/17 budget and allocation of program-wide cost and bond interest. Procurement of 40 BRT Articulated Buses increased by $17.2 million with the adoption of the FY16/17 budget and allocation of program-wide cost and bond interest. Money Counting Facility Replacement decreased by $4.0 million as the project was cancelled and closed out with the elimination of the TVMs from the BRT program resulting in reassessment of facility needs.

6. **Mineta San Jose Airport People Mover**

   The project appropriation remained unchanged at $4.0 million during the period.

7. **Fund Exchange Payments**

   The project appropriation remained unchanged at $122.5 million during the period.
## Figure 1.1

### Measure A Appropriations

<table>
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<tr>
<th>Project/Category</th>
<th>a Previous Appropriation Through FY15 Dec-14</th>
<th>b Current Appropriation Through FY15 Jun-15</th>
<th>c=(b - a) Changes This Period</th>
<th>d Text Reference</th>
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<td>Capitalized Interest and Bond Costs</td>
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<td>Non-Capitalized Interest and Bond Costs</td>
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<td><strong>SVRT (incl. FRR and Warm Springs Ext.)</strong></td>
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<td></td>
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<tr>
<td>$3,027.9</td>
<td>$3,269.9</td>
<td>$241.9</td>
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<td><strong>Light Rail Program</strong></td>
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<tr>
<td>CELR to Eastridge</td>
<td>$172.3</td>
<td>$172.9</td>
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<tr>
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<td>Extension to Vasona Junction</td>
<td>$12.9</td>
<td>$12.9</td>
<td>$0.0</td>
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<tr>
<td>Low Floor Light Rail Vehicles</td>
<td>$200.6</td>
<td>$200.6</td>
<td>$0.0</td>
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<tr>
<td>Light Rail Improvement</td>
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<tr>
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<td>ACE Upgrades</td>
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<td>$0.0</td>
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<td><strong>Total</strong></td>
<td>$162.2</td>
<td>$169.1</td>
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<td><strong>Bus Program</strong></td>
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<td>BRT - Santa Clara/Alum Rock</td>
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<td>$127.3</td>
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<td>BRT - El Camino Real</td>
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<td>Stevens Creek Rapid</td>
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<tr>
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<td>$50.9</td>
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<td>Hwy 17 Bus Service Improvements</td>
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<td>$0.0</td>
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</tr>
<tr>
<td>ZEB Demonstration and Improvements</td>
<td>$19.5</td>
<td>$19.5</td>
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<tr>
<td><strong>Total</strong></td>
<td>$216.8</td>
<td>$291.6</td>
<td>$74.8</td>
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<tr>
<td><strong>San Jose Mineta Airport People Mover</strong></td>
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<tr>
<td>$4.0</td>
<td>$4.0</td>
<td>$0.0</td>
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<tr>
<td><strong>Fund Exchange Payments</strong></td>
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<tr>
<td>$122.5</td>
<td>$122.5</td>
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<td><strong>GRAND TOTAL</strong></td>
<td>$4,705.3</td>
<td>$5,174.2</td>
<td>$468.8</td>
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</table>

1 Repayment obligation for both principal and interest.

2 $10.0 million in appropriation for Caltrain Santa Clara Station improvements that benefit the ACE Upgrades project is included in the Caltrain Service Upgrades project.

---

1

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8.16.a
C. INCURRED COSTS

Figure 1.2 below shows incurred costs for Measure A at the beginning and end of the period as well as the percent of the appropriation (through FY17) incurred as of June 30, 2015.

**Figure 1.2**

Measure A Incurred Costs

<table>
<thead>
<tr>
<th>Project/Category</th>
<th>a Incurred Costs Through Dec-14</th>
<th>b Incurred Costs Through Jun-15*</th>
<th>c=(b-a) Incurred Costs This Period</th>
<th>d Percent of Appropriation Incurred Through Dec-14</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2000 Measure A Programwide</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capitalized Interest and Bond Costs</td>
<td>$54.5</td>
<td>$66.6</td>
<td>$12.1</td>
<td>38.2%</td>
</tr>
<tr>
<td>Non-Capitalized Interest and Bond Costs</td>
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<td>$279.6</td>
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<td>95.0%</td>
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<tr>
<td>Programwide Expenses</td>
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<td>$0.0</td>
<td>$0.0</td>
<td>0.0%</td>
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<tr>
<td>VTA Operating Assistance</td>
<td>$262.1</td>
<td>$280.3</td>
<td>$18.2</td>
<td>88.0%</td>
</tr>
<tr>
<td>Misc. Operating Expenses</td>
<td>$7.2</td>
<td>$7.5</td>
<td>$0.3</td>
<td>21.2%</td>
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<tr>
<td><strong>Total</strong></td>
<td>$593.9</td>
<td>$634.0</td>
<td>$40.1</td>
<td>76.6%</td>
</tr>
<tr>
<td><strong>SVRT (incl. FRR and Warm Springs Ext.)</strong></td>
<td>$1,864.9</td>
<td>$2,101.6</td>
<td>$236.7</td>
<td>64.3%</td>
</tr>
<tr>
<td><strong>Light Rail Program</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CELR to Eastridge</td>
<td>$129.5</td>
<td>$136.0</td>
<td>$6.5</td>
<td>78.7%</td>
</tr>
<tr>
<td>Light Rail Efficiency</td>
<td>$36.4</td>
<td>$60.7</td>
<td>$24.4</td>
<td>64.3%</td>
</tr>
<tr>
<td>Extension to Vasona Junction</td>
<td>$0.9</td>
<td>$0.9</td>
<td>$0.0</td>
<td>7.0%</td>
</tr>
<tr>
<td>Low Floor Light Rail Vehicles</td>
<td>$200.6</td>
<td>$200.6</td>
<td>$0.0</td>
<td>100.0%</td>
</tr>
<tr>
<td>Light Rail Improvement</td>
<td>$0.0</td>
<td>$0.0</td>
<td>$0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$367.4</td>
<td>$398.2</td>
<td>$30.9</td>
<td>81.3%</td>
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<tr>
<td><strong>Commuter Rail Program</strong></td>
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<td></td>
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</tr>
<tr>
<td>Caltrain Service Upgrades</td>
<td>$57.1</td>
<td>$57.4</td>
<td>$0.3</td>
<td>65.7%</td>
</tr>
<tr>
<td>Caltrain South County</td>
<td>$17.6</td>
<td>$17.6</td>
<td>$0.0</td>
<td>100.0%</td>
</tr>
<tr>
<td>Caltrain Electrification</td>
<td>$5.5</td>
<td>$11.9</td>
<td>$6.4</td>
<td>19.4%</td>
</tr>
<tr>
<td>Dumbarton Rail Corridor</td>
<td>$2.3</td>
<td>$2.3</td>
<td>$0.0</td>
<td>100.0%</td>
</tr>
<tr>
<td>Palo Alto Intermodal Transit Center</td>
<td>$0.2</td>
<td>$0.2</td>
<td>$0.0</td>
<td>50.0%</td>
</tr>
<tr>
<td>ACE Upgrades</td>
<td>$0.0</td>
<td>$0.0</td>
<td>$0.0</td>
<td>X</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$82.7</td>
<td>$89.4</td>
<td>$6.7</td>
<td>52.9%</td>
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<tr>
<td><strong>Bus Program</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BRT - Santa Clara/Ahum Rock</td>
<td>$45.5</td>
<td>$62.2</td>
<td>$16.7</td>
<td>48.9%</td>
</tr>
<tr>
<td>BRT - El Camino Real</td>
<td>$9.1</td>
<td>$9.8</td>
<td>$0.7</td>
<td>21.2%</td>
</tr>
<tr>
<td>Stevens Creek Rapid</td>
<td>$3.0</td>
<td>$3.3</td>
<td>$0.3</td>
<td>15.3%</td>
</tr>
<tr>
<td>Other BRT (incl Bus Procurement)</td>
<td>$23.6</td>
<td>$35.6</td>
<td>$12.0</td>
<td>47.7%</td>
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<tr>
<td>Hwy 17 Bus Service Improvements</td>
<td>$2.5</td>
<td>$2.5</td>
<td>$0.0</td>
<td>100.0%</td>
</tr>
<tr>
<td>ZEB Demonstration and Improvements</td>
<td>$19.4</td>
<td>$19.4</td>
<td>$0.0</td>
<td>99.5%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$103.1</td>
<td>$132.9</td>
<td>$29.7</td>
<td>45.6%</td>
</tr>
<tr>
<td><strong>San Jose Mineta Airport People Mover</strong></td>
<td>$2.0</td>
<td>$2.0</td>
<td>$0.0</td>
<td>50.0%</td>
</tr>
<tr>
<td><strong>Fund Exchange Payments</strong></td>
<td>$91.0</td>
<td>$94.5</td>
<td>$3.5</td>
<td>77.1%</td>
</tr>
</tbody>
</table>

**GRAND TOTAL** | $3,105.1 | $3,452.6 | $347.6 | 66.7%

*Repayment obligation for both principal and interest.

*June 30, 2015 incurred costs are unaudited and are subject to change.
D. MEASURE A FUND EXCHANGE

State law guarantees Santa Clara County a formula share of the State Transportation Improvement Program (STIP) over a six-year period. State law and regional policy make the VTA Board of Directors responsible for determining which eligible transportation projects will receive those funds.

The VTA Board of Directors, at its June 7, 2007, and December 13, 2007 meetings approved the exchange of STIP grant funds for Measure A funds and programmed STIP funds to Measure A projects in exchange for an equivalent amount of 2000 Measure A Sales Tax funds. The exchange of funds creates the Local Program Reserve (LPR) which allows the Board of Directors to use those funds to program to other transportation projects. The Board approved the fund exchange because it:

- **Accelerates Project Delivery and Reduces Administrative Costs** - STIP funds come with substantial state requirements that impact schedule and cost of project delivery. The exchange of funds allows the Board to free the projects from costly administrative burdens.

- **Enables the VTA Board to Manage Valley Transportation Plan (VTP) Expenditures** - By exchanging STIP funds, the VTA Board eliminates the need for Metropolitan Transportation Commission (MTC) and the California Transportation Commission (CTC) to approve all STIP programming decisions after they are approved by the VTA Board. Further, it eliminates the CTC’s approval of all subsequent STIP fund allocations for all STIP funded projects.

A portion of the exchange funds will be used to pay interest to the Measure A Program for fund advances. The initial amount is paid back when the CTC allocates STIP funds to the Measure A projects and VTA draws the cash from the State. The interest will be calculated, and paid from the LPR account when (1) all STIP funds are drawn by the project and (2) all associated LPR funds are actually paid to projects. Interest will be calculated at that time as well, based on VTA’s rates of return on its pooled investment accounts at the time the advances occurred.

Of note, the first three projects in the "Local Program Reserve Projects" table (Appendix C) qualified for CMIA funds only because we were able to use exchange funds to advance these projects. These CMIA projects are under construction.

These and other VTP Highway projects that utilize Measure A exchange funds are the subject of the VTP Highway Semi-Annual Report that goes as an information item to the VTA Board in September and January of each year.
E. FUNDING

Funding is a key issue for many of the 2000 Measure A projects. As a consequence, in this report we refer to several terms associated with a project’s funding level. These terms, arranged in order of increasing certainty of funding availability, are as follows:

1. **Estimated Cost** – An estimate of the total cost of a project given the currently known scope and configuration of the project. In the case of projects where there is little or no scope definition, “TBD” (To be Determined) is shown. As the project is better defined, estimated cost figures will be included for these projects. In the individual project information sheets, we have included the “Estimate Class” in order to give an idea of the level of uncertainty associated with the estimated cost. A more detailed discussion of this topic is included in Appendix A.

2. **Appropriation Through FY17** - The most recent Adopted Budget includes appropriations, based on an estimate of expenditures during FY16 and FY17, for various 2000 Measure A projects. Since these projects can run beyond FY17, the appropriation amount is only a time-constrained slice of total estimated expenditures.

3. **Secured Funding** – Funding that has been committed by funding agencies and is now available to VTA for project expenditures. In many cases, secured funding is at a lower level than the appropriation in the Adopted Budget. For these projects, it is anticipated that additional funding may be secured during the FY16/FY17 period. It is important to note that, regardless of the level of appropriation, actual expenditures will not exceed secured funding at any time.
SECTION 2

PROJECT SUMMARY REPORTS
MEASURE A PROJECT SUMMARY REPORTS

A. SILICON VALLEY RAPID TRANSIT
   1. VTA’s BART Silicon Valley Berryessa Extension (SVBX)
   2. SVRT Corridor Establishment and Maintenance
   3. VTA’s BART Silicon Valley Project Development

B. LIGHT RAIL PROGRAM
   1. Capitol Expressway Light Rail to Eastridge
   2. Light Rail Efficiency Projects
   3. Extension to Vasona Junction
   4. Light Rail Improvement Projects

C. COMMUTER RAIL PROGRAM
   1. Caltrain Service Upgrades
   2. Caltrain Electrification
   3. Dumbarton Rail Corridor

D. BUS PROGRAM
   1. BRT - Bus Rapid Transit
   2. BRT - Santa Clara / Alum Rock
   3. BRT - El Camino Real
   4. Stevens Creek Rapid 523

E. SAN JOSE MINETA AIRPORT PEOPLE MOVER

F. CLOSED/INACTIVE PROJECTS
   1. Palo Alto Intermodal Transit Center
   2. ACE Upgrades
   3. Low Floor Light Rail Vehicles
   4. ZEB Demonstration and Facility Improvements
   5. Highway 17 Bus Service Improvements Caltrain South County
VTA’s BART Silicon Valley Berryessa Extension (SVBX)

**Estimated Cost:**
- SVBX New Starts (FFGA) $2.33 billion
- SVBX Other (CNPA) $0.09 billion
- BART Core System Mods $0.27 billion
- **TOTAL** $2.69 billion*

*Estimate Class 1 (see appendix)

**Appropriation Through FY17:**
$2.32 billion

**Secured Funding:**
$2.32 billion

**Year of Completion:** 2018

**Project Manager:** Dennis Ratcliffe

**Designers:**
HNTB, HMM/Bechtel, Wong/PB, AECOM, Kimley-Horn

**Contractors:**
Skanska-Shimmick-Herzog JV (C700 LTSS)
Con-Quest Contractors Inc (C610 Piper Dr)
GE Chen and G&G Specialty (C75x RNIP)
McCarthy Building Companies, Inc. (C730)
Ghilotti Construction Company (C740)

**Project Description:**
The first phase of VTA’s 16.1-mile Silicon Valley Rapid Transit (SVRT) extension of BART, the Berryessa Extension (SVBX) is an approximately 10-mile extension of BART service.

SVBX extends from the planned Warm Springs Station in the City of Fremont, proceeds on the former Union Pacific Railroad (UPRR) right-of-way, and ends near Las Plumas Avenue in the City of San Jose.

The SVBX Project includes one station in retained-cut (Milpitas Station) and one above-grade station (Berryessa Station).

In addition to the scope described above, the SVBX Project includes facility additions to the existing Hayward Yard (located approximately 14 miles north of Santa Clara County) to provide fleet management operations for the 60 new revenue vehicles that BART is procuring for VTA to run on SVBX.

**Project Schedule:**

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<tr>
<td>Testing and Commissioning</td>
<td>Mid 17</td>
<td>Mid 18</td>
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</tr>
</tbody>
</table>

*P-0728, P-0800, P-0801, P-0861
Project Status:

Project Development

On March 12, 2012, the Santa Clara Valley Transportation Authority received a $900 million grant commitment from the FTA for the SVBX Project. On December 6, 2012, the California Transportation Commission (CTC) allocated $50 million in State Transportation Improvement Program (STIP) funding to help expand and improve BART’s Hayward Maintenance Complex to accommodate the operation of the Berryessa Extension. In August 2014, VTA received the $39 million final allocation of Traffic Congestion Relief Program (TCRP) funding for SVBX construction.

Right-of-Way

All major municipal and utility master agreements required for SVBX have been executed. Remaining third-party agreements are forecast to be in place to support SVBX implementation.

Approximately 97 property acquisitions, which include full and partial takes, are required from both private and public property owners for the FFGA-funded SVBX Project. To date, VTA staff has completed 67 appraisals. FTA has reviewed and concurred with appraisals for 14 high value properties. VTA is in possession of 63 properties. Efforts continue on the relocation of commercial business.

Line, Track, Stations and Systems (LTSS)

Skanska-Shimmick-Herzog (SSH) has substantially completed the Ready for Construction (RFC) drawings for the project. During this report period, SSH also accomplished the following:

- Continued sub-ballast and track installation north of Kato Road and began work on pulling 34.5kV cable.
- Attained substantial completion of the Berryessa Aerial Structure, and completed the north and south approaches.
- Completed the concourse deck and erected the structural steel and decking at the Milpitas Station.
- Completed underground utility construction at Berryessa Station.
- In Fremont and Milpitas, site underground work continued and block wall construction was completed at the traction power substations (TPSS) at Warren Avenue, Kato Road, and Railroad Court. Subgrade and duct banks at Montague Expressway were completed.
- In San Jose, site work and underground utility installation continued at the Hostetter Road TPSS and Train Control House, the Berryessa Station TPSS, and the Las Plumas High Voltage Sub-station.

To date, SSH has reported no lost work day cases.

Campus and Parking Garages

The Campus, Roadways and Parking Structure (CR&PS) design and construction contract dates have been coordinated to integrate with the Line, Track, Stations & Systems (LTSS) construction schedule. The Berryessa Station Campus and Roadways construction contract (C742) was advertised on March 26, 2015. Seven bids were received on June 10, 2015, with contract award planned for August 2015.

The Milpitas Campus surface parking lot construction contract (C740) was awarded on February 5, 2015 to Ghilotti Construction Company, Inc. Construction is underway with underground utility installation and curb and gutter construction.

The design build contractor, McCarthy Builders, continued with the design of the parking structures at Milpitas Station (C730). Berryessa site construction began in June 2015.
Project Status, continued:

Hayward Yard Primary Shop Conversion

Bids for BART’s Component Repair Facility and Hayward Shop Modification contract were opened on March 31, 2015. Contract award is expected by August 31, 2015, with the Notice to Proceed expected to be issued in fall 2015.

BART Vehicle Procurement

BART continued First Article Configuration Inspections (FACIs) and subsystem qualification testing, and commenced system-level qualification testing. Assembly of the Pilot Vehicles continued in Mexico. The vehicle manufacturer completed and shipped a carbody to Canada for compression testing.

Utility Relocation

Pacific Gas and Electric (PG&E) completed gas and electrical joint trench relocations at Trade Zone Boulevard. PG&E also began relocations of electrical and fiber optic facilities at the intersection of Capitol Avenue and Montague Expressway.

AT&T has completed its cabling and splicing operations at Trade Zone Boulevard, and is preparing for relocations at the intersection of Capitol Avenue and Montague Expressway.

Verizon (MCI) has completed all of its relocations for the SVBX Project.

San Jose Water Company began installation of the water main within Berryessa Station Way. This main connects Mabury Road with Berryessa Road, and will provide service to the Berryessa Station Campus.

Environmental Mitigation

Soil impacted by the petroleum plume from a past non-VTA project at the Sierra/Lundy intersection was excavated and disposed of, and mass excavation in the intersection was completed in April 2015.

The first four Residential Noise Insulation Program (RNIP) construction contracts for noise insulation improvements are in the close-out phase, with construction complete.

The SWPPP was revised in response to heavy rains in December 2014, including a new temporary drainage swale with filtration for discharge areas on the Berryessa campus area. There were three qualifying rain events during the report period.

No archaeological investigations were conducted during this report period.

Communications and Outreach

Six project press releases and nineteen construction updates and traffic advisories were sent. Nine project tours were conducted, including for US Senate staffers, CPUC staff, a school group, and professional associations.

Construction outreach continued for sheet pile installation and removal as well as mass excavation near Dixon Landing Road, Trade Zone Boulevard, and the Sierra/Lundy intersection.

Outreach to stakeholders continued for utility relocations and new installations near Montague Expressway and East Capitol Avenue in Milpitas, and for roadway restoration work on Mabury Road in San Jose.

Installation of Steel for the Pedestrian Overcrossing at the Milpitas BART Station
### Cost Information:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Jun-15 Committed Costs</th>
<th>Jun-15 Incurred Costs</th>
<th>Balance d = (a-c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
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<td>1,230,466</td>
<td>601,570</td>
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<td>Labor, Services and Support</td>
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<td>Financing Costs</td>
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<td><strong>Totals</strong></td>
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<td><strong>1,931,140</strong></td>
<td><strong>1,265,087</strong></td>
<td><strong>1,056,681</strong></td>
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</tbody>
</table>

- Secured Funding Incurred: 54%
- Secured Funding Committed: 83%

**NOTES:** All amounts are Year Of Expenditure dollars in $1,000's
December 31, 2014 incurred cost figures are unaudited and are subject to change

### Anticipated Funding:

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>State (TCRP)</td>
<td>$353 million</td>
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<tr>
<td>State (STIP)</td>
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</tr>
<tr>
<td>State (SLPP)</td>
<td>35 million</td>
</tr>
<tr>
<td>State (TDA)</td>
<td>0.3 million</td>
</tr>
<tr>
<td>Federal</td>
<td>900 million</td>
</tr>
<tr>
<td>Local (Meas A, Others)</td>
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</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$2,690 million</strong></td>
</tr>
</tbody>
</table>

First concrete placement at the Milpitas Station concourse

*P-0728, P-0800, P-0801, P-0861*
SVRT Corridor Establishment and Maintenance

Estimated Cost: $451.4 million*

Estimate Class 1 (see appendix)

Appropriation Through FY17: $451.4 million

Secured Funding: $451.4 million

Year of Completion: 2017

Project Manager: Carolyn Gonot, Jim Costantini

Designer: HNTB Corporation, WMH, HMH Engineers

Contractors: Gordon N Ball, RGW Construction, Con-Quest Contractors, Top Grade Construction

Project Description:

- Relocate freight railroad from VTA-purchased right-of-way to existing UPRR right-of-way, between Warm Springs Yard and Calaveras Blvd.
- Build a new railroad overcrossing structure at Mission Boulevard and a new roadway underpass at Warren Avenue and Kato Road, and sever shipper freight service south of Montague Expressway.
- Construct flood control improvements at Berryessa Creek, Wrigley Creek, Scott Creek and Line B.
- Construct creek improvements and environmental mitigation at Wrigley Creek and Lower Penitencia Creek.
- Widen Montague Expressway and construct flood control improvements near the intersection of South Milpitas Blvd.
- Construct a shared-use trail, a new traffic signal, and intersection improvements to connect to the Upper Penitencia Creek (UPC) Trail.

Project Status:

- The Chevron petroleum pipelines relocation, SFPP/Kinder-Morgan petroleum pipeline relocation, and Verizon/MCI fiber optic relocation have been completed.
- The Berryessa Creek crossing, Abel Street Seismic Retrofit, and Railroad Relocation contract has been completed.
- Construction of Wrigley Creek Improvements is complete, and the Plant Establishment Period is underway.
- On the Mission Boulevard/Warren Avenue/Union Pacific Railroad Relocation Construction contract (C101), Warren Avenue was opened to traffic in August 2014. Mission Boulevard was fully opened to traffic in Spring 2015. The contractor and handed over the work area to the SVBX LTSS contractor on schedule.
- The Agua Fria, Toroges and Agua Caliente Creek Improvement contract is complete. This contract accomplished creek and other improvements ahead of the C101 contract.
- The Alum Rock Fish Passage Improvements project is in the landscape maintenance phase.
- The Kato Grade Separation contractor fully re-opened Kato Road on April 29, 2013, and handed over the work area to the SVBX LTSS contractor on schedule.
- Governed by a Joint Powers Agreement between Santa Clara County, SCVWD and VTA, the Montague Expressway Reconstruction Project is underway. Right-of-way acquisition is in progress, as well as preparation for utility relocations. The construction contract was advertised for bids in June 2015, and construction is anticipated to begin in late-2015.
- Environmental and design work on the Upper Penitencia Creek (UPC) Trail Connector has been completed and bid opening occurred in June 2015.

Project Schedule:

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
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<tbody>
<tr>
<td>Design</td>
<td>Early 2008</td>
<td>Early 2015</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Utility Relocations</td>
<td>Mid 2008</td>
<td>Mid 2015</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Construction</td>
<td>Early 2009</td>
<td>Early 2017</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
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</tr>
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*P-3100, P-3121 through P-3129, P-0508, P-0832, P-0890
Cost Information:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Jun-15 Committed Costs</th>
<th>Jun-15 Incurred Costs</th>
<th>Balance d = (a-c)</th>
</tr>
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<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>203,935</td>
<td>185,999</td>
<td>182,966</td>
<td>20,969</td>
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<td>Real Estate</td>
<td>140,152</td>
<td>137,143</td>
<td>136,990</td>
<td>3,162</td>
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<td>Labor, Services and Support</td>
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<td>84,758</td>
<td>83,826</td>
<td>6,344</td>
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<td>Contingency</td>
<td>17,173</td>
<td>-</td>
<td>-</td>
<td>17,173</td>
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<tr>
<td><strong>Totals</strong></td>
<td><strong>451,430</strong></td>
<td><strong>407,901</strong></td>
<td><strong>403,781</strong></td>
<td><strong>47,649</strong></td>
</tr>
</tbody>
</table>

Secured Funding Incurred 89%
Secured Funding Committed 90%

NOTE: All amounts are Year Of Expenditure dollars in $1,000's
December 31, 2014 incurred cost figures are unaudited and are subject to change

Anticipated Funding:

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local (Measure A)</td>
<td>$296.9 million</td>
</tr>
<tr>
<td>Local (Fremont)</td>
<td>25.5 million</td>
</tr>
<tr>
<td>Local (SCVWD)</td>
<td>26.5 million</td>
</tr>
<tr>
<td>Local (SCC)</td>
<td>7.5 million</td>
</tr>
<tr>
<td>Local (ACTC)</td>
<td>5.9 million</td>
</tr>
<tr>
<td>Local (ACTIA)</td>
<td>2.5 million</td>
</tr>
<tr>
<td>Local (ACFC)</td>
<td>1.0 million</td>
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<tr>
<td>Local (Milpitas, San Jose)</td>
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<tr>
<td>State (TCRP, HRCSA, AB1462, AB1171, Others)</td>
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<tr>
<td>Federal (FHWA, OHS, CMAQ)</td>
<td>5.8 million</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$451.4 million</strong></td>
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</tbody>
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Mission Boulevard Fully Open to Traffic
**Estimated Cost:**
- Project Dev. through FY09: $370.3 million
- Project Dev. after FY09: $118.4 million
- Warm Springs Extension**: $8.0 million
- TOTAL: $496.7 million

**Appropriation Through FY17:**
$496.7 million

**Secured Funding:** $496.7 million**

**Year of Completion:** TBD

**Project Managers:**
Carolyn Gonot, Leyla Hedayat

**Project Description:**

**Project Development Through FY09:** When work began on VTA’s Silicon Valley Rapid Transit (SVRT) extension, environmental clearance and preliminary engineering was performed for the entire 16-mile extension. However, in 2009 this approach was changed to focus on the first 10 miles of the extension, VTA’s Silicon Valley Berryessa Extension (SVBX), leading to the execution of a Full Funding Grant Agreement in 2012.

A portion of the initial project development costs have been transferred to the SVBX project and are included in the FFGA budget. Remaining costs are associated with early work on VTA’s six-mile Santa Clara Extension (Phase 2), as well as previously allocated Measure A program-wide and bond costs.

**Project Development after FY09:** Some work is currently underway on planning and programming related to Phase 2 of SVRT. A contract for environmental work is underway. Additionally, SVRT program management and ongoing allocations of Measure A program-wide and bond costs are included.

**Warm Springs Extension:** The BART Warm Springs Extension is a 5.4-mile extension from the Fremont BART station to southern Fremont, which is the starting point for VTA’s SVRT project. VTA has assigned $8 million in State Local Partnership Program (SLPP) funds and $111.4 million in TCRP funds directly to BART for the project, and has provided an additional $8 million of Measure A funds to match the SLPP grant.

**Project Status:**
The full scope and implementation plan for the Phase 2 extension project has not been established. When sufficient capital funding is identified through improved revenue forecasts from 2000 Measure A and/or other sources, Phase 2 will be implemented through one or more subsequent projects within the SVRT Program. At that time, a portion of past project development and other costs may be included in the budget of these projects, similar to what was done with SVBX.

VTA conducted numerous public outreach meetings during the reporting period in support of the Phase 2 environmental review process.

**Project Schedule:**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Start</th>
<th>End</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proj Dev. Through FY09</td>
<td>Early 2003</td>
<td>Mid 2009</td>
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<tr>
<td>Proj Dev. After FY09</td>
<td>Mid 2009</td>
<td>TBD</td>
</tr>
<tr>
<td>Warm Springs Extension</td>
<td>Mid 2009</td>
<td>Late 2015</td>
</tr>
<tr>
<td>Phase 2 Extension</td>
<td>TBD</td>
<td>TBD</td>
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</table>

*P-0501 through P-0507, P-0509, P-0732, P-3101
**Warm Springs Extension cost does not include $8M in SLPP and $111.4M in TCRP grant funds designated directly to BART.*
**Cost Information:**

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding $a$</th>
<th>Jun-15 Committed Costs $b$</th>
<th>Jun-15 Incurred Costs $c$</th>
<th>Balance $d = (a-c)$</th>
</tr>
</thead>
<tbody>
<tr>
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<td>10,134</td>
<td>10,014</td>
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<tr>
<td>Real Estate</td>
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<td>999</td>
<td>2,515</td>
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<td>46,665</td>
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<td>Contingency</td>
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<td>Financing Costs</td>
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<td><strong>Totals</strong></td>
<td>496,656</td>
<td>436,593</td>
<td>432,721</td>
<td>63,936</td>
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</tbody>
</table>

- Secured Funding Incurred 87%
- Secured Funding Committed 88%

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

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>State (TCRP)</td>
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<tr>
<td>Federal</td>
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<tr>
<td>Local (San Jose)</td>
<td>0.1 million</td>
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<td>Local (Santa Clara)</td>
<td>0.1 million</td>
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<tr>
<td>Local (Meas A, Others)</td>
<td>212 million</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$497 million</strong></td>
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- State 57.2%
- Federal 0.2%
- Local (Meas A) 42.6%

*P-0501 through P-0507, P-0509, P-0732, P-3101
**Warm Springs Extension cost does not include $8M in SLPP and $111.4M in TCRP grant funds designated directly to BART.
Capitol Expressway Light Rail to Eastridge

**Estimated Cost:** $430 million*

*Estimate Class 2 (see appendix)*

**Appropriation Through FY17:** $172.9 million

**Secured Funding:** $150.8 million

**Year of Completion:** Phase 1: 2015, Phase 2 TBD

**Project Manager:** Ken Ronsse

**Designer:** Rajappan & Meyer

**Project Description:**

This project will transform Capitol Expressway into a multi-modal boulevard offering bus and light rail transit, and safe pedestrian pathways with connections to the regional trail system.

Phase I includes pedestrian and bus improvements along Capitol Expressway to improve pedestrian access to the transit system and to improve safety along the corridor. It includes new sidewalks, pedestrian and street lights, and a landscaping buffer between the sidewalk and roadway from Capitol Avenue to Quimby Road. During this phase, reconstruction of the Eastridge Transit Center will also take place. These improvements will support subsequent BRT shelters and amenities at Story, Ocala and Eastridge Transit Center as part of the future Santa Clara/Alum Rock BRT service.

Phase II will extend light rail from the existing Alum Rock Light Rail Station to the Eastridge Transit Center. Light rail will operate primarily in the center of Capitol Expressway, with elevated track structures crossing Capitol Avenue, Story Road, and Tully Road. The Eastridge extension will include LRT station at Story Road (aerial) and Eastridge (at-grade).

**Project Status:**

In May 2005 and in August 2007, the VTA Board of Directors certified the Final Environmental Impact Report, and the Supplemental EIR, respectively, and approved the Light Rail Alternative. In order to make the project eligible for federal funding, VTA is in the process of preparing an Environmental Impact Statement for the Light Rail Alternative.

The pedestrian improvement portion included State (STIP) and Measure A funding. This was completed in the spring of 2013. Construction of the new Eastridge loop road and pump station is complete and was opened to traffic in July 2014. Construction of the Eastridge Transit Center, Bus Operators Facility and Park and Ride lot was completed and opened to public in May 2015. Minor traffic signal related work is ongoing. Contract closeout is underway and is expected to be completed by end of 2015. This will conclude the phase 1 work. Phase 2 is dependent on funding.

**Project Schedule:**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Start</th>
<th>End</th>
<th>2010</th>
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<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
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<td>Env. Impact Stmt.</td>
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<td>Late 2011</td>
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<td>Sidewalk and Landscaping</td>
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<td>Design</td>
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<td></td>
<td></td>
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<tr>
<td>Closeout</td>
<td>Late 2012</td>
<td>Early 2013</td>
<td></td>
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<tr>
<td>Eastridge Transit Center</td>
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<tr>
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<td></td>
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<tr>
<td>Right-of-Way</td>
<td>Mid 2010</td>
<td>Early 2013</td>
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<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Closeout</td>
<td>Mid 2015</td>
<td>Late 2015</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

* P-0375, P-0476, P-0743, P-0744, P-0787
Cost Information:

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<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Jun - 15 Committed Costs</th>
<th>Jun - 15 Incurred Costs</th>
<th>Balance d = (a-c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>33,581</td>
<td>30,088</td>
<td>29,371</td>
<td>4,210</td>
</tr>
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<td>Real Estate</td>
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<td>28,341</td>
<td>27,654</td>
<td>2,598</td>
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<td>Labor, Services and Support</td>
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<td>744</td>
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<tr>
<td>Contingency</td>
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<td>-</td>
<td>-</td>
<td>7,213</td>
</tr>
<tr>
<td>Financing Costs</td>
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<td>13,410</td>
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<td><strong>Totals</strong></td>
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<td><strong>137,638</strong></td>
<td><strong>136,026</strong></td>
<td><strong>14,765</strong></td>
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Secured Funding Incurred 90%
Secured Funding Committed 91%

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

Anticipated Funding:

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Local (Measure A)</td>
<td>$102.0 million</td>
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<tr>
<td>Local (Other)</td>
<td>$5.7 million</td>
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<tr>
<td>State (STIP)</td>
<td>$24.3 million</td>
</tr>
<tr>
<td>State (Other)</td>
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<tr>
<td>Federal</td>
<td>$18.5 million</td>
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<tr>
<td>Other (TBD)</td>
<td>$279.2 million</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$430.0 million</strong></td>
</tr>
</tbody>
</table>

Ribbon Cutting Ceremony for the Eastridge Transit Center

Completed Bus Shelter and Bus Bay at the Eastridge Transit Center
Light Rail Efficiency Projects

**Estimated Cost:** $94.4 million*

**Appropriation Through FY17:**
$94.4 million

**Secured Funding:** $94.4 million

**Year of Completion:** Varies

**Project Manager:**
Ven Prasad; Adolf Daaboul; Ying Smith

**Designers:** URS Corporation

**Description Of Efforts:**

The VTA Board adopted the Light Rail Systems Analysis in May 2010. The Systems Analysis provides an evaluation of infrastructure and operational shortcomings of the existing light rail system along with a three-phase improvement plan for immediate action. Near-term recommended projects from the Light Rail Systems Analysis are as follows:

- **Santa Clara Pocket Track** project installed an additional track and supporting infrastructure so one track can be used as a pocket track to store additional cars on Tasman near Old Ironsides Station in the City of Santa Clara.
- **Northern Light Rail Express** will implement a series of improvements including double-tracking in Mountain View to establish a new line from Mountain View to Alum Rock to connect with Caltrain and the new Milpitas BART Station, commensurate with the opening of the BART Silicon Valley Berryessa extension.
- **Southern Light Rail Express** project developed alternatives for more efficient operation of the light rail system.

**Status:**

The Light Rail Systems Analysis was adopted by the VTA Board in May 2010. The initial projects recommended from the Systems Analysis began planning, design and construction in fall 2011.

The Santa Clara Pocket Track was advertised for bids in July 2013. The contract was awarded in January 2014 and construction started in February and was completed in early 2015. Contract closeout is currently in progress.

The Mountain View Phase I construction contract was advertised for bids in May 2014; VTA Board awarded the contract in August 2014 and field construction started in September 2014. Phase II construction contract was advertised for bids in September 2014, bids were opened in December and was awarded to the lowest bidder in January 2015. All major construction under both contracts are expected to be complete by end of 2015.

Southern Light Rail Express project has been closed out. Findings from this study will be used for future operating plan analysis. This study did not result in a capital construction project.

**Project Schedule:**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Start</th>
<th>End</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
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<tbody>
<tr>
<td>Santa Clara Pocket Track</td>
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<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Mountain View Phase I</td>
<td>Early 2013</td>
<td>End 2015</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mountain View Phase II</td>
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<td>End 2015</td>
<td></td>
<td></td>
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</table>

* P-0552, P-0660, P-0784, P-0799, P-0860
### Cost Information:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding &lt;br&gt;a</th>
<th>Jun - 15 Committed Costs &lt;br&gt;b</th>
<th>Jun - 15 Incurred Costs &lt;br&gt;c</th>
<th>Balance &lt;br&gt;d = (a-c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>55,092</td>
<td>49,108</td>
<td>37,229</td>
<td>17,863</td>
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<td>Real Estate</td>
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<td>1,110</td>
<td>1,082</td>
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<tr>
<td>Labor, Services and Support</td>
<td>30,731</td>
<td>25,163</td>
<td>22,236</td>
<td>8,494</td>
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<tr>
<td>Contingency</td>
<td>7,104</td>
<td>-</td>
<td>-</td>
<td>7,104</td>
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<tr>
<td>Financing Costs</td>
<td>198</td>
<td>198</td>
<td>198</td>
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<tr>
<td><strong>Totals</strong></td>
<td><strong>94,369</strong></td>
<td><strong>75,579</strong></td>
<td><strong>60,746</strong></td>
<td><strong>33,624</strong></td>
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</table>

- Secured Funding Incurred: 64%
- Secured Funding Committed: 80%

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

### Anticipated Funding:

<table>
<thead>
<tr>
<th>Funding Source</th>
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<tr>
<td>Local (Measure A)</td>
<td>$94.4 million</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$94.4 million</strong></td>
</tr>
</tbody>
</table>

Turnout and Switch Machine Installation in Progress Near Stevens Creek Bridge

Evelyn Station Platform Demolition in Progress
**Light Rail Program**

**June 2015**

---

### Extension to Vasona Junction

**Estimated Cost:** $176 million  
Estimate Class 4 *(see appendix)*

**Appropriation Through FY15:** $12.8 million

**Secured Funding:** $0.9 million

**Year of Completion:** TBD

**Project Manager:** Ann Calnan

**Designer:** N/A

**Project Description:**  
The original Vasona Corridor Light Rail Transit (LRT) Project was a 6.8-mile extension of VTA’s LRT system from downtown San José through Campbell and into Los Gatos. The project was approved in 2000 by VTA and the Federal Transit Administration (FTA). Subsequent to approval, the project was constructed between downtown San José and the Winchester Station in Campbell. The Extension to Vasona Junction Project will complete the originally planned Vasona Corridor with a 1.6-mile extension of the Vasona LRT Line from the existing Winchester Station to a new Vasona Junction Station in Los Gatos.

**Project Status:**  
Since 2000, environmental and design conditions have changed; therefore, the extension project was re-evaluated in a Supplemental Environmental Impact Report (SEIR)/Environmental Assessment (EA). The VTA Board of Directors certified the SEIR and approved the project in March 2014. FTA approved the project in August 2014.

**Project Schedule:**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Start</th>
<th>End</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental</td>
<td>Late 2009</td>
<td>End 2014</td>
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<td>Right-of-Way</td>
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<td>Construction</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revenue Service</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Closeout</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Schedule for future activities will be established when funding is secured.*
## Cost Information:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Jun - 15 Committed Costs</th>
<th>Jun - 15 Incurred Costs</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Real Estate</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Labor, Services and Support</td>
<td>880</td>
<td>877</td>
<td>877</td>
<td>3</td>
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<tr>
<td>Contingency</td>
<td>13</td>
<td></td>
<td></td>
<td>13</td>
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<td><strong>Totals</strong></td>
<td><strong>893</strong></td>
<td><strong>877</strong></td>
<td><strong>877</strong></td>
<td><strong>16</strong></td>
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</table>

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

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

## Anticipated Funding:

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Local (Measure A)</td>
<td>$0.9 million</td>
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<tr>
<td>Other (TBD)</td>
<td>$175.0 million</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$175.9 million</strong></td>
</tr>
</tbody>
</table>

![Funding Source Pie Chart](image)

Local (Meas A) 32%
TBD 56%
State 12%

Railroad alignment in Los Gatos - terminus of the Vasona extension

Visual simulation of the Hacienda Station
Estimated Cost: $9.0 million

Appropriation Through FY17: $9.0 million

Secured Funding: $4.0 million

Year of Completion: 2018

Project Manager: Jason Kim, Ying Smith

Designer: N/A

Project Description:

The N. First St. Improvement & Tasman Modification project will construct improvements to increase Light Rail Transit (LRT) speeds along North First Street corridor to 45 miles per hour.

The Winchester Light Rail Double Track & Platform Extension project will initiate conceptual engineering for double tracking the Vasona Light Rail corridor and expand all Vasona corridor platforms to accommodate 3-car trains. These are components of the Vasona Light Rail Extension project that will eliminate constraints in the system while laying the groundwork for the future extension project.

Project Status:

Project team is currently reviewing alternatives, developing conceptual plans and estimates for the N. First St. Improvement & Tasman Modification project.

The Winchester Light Rail Double Track & Platform Extension Project was included in the FY16/17 budget cycle. Project team will develop detailed scope and is preparing to start conceptual engineering.

Project Schedule:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Start</th>
<th>End</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
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<tr>
<td>N First St Improvements &amp; Tasman Mods Engineering</td>
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<td>Mid 2016</td>
<td></td>
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<tr>
<td>N First St Improvements &amp; Tasman Mods Construction/Closeout</td>
<td>Mid 2016</td>
<td>End 2017</td>
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<td></td>
<td></td>
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<tr>
<td>Winchester LR Line Double Tracking/Platform Extn Engineering</td>
<td>Late 2015</td>
<td>Late 2016</td>
<td></td>
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<td>Late 2018</td>
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## Cost Information:

<table>
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<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Jun - 15 Committed Costs</th>
<th>Jun - 15 Incurred Costs</th>
<th>Balance $d = (a-c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
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<td>0</td>
<td>0</td>
<td>1,000</td>
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<tr>
<td>Real Estate</td>
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<td></td>
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<tr>
<td>Labor, Services and Support</td>
<td>2,800</td>
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<td>-</td>
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<td>Contingency</td>
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<tr>
<td><strong>Totals</strong></td>
<td><strong>4,000</strong></td>
<td></td>
<td></td>
<td><strong>4,000</strong></td>
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</table>

Secured Funding Incurred 0%
Secured Funding Committed 0%

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

## Anticipated Funding:

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Amount</th>
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<td>State</td>
<td>$1.1 million</td>
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<td>TBD</td>
<td>$5.0 million</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$9.0 million</strong></td>
</tr>
</tbody>
</table>

![Example of a typical fencing proposed along North First Street](image1)

![Aerial showing proposed double tracking on Vasona Corridor](image2)
Commuter Rail Program

Caltrain Service Upgrades

Estimated Cost: $87.4 million

Appropriation Through FY17: $87.4 million

Secured Funding: $81.5 million

Year of Completion: TBD

Project Managers: Steve Fisher; Chris Augenstein; Sal Lanzo; Michelle Jiang; Andrew Ho

Designer: Mark Thomas; AECOM; HNTB; Biggs Cardoza

Project Description:
Capital improvement projects to the Caltrain system with the goals of improving service, ridership and passenger accessibility.

Project Status:
• **Mountain View Parking** – Project is inactive until right-of-way needs of High Speed Rail project are known, and the plan for future Caltrain capital and operating improvements is determined. Funds from the City of Mountain View could be used for preliminary engineering and environmental clearance.

• **Blossom Hill Pedestrian Grade Separation** – The bridge was opened to the public in September 2012.

• **Safety Enhancements** – The current phase of the project includes engineering and construction for at-grade crossings, with improvements such as pedestrian swing gates, sidewalks, signing and striping, warning bands, and channelization for pedestrians. Construction along the JPB segment is completed and design for approximately 15 crossings along the UPRR segment started in January 2012. With the approval of additional budget in June 2015, final design will restart to complete the bid package and advertise in early 2016.

• **Santa Clara Caltrain Station Pedestrian Underpass Extension** - This project will provide an extended pedestrian tunnel under the UPRR tracks to Brokaw Road at the Santa Clara Station. In June 2015 VTA Board approved the amendment of the design contract to complete final design and incorporate stakeholder comments. Construction contract will be advertised early 2016 for construction to start summer 2016.

• **Santa Clara and Diridon Station Upgrades** was administered by Caltrain and is now complete. Final invoice from Caltrain has been paid.

• **The Bike Share Pilot Program** opened on August 29, 2013 with 280 bicycles and 28 bike share stations at Caltrain stations and downtown areas in the cities of San Jose, Mountain View and Palo Alto. The grant-funded pilot program is set to conclude in June 2016. Post-pilot expansion will occur in select cities including San Jose and will be funded by a private company. Cities of Mountain View and Palo Alto are currently evaluating options to continue with the newly privately funded Bay Area Bike Share program or pursue an alternative bike share vendor.

Project Schedule:

<table>
<thead>
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<td>Mid 2016</td>
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<td></td>
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</tr>
<tr>
<td>Santa Clara Station Ped UC Construction/Closeout</td>
<td>Mid 2016</td>
<td>Early 2018</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Caltrain Safety Enhancements Design/Bid/Award</td>
<td>Mid 2011</td>
<td>Late 2016</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Caltrain Safety Enhancements Construction</td>
<td>Late 2016</td>
<td>Mid 2018</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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## Cost Information:

<table>
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<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Jun - 15 Committed Costs</th>
<th>Jun - 15 Incurred Costs</th>
<th>Balance</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>a</td>
<td>b</td>
<td>c</td>
<td>d = (a-c)</td>
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<td>Real Estate</td>
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<td>6</td>
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<td>Labor, Services and Support</td>
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<td>19,875</td>
<td>6,877</td>
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<td>Contingency</td>
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<td>2,057</td>
</tr>
<tr>
<td>Financing Costs</td>
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<td>4,138</td>
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<tr>
<td><strong>Totals</strong></td>
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<td><strong>58,503</strong></td>
<td><strong>57,423</strong></td>
<td><strong>24,049</strong></td>
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Secured Funding Incurred 70%
Secured Funding Committed 72%

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

## Anticipated Funding (reflects only appropriated budget):

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local (Measure A)</td>
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</tr>
<tr>
<td>Local (Mt. View)</td>
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</tr>
<tr>
<td>Local (San Jose)</td>
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</tr>
<tr>
<td>Local (RM2)</td>
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<tr>
<td>Local (MA-Match)</td>
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<td>State (Prop 1B)</td>
<td>$11.4 million</td>
</tr>
<tr>
<td>Federal (FHWA)</td>
<td>$3.7 million</td>
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<td>Federal (CMAQ)</td>
<td>$1.6 million</td>
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<td>TBD</td>
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</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$87.4 million</strong></td>
</tr>
</tbody>
</table>

Blossom Hill Pedestrian Bridge Internal View
P-0511, P-0740, P-3201 through P-3205

Bike Share Station at San Fernando and 4th Street

8.16.a
Caltrain Electrification

Estimated Cost: $1.5 billion

Estimate Class 3 (see appendix)

Appropriation Through FY17: $61.4 million (VTA)

Secured Funding*: $61.4 million (VTA)

Year of Completion: 2021

Project Manager: Caltrain – Marian Lee

Designer: TBD

Project Description:

Caltrain from San Jose to San Francisco will be upgraded to an electric system in conjunction with the California High Speed Rail (CHSRA) Project.

Project Status:

After an extensive period of public review, an agreement was reached which culminated in a Memorandum of Understanding (MOU) of project stakeholders, including the CA High Speed Rail Agency, Metropolitan Transportation Commission, Peninsula Corridor Joint Powers Board, San Francisco, San Francisco County Transportation Authority, San Jose, Santa Clara Valley Transportation Authority, San Mateo County Transportation Authority, Transbay Joint Powers Authority.

The Caltrain Modernization Program will electrify and upgrade the performance, operating efficiency, capacity, safety and reliability of Caltrain’s commuter rail service. This Program will help prepare the corridor to eventually accommodate California’s statewide high-speed rail service, which is planned for 2029. Caltrain and high-speed rail will primarily share Caltrain’s existing tracks, operating on a blended system.

The environmental process for the Peninsula Corridor Electrification Project (electrification and new electric trains) was completed in January 2015. The Joint Powers Board (JPB) prequalified six (6) teams in October 2014 for the Design-Build Electrification contract. The Request for Proposals for the electrification contract was released in February 2015. A pre-proposal meeting and site visit was held in March 2015. The RFP is expected to be awarded in November 2015.

Project Schedule:

<table>
<thead>
<tr>
<th></th>
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<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental</td>
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</tr>
<tr>
<td>Construction</td>
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<td>Testing &amp; Commissioning</td>
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*P-0595, P-0829
## Cost Information:

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<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Jun - 15 Committed Costs</th>
<th>Jun - 15 Incurred Costs</th>
<th>Balance $ (a-c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Real Estate</td>
<td>-</td>
<td>-</td>
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</tr>
<tr>
<td>Labor, Services and Support</td>
<td>61,333</td>
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<td>11,902</td>
<td>49,432</td>
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<tr>
<td>Contingency</td>
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<td><strong>Totals</strong></td>
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<td><strong>11,902</strong></td>
<td><strong>11,902</strong></td>
<td><strong>49,517</strong></td>
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Secured Funding Incurred: 19%
Secured Funding Committed: 19%

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

### Anticipated Funding (reflects only appropriated budget):

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Amount</th>
<th>Local (Meas A) 100%</th>
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<tr>
<td>Local (Measure A)</td>
<td>$61.4 million</td>
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</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$61.4 million</strong></td>
<td></td>
</tr>
</tbody>
</table>
Dumbarton Rail Corridor

**Estimated Cost:** $0.7 - $1 billion

Estimate Class 3 (see appendix)

**Appropriation Through FY17:**
$2.3 million (VTA)

**Secured Funding:** $2.3 million (VTA)

**Year of Completion:** TBD

**Project Manager:**
Caltrain – April Chan

**Designer:** TBD

**Project Description:**
The project will rehabilitate rail bridges and tracks that span the bay between Redwood City and Newark and make improvements to existing tracks in Union City and Fremont. The project will involve the construction of two new rail stations at Menlo Park and Newark, as well as upgrades to the Fremont Centerville Station and a new intermodal station at the Union City BART station.

**Project Status:**

**Environmental/Design:** Based on the detailed cost estimate prepared by the Peninsula Corridor Joint Powers Board (JPB), the project is now projected to cost between $700 million and $1 billion.

Environmental information was prepared but due to funding constraints, an Environmental Impact Report (EIR) was not completed. Operational funds and an operator have yet to be identified for the proposed service.

This Project is currently inactive.

**Project Schedule:**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Start</th>
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<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
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</thead>
<tbody>
<tr>
<td>Environmental</td>
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<td>Mid 2013</td>
<td>0</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td>Design</td>
<td></td>
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<tr>
<td>Construction</td>
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</tr>
</tbody>
</table>

*Project development will proceed on a schedule consistent with available funding.*
### Cost Information:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding (a)</th>
<th>Jun - 15 Committed Costs (b)</th>
<th>Jun - 15 Incurred Costs (c)</th>
<th>Balance (d = (a-c))</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Real Estate</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Labor, Services and Support</td>
<td>2,133</td>
<td>2,133</td>
<td>2,133</td>
<td>-</td>
</tr>
<tr>
<td>Contingency</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Financing Costs</td>
<td>126.95</td>
<td>126.95</td>
<td>126.95</td>
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<td><strong>Totals</strong></td>
<td><strong>2,260</strong></td>
<td><strong>2,260</strong></td>
<td><strong>2,260</strong></td>
<td><strong>-</strong></td>
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</tbody>
</table>

- Secured Funding Incurred 100%
- Secured Funding Committed 100%

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

### Anticipated Funding (reflects only appropriated budget):

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local (Measure A)</td>
<td>$2.3 million</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$2.3 million</strong></td>
</tr>
</tbody>
</table>

Aerial view of the existing alignment

View of Dumbarton Rail Bridge from the West
Bus Program

Bus Rapid Transit

Estimated Cost: $74.6 million
Appropriation Through FY17: $74.6 million*
Secured Funding: $74.6 million*
Year of Completion: 2018
Project Manager: S. Fisher; A. Dowes; M. Basma, J.Tyree
Designers: CH2M Hill, Parsons Transportation Group

Project Description:
Bus Rapid Transit (BRT) is an enhanced bus transit service that offers many of the same service attributes as rail transit, such as specialized vehicles, large stations, real-time information, and more frequent and reliable operations. VTA intends to develop an integrated BRT network throughout the County, providing high quality service to areas not served by light rail transit (LRT).

Project Status:
The VTA Board of Directors adopted the Bus Rapid Transit (BRT) Strategic Plan in May 2009. The major corridors in this program include:
Please refer to the pages indicated for details of Bus showing the Santa Clara Alum Rock BRT route and the other routes are shown in the background the following projects: Santa Clara/Alum Rock corridor (page 2-28). El Camino Real corridor (page 2-30). Stevens Creek Boulevard corridor (page 2-32).

Procurement of Articulated Buses A contract to procure 29 buses from New Flyer of America, Inc. was awarded in February 2013. All buses have been accepted by VTA and are starting to be used for special event service. Buses will start operating on the BRT corridor from Eastridge to Palo Alto in 2016 consistent with the completion of various construction phases. An option for 20 additional buses to operate on the Stevens Creek corridor is also available and being considered as part of the planning for that corridor.

Modifications at Chaboya and North Divisions are required in order to accommodate BRT buses. Phase I (North Yard) construction contract was awarded at the August 2014 VTA Board meeting. Field work was completed in March 2015. Request for Proposal for the Phase II involving modification to the Chaboya Yard design services is planned for Fall of 2015. Construction is expected to start Spring 2017.

Money Counting Facility at Cerone Division: Elimination of the TVMs from the BRT program resulted in a reassessment of facility needs, and subsequent cancelation of the project.

Project Schedule:

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<td>Late 2008</td>
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<tr>
<td>Design</td>
<td>Early 2009</td>
<td>Early 2017</td>
<td></td>
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<td>Construction</td>
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* P-0551,P-0719, P-0725, P-0785, P-0786
## Cost Information:

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<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Jun - 15 Committed Costs</th>
<th>Jun - 15 Incurred Costs</th>
<th>Balance d = (a-c)</th>
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<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>41,937</td>
<td>1,046</td>
<td>1,046</td>
<td>40,890</td>
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<td>Real Estate</td>
<td></td>
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</tr>
<tr>
<td>Labor, Services and Support</td>
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<td>3,640</td>
<td>3,529</td>
<td>1,019</td>
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<td>28,128</td>
<td>33,040</td>
<td>31,031</td>
<td>(2,903)</td>
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<td><strong>Totals</strong></td>
<td><strong>74,612</strong></td>
<td><strong>37,726</strong></td>
<td><strong>35,606</strong></td>
<td><strong>39,007</strong></td>
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Secured Funding Incurred: 48%
Secured Funding Committed: 51%

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

## Anticipated Funding (reflects only appropriated budget):

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Amount</th>
<th>State (Prop 1B) 26%</th>
<th>Federal (Other) 1%</th>
<th>Local (Meas A) 73%</th>
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<tbody>
<tr>
<td>Local (Measure A)</td>
<td>$54.7 million</td>
<td></td>
<td></td>
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<tr>
<td>Federal (Other)</td>
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<tr>
<td>State (Prop 1B)</td>
<td>$19.2 million</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$74.6 million</strong></td>
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</tbody>
</table>

Specialized BRT Vehicle
**Estimated Cost:** $127.3 million

Estimate Class 1 (see appendix)

**Appropriation Through FY17:**

$127.3 million

**Secured Funding:**

$127.3 million

**Year of Completion:**

2017

**Project Manager:**

Ken Ronsse

**Designer:**

CH2M Hill

**Contractor:** Goodfellow Top Grade Construction

**Project Description:**

This project will provide a transit enhancement in the county’s highest transit ridership corridor from Downtown San Jose to the Eastridge Transit Center on Capitol Expressway.

The project will introduce Bus Rapid Transit (BRT) in the corridor with dedicated lanes on Alum Rock Avenue (eastern segment) and mixed flow operations on Santa Clara Street (western segment). This BRT project is being designed in an alignment consistent with light rail stations level amenities, enabling a conversion to light rail in the future, if desired.

**Project Status:**

Project environmental review was completed with the certification of the Environmental Impact Report (EIR) in December 2008 and Supplemental EIR in May 2013.

Procurement of buses for this project is included separately as part of the overall procurement of articulated buses for BRT (see page 2-24). Construction contract was awarded in November 2013 and field activities began in March 2014. Sanitary sewer relocation on the north side of Alum Rock Ave. is complete. Street widening and pavement reconstruction along the north side of Alum Rock has been significantly completed. Traffic has been shifted to the north side of the roadway to allow construction on the south side to commence. However, project team is working with the contractor to mitigate safety issues and delays impacting the progress of work.

**Project Schedule:**

<table>
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</thead>
<tbody>
<tr>
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<td>Late 2008</td>
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<tr>
<td>Design</td>
<td>Early 2010</td>
<td>Mid 2013</td>
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<tr>
<td>Right-of-Way</td>
<td>Mid 2011</td>
<td>Late 2013</td>
<td></td>
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<tr>
<td>Construction</td>
<td>Late 2013</td>
<td>Early 2017</td>
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<tr>
<td>Revenue Service</td>
<td>Early 2017</td>
<td>Mid 2017</td>
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<td>Closeout</td>
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### Cost Information:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding a</th>
<th>Jun - 15 Committed Costs b</th>
<th>Jun - 15 Incurred Costs c</th>
<th>Balance d = (a-c)</th>
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<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>74,841</td>
<td>62,717</td>
<td>20,805</td>
<td>54,035</td>
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<td>Real Estate</td>
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<td>5,469</td>
<td>5,308</td>
<td>2,428</td>
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<td>Labor, Services and Support</td>
<td>44,019</td>
<td>38,211</td>
<td>36,063</td>
<td>7,956</td>
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<td>Contingency</td>
<td>740</td>
<td>171</td>
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<td><strong>Totals</strong></td>
<td><strong>127,336</strong></td>
<td><strong>106,568</strong></td>
<td><strong>62,176</strong></td>
<td><strong>65,160</strong></td>
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- Secured Funding Incurred: 49%
- Secured Funding Committed: 84%

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

### Anticipated Funding (reflects only appropriated budget):

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Local (Measure A)</td>
<td>$37.3 million</td>
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<tr>
<td>State (Prop 1B)</td>
<td>$90.0 million</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$127.3 million</strong></td>
</tr>
</tbody>
</table>

![Roadway construction operations on Alum Rock Ave](image1)

![Roadway Work in Progress on Alum Rock Avenue](image2)
**Estimated Cost:** $233 million

Estimated Class 4 (see appendix)

**Appropriation Through FY17:**

$46.2 million

**Secured Funding:** $46.2 million

**Year of Completion:** 2019

**Project Manager:**

Steven Fisher

**Designer:**

Parsons Transportation Group

**Project Description:**

The proposed alignment extends 17.4 miles from SAP Center in downtown San Jose to the Palo Alto Transit Center and is an extension of the BRT – Santa Clara/Alum Rock project. BRT improvements will consist of new exclusive bus lanes, bulb outs, distinct shelters, branded hybrid vehicles and other improvements along the corridor. The project is envisioned to include up to 14 new BRT stations.

**Project Status:**

Conceptual Engineering began in May 2010 with a project environmental review, the Caltrans process, and FTA Small Starts project initiation. Different cross-sections have been analyzed and preliminary ridership and traffic projections have been developed. The environmental scoping process took place in February and March 2013 with five alternatives being studied ranging from No-Build to an alternative with a 10-mile dedicated bus lane. Based on comments received, additional alternatives were added to include more dedicated lane segments. The environmental document was released for public comment in October 2014. The comment period closed in January 2015. The next step is for VTA to select a locally preferred alternative. The Caltrans review process began in February 2013. A Project Study Report was approved by Caltrans in February 2014. FTA has approved the project for Small Starts review to compete for a discretionary grant. VTA has engaged an independent third party review team to ensure that the quality of the transportation analysis in the Draft Environmental Impact Report (DEIR)/Environmental Assessment (EA) is adequate to select a locally preferred alternative.

**Project Schedule:**

<table>
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<th>Activity</th>
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<th>End</th>
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<tbody>
<tr>
<td>Conceptual</td>
<td>Early 2010</td>
<td>Early 2013</td>
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<td>Late 2012</td>
<td>Mid 2015</td>
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<tr>
<td>Design</td>
<td>Early 2015</td>
<td>Mid 2017</td>
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<tr>
<td>Construction</td>
<td>Mid 2017</td>
<td>Late 2018</td>
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<tr>
<td>Revenue Service</td>
<td>Early 2019</td>
<td>Mid 2019</td>
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<td>Closeout</td>
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*P-0717 2-30*
## Cost Information:

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<th>Jun - 15 Committed Costs</th>
<th>Jun - 15 Incurred Costs</th>
<th>Balance d = (a-c)</th>
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</thead>
<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Real Estate</td>
<td></td>
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<tr>
<td>Labor, Services and Support</td>
<td>45,792</td>
<td>11,329</td>
<td>9,809</td>
<td>35,983</td>
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<td>Contingency</td>
<td>400</td>
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<tr>
<td><strong>Totals</strong></td>
<td><strong>46,192</strong></td>
<td><strong>11,329</strong></td>
<td><strong>9,809</strong></td>
<td><strong>36,383</strong></td>
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Secured Funding Incurred 21%
Secured Funding Committed 25%

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

## Anticipated Funding:

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<th>Funding Source</th>
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<tr>
<td>Local (Measure A)</td>
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<tr>
<td>Other (TBD)</td>
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<td><strong>Total</strong></td>
<td><strong>$233.0 million</strong></td>
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![BRT Photo Simulation at Scott Blvd](image)
Stevens Creek Rapid

**Estimated Cost:** TBD

Estimate Class 5 (see appendix)

**Appropriation Through FY17:**

$21.5 million

**Secured Funding:** $21.5 million

**Year of Completion:** 2018

**Project Manager:**

Steven Fisher, Ying Smith

**Designer:**

CDM Smith Inc.

**Project Description:**

The Stevens Creek Rapid 523 Project would provide a rapid transit service for 8.5 miles from DeAnza College to downtown San Jose using San Carlos Avenue and Stevens Creek Boulevard. The Stevens Creek project would add a Rapid service, as a precursor to BRT service in addition to the local service which would provide fast, frequent service, with limited stops, and enhanced amenities for passengers. When the first phase of BART is opened to Berryessa Station in 2017, the 523 will be extended to provide Rapid service to Berryessa until BART is eventually extended to downtown San Jose. This was recommended by the BART Transit Service Integration Plan.

The De Anza College Transit Center Improvements will design and build a new transit center at DeAnza College to accommodate additional buses. The project could also include an interim facility.

The King Road Bus Stop Improvement project will include upgrading the bus stop at King Road/Alum Rock Ave. to accommodate the 523 extension through downtown San Jose.

**Project Status:**

Planning work for the Stevens Creek Rapid 523 was initiated in early 2015. Project team and City staff are evaluating bus stop placement, shelter options, bike and pedestrian improvements. Options are being developed for interim transit center at DeAnza College and the and King Rd/Alum Rock northbound bus stop.

Budget for the De Anza Center College Transit Improvement project was approved in June 2015. The project team will start the initial planning phase in fall 2015.

**BART Transit Integration Analysis** recommended that Rapid 523 be extended to the Berryessa BART Station to provide fast and frequent bus service from downtown San Jose to the BART Berryessa Station.

**Project Schedule:**

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<tr>
<td>Construction</td>
<td>Early 2017</td>
<td>Late 2017</td>
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<th>Project Cost Element</th>
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<th>Jun - 15 Committed (b)</th>
<th>Jun - 15 Incurred (c)</th>
<th>Balance (d = (a-c))</th>
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<td><strong>18,158</strong></td>
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- Secured Funding Incurred: 15%
- Secured Funding Committed: 20%

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

### Anticipated Funding:

<table>
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<tr>
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<td>Federal</td>
<td>$0.7 million</td>
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<td>Local (Measure A Match)</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$21.5 million</strong></td>
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</table>
Mineta San Jose Airport People Mover

Estimated Cost: TBD

Appropriation Through FY17:
$4.0 million

Secured Funding:
$4.0 million

Year of Completion: TBD

Project Manager:
City of San Jose – Laura Stuchinsky
VTA – Ying Smith

Designer: TBD

Project Description:
The Airport People Mover Project will provide a dedicated guideway connection from the San Jose International Airport to the Caltrain, Bus Rapid Transit (BRT) and future BART stations at the Santa Clara Transit Center, and the VTA Light Rail on North First Street.

Project Status:
The original preferred option, a tunnel under the airport, proved to be cost-prohibitive given both available funds and anticipated ridership. The City of San Jose envisioned a Personal Rapid Transit (PRT) application to meet this need given its reported low cost to construct and operate. They engaged a team of consultants including ARUP to lead planning, and a federally funded research center firm, Aerospace, to assess the viability of PRT technology for the Mineta San Jose International Airport People Mover Connection. The study found that PRT technology is not ready for a public application of this scale.

Project Schedule:
The schedule for future activities will be established once funding is secured.
## Cost Information:

<table>
<thead>
<tr>
<th>Project Cost Element</th>
<th>Secured Funding</th>
<th>Jun - 15 Committed Costs</th>
<th>Jun - 15 Incurred Costs</th>
<th>Balance d = (a - c)</th>
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<tbody>
<tr>
<td>Construction and Major Procurement</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Real Estate</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Labor, Services and Support</td>
<td>4,021</td>
<td>2,061</td>
<td>2,046</td>
<td>1,975</td>
</tr>
<tr>
<td>Contingency</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>4,021</strong></td>
<td><strong>2,061</strong></td>
<td><strong>2,046</strong></td>
<td><strong>1,975</strong></td>
</tr>
</tbody>
</table>

Secured Funding Incurred 51%
Secured Funding Committed 51%

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

---

## Anticipated Funding (reflects only appropriated budget):

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local (Measure A)</td>
<td>$4.0 million</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$4.0 million</strong></td>
</tr>
</tbody>
</table>

Local (Meas A) 100%
Closed/Inactive Projects

The following projects are either closed upon completion of scope, transfer of scope to other projects, or are inactive:

**Palo Alto Intermodal Transit Center**

**Project Description:** This project will create an intermodal facility for trains, buses, bicycles, autos and pedestrians, and act as a gateway to both Downtown Palo Alto and Stanford University. This project is inactive as significant issues related to the High Speed Rail project will need to be resolved before further planning work can proceed for this project.

**Final Cost:** $0.21 million  
**Year of Completion:** NA  

**ACE Upgrades**

**Project Description:** ACE provides weekday commute service between Stockton and San Jose to three stations in Santa Clara County: Great America, Santa Clara and Downtown San Jose. A $10 million Measure A contribution to the $26 million Santa Clara Station project was approved and included in the Caltrain Service Upgrades project for improvements to the Santa Clara Station to allow ACE trains to stop at the station. Work was completed in 2012.

**Final Cost:** $10.0 million  
**Year of Completion:** 2013  

**Low Floor Light Rail Vehicles**

**Project Description:** VTA purchased 70 low floor light rail vehicles to serve the entire VTA Light Rail system. Low floor vehicles provide enhanced ADA accessibility and improved service by minimizing boarding and exit times for all riders. Low floor light rail vehicles eliminate the need for wheelchair lifts and enhance access for all VTA riders, as well as providing additional space for bicycles. Project is closed.

**Final Cost:** $200.6 million  
**Year of Completion:** 2004  

**ZEB Demonstration and Facility Improvements**

**Project Description:** VTA procured three 40-foot low-floor zero-emission fuel-cell bus (ZEB) to complying with California Air Resources Board’s (CARB) regulation to reduce nitrogen oxide and particulate matter emitted by public transit buses. Facilities were modified, hydrogen fueling station was installed, and training was provided for staff, emergency responders and others. The three ZEBs started revenue service in February 2005. Project is closed.

**Final Cost:** $19.5 million  
**Year of Completion:** 2005  

**Highway 17 Bus Service Improvements**

**Project Description:** VTA reimbursed Santa Cruz Metro $2.5 million for the procurement of five buses necessary to operate service between Santa Cruz, Scotts Valley, and Downtown San Jose. These buses replaced existing buses that are 20 years old, with an average of 950,000 miles each. The five buses went into service in March/April 2011. Project is closed.

**Final Cost:** $2.5 million  
**Year of Completion:** 2011  

**Caltrain South County**

**Project Description:** Original scope included 8 miles of double tracking on the existing Union Pacific Railroad (UPRR) corridor between San Jose and Gilroy to increase Caltrain capacity. On June 11, 2013, California Transportation Commission (CTC) took action to de-allocate remaining funds to Transportation Agency for Monterey County (TAMC). Hence, this Project was closed.

**Final Cost:** $17.6 million  
**Year of Completion:** NA
Figure 1 – Cost Estimate Classification Matrix
(Adapted from AACE Skills & Knowledge of Cost Engineering, 4th ed., Chapter 1)

<table>
<thead>
<tr>
<th>Estimate Class</th>
<th>Level of Project Definition</th>
<th>Expected Accuracy Range</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Expressed as engineering percent completion at time of estimate</td>
<td>Typical variation in low and high ranges</td>
</tr>
<tr>
<td>Class 5</td>
<td>0% to 5%</td>
<td>-50% to +100%</td>
</tr>
<tr>
<td>Class 4</td>
<td>5% to 25%</td>
<td>-30% to +50%</td>
</tr>
<tr>
<td>Class 3</td>
<td>35%</td>
<td>-20% to +30%</td>
</tr>
<tr>
<td>Class 2</td>
<td>65%</td>
<td>-15% to +20%</td>
</tr>
<tr>
<td>Class 1</td>
<td>90% to 100%</td>
<td>-10% to +15%</td>
</tr>
</tbody>
</table>

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

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

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

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

A ½ CENT TRANSIT SALES TAX

To:
• Connect BART to Milpitas, San Jose, Santa Clara;
• Build rail connection from San Jose International Airport to BART, Caltrain, light rail;
• Purchase vehicles for disabled access, senior safety, clean air buses;
• Provide light rail throughout Santa Clara County;
• Expand, electrify Caltrain;
• Increase rail, bus service.

Shall Santa Clara Valley Transportation Authority enact a ½ cent sales tax for 30 years beginning 4/1/06 when current tax expires, with annual audits published in local newspapers and an independent citizens watchdog committee?

COMPLETE TEXT OF MEASURE A

Shall the Board of Directors of the Santa Clara Valley Transportation Authority (VTA) be authorized to enact a retail transactions and use tax ordinance imposing (a) a tax for the privilege of selling tangible personal property at retail upon every retailer in Santa Clara County, the territory of VTA; such tax to be at the rate of one-half of one percent of the gross receipts of the retailer from the sale of all tangible personal property sold by him at retail in the territory of VTA, and (b) a complimentary tax upon the storage, use, or other consumption in Santa Clara County, the territory of VTA; such tax to be at the rate of one-half of one percent of the sales price of the property whose storage, use, or other consumption is subject to the tax, such taxes to be imposed for a period not to exceed 30 years, and to take effect only upon the expiration of the current County of Santa Clara 1996 Measure B ½ cent sales tax in April, 2006, and to be used only to:

• Extend BART from Fremont through Milpitas to Downtown San Jose and the Santa Clara Caltrain Station, specifically,

To build a BART Extension from Fremont to Milpitas, San Jose and Santa Clara with a major connection to the Tasman Light Rail line at the Milpitas BART Station. In San Jose to include a BART subway section with stations at San Jose State University, the new San Jose City Hall, Downtown San Jose at Market Street, San Jose Arena and the Diridon Multimodal Station connecting to Caltrain, ACE, Amtrak, the Vasona Light Rail line and VTA bus service. In Santa Clara, to serve Santa Clara University, and the Caltrain Station with a
people mover connection to San Jose International Airport.

- **Provide Connections from San Jose International Airport to BART, Caltrain and the VTA Light Rail, specifically,**
  
  To build a people mover rail line connecting the airport passenger terminals directly with BART, Caltrain and the VTA Light Rail line.

- **Extend Light Rail from Downtown San Jose to the East Valley by**
  
  Building a Downtown/East Valley Light Rail line from downtown San Jose serving the new San Jose City Hall and San Jose State University, out Santa Clara Street to Capitol Avenue to join the Capitol Light Rail line then south to Eastridge Shopping Center.

- **Purchase Low Floor Light Rail Vehicles, specifically**
  
  To better serve disabled, seniors and others; purchase an additional 20 low floor light rail vehicles to join the 30 low floor vehicles now being constructed for the new Tasman, Capitol and Vasona Light Rail lines and 50 new low floor vehicles to replace VTA's existing 50 light rail vehicles.

- **Improve Caltrain: Double Track to Gilroy and Electrify from Palo Alto to Gilroy**
  
  Extend the Caltrain double track from the San Jose Tamien Station through Morgan Hill to Gilroy. Provide VTA's funds for the partnership with San Francisco and San Mateo counties to electrify Caltrain from San Francisco to Gilroy.

- **Increase Caltrain Service, specifically**
  
  Purchase new locomotive train sets for increased Caltrain service in Santa Clara County from Gilroy to Palo Alto and provide additional facilities to support the increased service.

- **Construct a New Palo Alto Intermodal Transit Center**
  
  In partnership with the City of Palo Alto and Stanford University, design and construct a new parkway and underpass for University Avenue from the campus to downtown Palo Alto to improve bicycle, pedestrian and transit access to the campus, Palo Alto Caltrain station and downtown Palo Alto. Upgrade passenger facilities at the historic Palo Alto Caltrain station, upgrade transit facilities for VTA, SAMTRANS, Dumbarton Express and the Stanford Marguerita and Palo Alto shuttle services.

- **Improve Bus Service in Major Bus Corridors**
  
  For VTA Line 22 (Palo Alto to Eastridge Center) and the Stevens Creek Boulevard Corridor, purchase new low floor articulated buses. Improve bus stops and major passenger transfer points and provide bus queue jumping lanes at intersections to permit buses quick access along the corridors.

- **Upgrade Altamont Commuter Express (ACE)**
  
  Provide VTA's matching funds for additional train sets, passenger facilities and service upgrades for the ACE Commuter Service from San Joaquin and Alameda Counties.
• **Improve Highway 17 Express Bus Service**
  Provide VTA's share of funds for the partnership with the Santa Cruz County Transit District for additional buses and service upgrades for the Highway 17 Express Bus Service.

• **Connect Caltrain with Dumbarton Rail Corridor**
  Provide VTA's share of matching funds for a partnership with Alameda and San Mateo counties for the rebuilding of the Dumbarton Rail Corridor to connect to Caltrain and train sets for this new service conditioned on Alameda and San Mateo County's funding.

• **Purchase Zero Emission Buses and Construct Service Facilities**
  Provide funds to supplement federal funds to expand and replace existing VTA diesel bus fleet from current size of just over 500 vehicles to 750 vehicles with the new zero emission buses and to provide maintenance facilities for this new, clean vehicle propulsion system. All new buses to be low floor for easier boarding by seniors and the disabled.

• **Develop New Light Rail Corridors**
  Provide capital funds for at least two new future light rail corridors to be determined by Major Investment Studies (MIS). Potential corridors include: Sunnyvale/Cupertino; Santa Teresa/Coyote Valley; Downtown/East Valley Connection to Guadalupe Line; Stevens Creek Boulevard; North County/Palo Alto; Winchester/Vasona Junction; and, initial study of BART connection from Santa Clara through Palo Alto to San Mateo County.

• **Fund Operating and Maintenance Costs for Increased Bus, Rail and Paratransit Service**
  Provide revenue to ensure funding, to at least 2014, and possibly longer, of the following: the new Tasman East, Capitol and Vasona Light Rail lines, the commuter rail connection to BART, expanded paratransit services, expanded bus fleet of 750 vehicles, the Downtown/East Valley Light Rail line operations, which can commence in 2008, and the BART extension to San Jose which can commence operations by 2010;

All subject to the following mandatory requirements:

• **The Tax Must Expire 30 Years After Implementation.**
  If approved by the voters, this half-cent sales tax must expire 30 years after implementation. The tax will be imposed for the period commencing April 1, 2006 when current tax expires and terminate on March 31, 2036. The length of this tax cannot be extended without a vote – and the approval – of the residents of Santa Clara County.

• **An Independent Citizen's Watchdog Committee Must Review all Expenditures.**
  The Independent Citizen’s Watchdog Committee will consist of private citizens, not elected officials, who comprise the VTA’s Citizen’s Advisory Committee. Responsibilities of the Citizen’s Watchdog Committee are:

  • Public Hearings and Reports: The Committee will hold public hearings and issue reports on at least an annual basis to inform Santa Clara County residents how the
funds are being spent. The hearings will be held in full compliance with the Brown Act, California’s open meeting law with information announcing the hearings well-publicized and posted in advance.

- Annual Independent Audits: An annual audit conducted by an independent Auditor will be done each fiscal year to ensure tax dollars are being spent in accordance with the intent of this measure.

- Publish results of Audits and Annual Reports: The Committee must publish the results of the Independent Auditor and the Annual Report in local newspapers. In addition, copies of these documents must be made available to the public at large.

such authorization being pursuant to the provisions of Sections 100250 et seq. of the public Utilities Code and Sections 7251 et seq. of the Revenue and Taxation Code.
## APPENDIX C – 2000 MEASURE A FUND SWAPS

### Figure 1.3

**Funds Outgoing From Measure A:**
Local Program Reserve Projects Receiving Measure A Funds

<table>
<thead>
<tr>
<th>Sponsor</th>
<th>LPR Funds Allocated By Board (000s)</th>
<th>Expended to Date (000s)</th>
<th>Project</th>
<th>Status Phase</th>
</tr>
</thead>
<tbody>
<tr>
<td>VTA</td>
<td>$18,285</td>
<td>$17,720</td>
<td>I-880 HOV Widening; SR-237 to US-101</td>
<td>Completed</td>
</tr>
<tr>
<td>VTA</td>
<td>$7,244</td>
<td>$5,633</td>
<td>US 101 Improvements (280/680 to Yerba Buena)</td>
<td>Completed</td>
</tr>
<tr>
<td>VTA</td>
<td>$15,030</td>
<td>$14,842</td>
<td>US 101 Improvements (85 to Embarcadero)</td>
<td>Construction</td>
</tr>
<tr>
<td>VTA</td>
<td>$1,000</td>
<td>$500</td>
<td>I-880/1-280/Stevens Creek Interchange</td>
<td>Construction</td>
</tr>
<tr>
<td>VTA</td>
<td>$4,900</td>
<td>$4,900</td>
<td>US 101/SR-25 Interchange</td>
<td>Env./PA/ED</td>
</tr>
<tr>
<td>VTA/ACCMA</td>
<td>$8,000</td>
<td>$7,998</td>
<td>I-680 Sunol Grade HOV/HOT Lane</td>
<td>Completed</td>
</tr>
<tr>
<td>VTA</td>
<td>$2,500</td>
<td>$2,497</td>
<td>SR-87 HOV North &amp; South - Cost Increase</td>
<td>Completed</td>
</tr>
<tr>
<td>Gilroy</td>
<td>$555</td>
<td>$326</td>
<td>SR-152/SR-156 Interchange - Cost Increase</td>
<td>Completed</td>
</tr>
<tr>
<td>Sunnyvale</td>
<td>$6,725</td>
<td>$6,725</td>
<td>Gilroy/Arroyo Circle/Arroyo Camino Improvements</td>
<td>Completed</td>
</tr>
<tr>
<td>SCCounty</td>
<td>$524</td>
<td>$524</td>
<td>Mathilda Ave Caltrain Bridge Reconstruction</td>
<td>Completed</td>
</tr>
<tr>
<td>Morgan Hill</td>
<td>$2,510</td>
<td>$2,510</td>
<td>Butterfield Blvd Extension Project</td>
<td>Completed</td>
</tr>
<tr>
<td>SCCounty</td>
<td>$275</td>
<td>$268</td>
<td>Santa Teresa/Fitzgerald Ave Intersection Signals</td>
<td>Completed</td>
</tr>
<tr>
<td>Saratoga</td>
<td>$400</td>
<td>$0</td>
<td>Citywide Signal Upgrade Project Phase 2</td>
<td>Not initiated yet</td>
</tr>
<tr>
<td>SCCounty</td>
<td>$315</td>
<td>$315</td>
<td>Alum Rock School District Area Traffic Calming</td>
<td>Completed</td>
</tr>
<tr>
<td>Sunnyvale</td>
<td>$2,000</td>
<td>$2,000</td>
<td>US101/Mathilda Ave/SR237 IC</td>
<td>Preliminary Engineering</td>
</tr>
<tr>
<td>San Jose</td>
<td>$5,076</td>
<td>$5,076</td>
<td>Julian/St. James Downtown Couplet Conversion</td>
<td>Completed</td>
</tr>
<tr>
<td>VTA/SBCOG</td>
<td>$5,000</td>
<td>$3,811</td>
<td>SR-152 New Alignment</td>
<td>Pre-PA/ED</td>
</tr>
<tr>
<td>Milpitas</td>
<td>$1,800</td>
<td>$0</td>
<td>Tasman East LRT Landscaping</td>
<td>Not initiated yet</td>
</tr>
<tr>
<td>VTA</td>
<td>$5,876</td>
<td>$4,281</td>
<td>US 101/Capitol Expwy and Yerba Buena Int. Imp.</td>
<td>Closeout</td>
</tr>
<tr>
<td>VTA</td>
<td>$7,205</td>
<td>$7,065</td>
<td>US 101 Express Lanes</td>
<td>Environmental</td>
</tr>
<tr>
<td>VTA</td>
<td>$2,550</td>
<td>$2,251</td>
<td>SR 237 Express Lanes-Phase II Extension</td>
<td>Preliminary Engineering</td>
</tr>
<tr>
<td>VTA</td>
<td>$105</td>
<td>$16</td>
<td>SR87 South Landscaping</td>
<td>Completed</td>
</tr>
<tr>
<td>VTA</td>
<td>$700</td>
<td>$700</td>
<td>I-280/Foothill Expwy Ramp Imp.</td>
<td>Design</td>
</tr>
<tr>
<td>VTA</td>
<td>$200</td>
<td>$0</td>
<td>US 101 SB Off-Ramp to SR-87</td>
<td>Pre-PA/ED</td>
</tr>
<tr>
<td>VTA</td>
<td>$54</td>
<td>$40</td>
<td>Caltrans PID Work - US 101/De La Cruz/Trimble</td>
<td>Pre-PA/ED</td>
</tr>
<tr>
<td>VTA</td>
<td>$46</td>
<td>$46</td>
<td>Caltrans PID Work - El Camino Real/SR237</td>
<td>Completed</td>
</tr>
<tr>
<td>Palo Alto</td>
<td>$1,175</td>
<td>$0</td>
<td>California Ave Transit Hub</td>
<td>Design</td>
</tr>
<tr>
<td>VTA/Caltrans</td>
<td>$2,200</td>
<td>$921</td>
<td>Combined Landscape Maintenance</td>
<td>Construction/Design</td>
</tr>
<tr>
<td>VTA</td>
<td>$18,950</td>
<td>$2,542</td>
<td>Express Lanes: SR237/SR85/US101</td>
<td>PA/ED</td>
</tr>
<tr>
<td>VTA</td>
<td>$250</td>
<td>$126</td>
<td>I-680 Corridor Study (Calaveras to US 101)</td>
<td>Pre-PA/ED</td>
</tr>
<tr>
<td>VTA</td>
<td>$250</td>
<td>$0</td>
<td>I-280 Corridor Study (US101/h680 IC to Page Mill)</td>
<td>Not initiated yet</td>
</tr>
<tr>
<td>VTA</td>
<td>$250</td>
<td>$0</td>
<td>I-280/Winchester Off Ramp Environmental Phase</td>
<td>Not initiated yet</td>
</tr>
<tr>
<td>N/A</td>
<td>$80</td>
<td></td>
<td>Unprogrammed LPR - TBD</td>
<td>Unprogrammed</td>
</tr>
</tbody>
</table>

**TOTALS** $122,480 $93,975
Figure 1.4
Funds Incoming To Measure A: Projects Receiving STIP Funds

<table>
<thead>
<tr>
<th>Sponsor</th>
<th>Programmed by Board (000s)</th>
<th>Received to Date (000s)</th>
<th>Project</th>
<th>Status Phase</th>
</tr>
</thead>
<tbody>
<tr>
<td>VTA</td>
<td>$57,540</td>
<td>$24,340</td>
<td>Capitol Expressway LRT Extension</td>
<td>ROW/ Construction</td>
</tr>
<tr>
<td>VTA</td>
<td>$50,440</td>
<td>$50,440</td>
<td>BART Hayward Maintenance Complex</td>
<td>ROW/Design</td>
</tr>
<tr>
<td>VTA</td>
<td>$14,500</td>
<td>$0</td>
<td>VTA BART to Silicon Valley - Santa Clara Extension</td>
<td>PA/ED</td>
</tr>
</tbody>
</table>

TOTAL $122,480 $74,780
<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
<th>Schedule</th>
<th>Key Accomplishment</th>
</tr>
</thead>
</table>
| P 0728: VTA’s Silicon Valley Extension Project (C700) | Contractor: Skanska Shimmick Herzog Designer: Skanska Shimmick Herzog | Approved Budget: $888.06M Estimated Cost: $888.06M Fund Source: Federal, State, Local | Contract Completion: October 2016 | During this report period, the BART Silicon Valley Berryessa Extension (SVBX) Line Track Station and System (LTSS) contractor accomplished the following:  
  - The Berryessa Aerial Structure was substantially completed and the contractor completed the north and south approaches.  
  - At Milpitas Station, the concourse deck was completed and structural steel/decking were installed.  
  - Work on shoring and excavation for Hostetter trench, south of the Sierra/Lundy intersection, was completed.  
  - A section of Floating Slab Track (FST) was completed near Calaveras Boulevard with full production placement of the FST prefab panels, and a 50-foot Tire Derived Aggregate (TDA) test strip was also placed north of the Calaveras Boulevard FST. |
| P 0728: VTA’s Silicon Valley Extension Project (C740) | Contractor: Ghilotti Construction Design: WMH Corporation | Approved Budget: $6.2M Estimated Cost: $6.2M Fund Source: Federal, State, Local | Construction Completion: November 2015 | The Milpitas Campus surface parking lot construction contract (C740) was awarded on February 5, 2015, and work is underway. |
| P 0728: VTA’s Silicon Valley Extension Project (C742) | Contractor: Granite Rock Company Design: WMH Corporation | Approved Budget: $30.3M Estimated Cost: $30.3M Fund Source: Federal, State, Local | Construction Completion: December 2016 | The Berryessa Station Campus and Roadways construction contract (C742) was advertised for bids on March 26, 2015. Seven bids were received on June 10. The contract was awarded in August 2015, with work planned to begin in September 2015. |
| P 3128: Mission Warren Freight Rail Relocation (C101) | Contractor: RGW Construction Designer: HNTB Corporation | Approved Budget: $59.5M (Apr-15 VTA Board Meeting) Estimated Cost: $59.5M Fund Source: VTA, Federal, State, City of Fremont, | Construction Completion: August 2015 | Mission Boulevard was fully opened to traffic in spring 2015. |
| P 0784 - Northern Light Rail Express | Contractor: Shimmick Construction Company (Ph1); B&C Transit, Inc.(Ph2) Designer: URS Corporation | Approved Budget: $63.2M Estimated Cost: $63.2M Fund Source: Measure A | Construction Completion: December 2015 | Phase 1 construction started in September 2014. Phase 2 construction was awarded to B&C Transit, Inc. in January 2015. Construction under both contracts is under progress. |
| P 0744 - Eastridge Transit Center | Contractor: Pavex Construction Designer: Rajappan & Meyer Consulting | Approved Budget: $68.4M Estimated Cost: $60.70 Fund Source: VTA, Federal, State | Construction Completion: June 2015 | Construction of the Eastridge Transit Center, Bus Operators Facility and Park and Ride was completed and opened to public in May 2015. |
| P-0475 Santa Clara Alum Rock BRT | Contractor: Goodfellow Top Grade Design: CH2M Hill | Approved Budget: $127.3M Estimated Cost: $127.3M (under review) Fund Source: Measure A, State (Prop 1B) | Construction Completion: January 2017 | Construction contract for the Santa Clara Bus Rapid Transit project was awarded in November 2013. Field work started in March 2014. Construction has been suspended after a safety shutdown was issued to the Contractor for a gas line hit. Project team is working with contractor/s, VTA legal and the community in developing a contracting strategy to complete the unfinished work. |
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: Technology Update

FOR INFORMATION ONLY

BACKGROUND:

VTA began a new emphasis on building and embracing new developments in transportation technology commonly referred to as Smart Transportation and Smart Transit in early 2014. To achieve this goal of re-positioning VTA as a leader in transportation technology, VTA embraced an Open data philosophy, set up a machine readable external site to share data, and started building a complete connected vehicle fleet using the “Internet of Things” (IoT) technology and US Depart of Transportation's Dedicated Short Range Communication DSRC concepts. VTA started to research and identify potential industry partners such as Prospect Silicon Valley, Allied Telesis, the Silicon Valley Radio Interoperability Project, Siemens, Cisco, City of San Jose and the City of Santa Clara in mid-2014.

VTA built and deployed an Innovation Center to further foster the IoT concept with a focus on solving Transportation and transit problems in February 2015. VTA also worked with Siemens and Prospect Silicon Valley to publish a call for Innovators, and issued a Request for Quotes (RFQ) to build a mobile and web application supporting a new "On Demand and Flexible" transit model.

DISCUSSION:

The goal of VTA’s Innovation Program is to facilitate the transformation of the organization into being more innovative, creative and successful, which will then transform VTA and the entire community. VTA strategy to create an open innovation program around priority innovation areas, seeking innovative, demonstration-ready technology solutions aimed at these major goals:

- Improve the transit customer experience, reducing wait times and trip times for travelers.
- Improve vehicle and system safety, security, and efficiency.
Assist transit customers with their “first/last mile” connections by:

- Intermodal travel facilitation and routing solutions or platforms
- Advanced parking management solutions or platforms
- Partnership with private sector on car share and other clean air innovation.

To date, VTA has some 18 different demonstrations or pilots in the assessment, contracting or collaboration phase. The following Innovation projects are some of the exciting innovations going on at VTA:

- Interactive customer messaging kiosks
- Light Rail customer messaging signs
- Pedestrian and bike collision avoidance pilot
- Comprehensive connected vehicle demonstration
- Bus stop request pilot
- Electric bike alternative / bike share pilot
- Application Collaborations
  - RideScout (Transportation Demand Management TDM solution)
  - Multi Modal Trip Planner
- Working with Levi's Stadium on way finding to transit
- Working with Levi’s Stadium on enhanced CCTV and security

In addition to developing a number of strong innovation projects, staff has been sharing our experiences with the industry by attending and presenting at forums, trade shows and conferences such as the Smart Cities Conference, Smart Rail Conference, SPUR Technology workshop series, ITS CA Northern chapter meetings and the annual ITS CA conference. Topics have been on the new first and last mile FLEX service, connected vehicle initiatives, cyber security, and clean power alternatives.

VTA took the lead in setting up a Transit Innovation Alliance with LA Metro, VTA, AC Transit, and TriMet. The mission of the alliance is to collaborate on innovation demonstrations and pilots, leverage our purchasing power, and to help develop standards for the next generation technology.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

Staff presented this item at the Transit Planning and Operation (TP&O) Committee the Congestion Management Program & Planning (CMPP) Committee in October 2015.
Both the TP&O and CMPP committees asked questions about VTA’s newly formed Transit Innovation Alliance made up of LA METRO, VTA, AC Transit and TriMet. The CMPP requested staff to forward the Technology Innovation report to the full Board. The TP&O members provided feedback and suggestions to the new Light Rail transit signs.

Prepared By: Gary Miskell
Memo No. 5014
Technology Innovation Update

October 2015
Innovation @ VTA

2014
• Kicked off a Smart Transportation and Smart Transit Strategy Initiative
• Developed a policy and procedure supporting Innovation and pilots
• Embraced an Open Data Philosophy
• Started building an internet connected vehicle fleet
• Investigated industry partners

2015
• Opened VTA’s Innovation Center
• Presented 20 innovation / pilot proposals to the Technology Innovation Council
• Transit Alliance with LA Metro, VTA, AC Transit & TriMet
Customer Messaging Project status

**Interactive Customer Messaging Board (iCMB),**
- A solution for Non-smart phone customer
- 42 inch interactive touch screen at major transit centers
- Trip planning, Real time bus location
- Bus schedule, route maps,
- Local attraction, businesses and shopping
- Q1 2016 completion

**Light Rail Customer Messaging**
- Display Real time information
- Display the number of car in the train set
- Fill color video, emergency messaging, advertising opportunity
- Way finding and transit stations maps
- Local interest, businesses and shopping
- Deployed the first 32 signs by December 2015
Safety and Security Project status

**Pedestrian and Bike collision avoidance system**
- Evaluated the current state of collision avoidance systems
- Information sharing with Transit for London
- Evaluated the first every Transit bus collision avoidance system
- Complete the pilot contract with Mobileye by the end of November 2015

**Connected Vehicles**
- Received eight unsolicited connected vehicle proposals
- Proposals range from signal light preemption, CCTV download, vehicle to infrastructure communication, bike to transit vehicle communication
- Consolidate all of the Connected pilot ideas into a single proposal
- Develop a Demonstration RFP by January 2016
Dedicated Short Range Communications Demonstration – Stop Request

Use Dedicated Short Range Communication DSRC technology to notify bus if passengers are at the up-coming bus stop or shelter.

**Benefits:**
- Better Planning for Approaching Stop
- Save time and fuel by not stopping for empty bus stops
- Gather information that can support improving future transit flow
- Infrastructure can support additional applications

Trans: DSRC
Format: TIM, BSM

Trans: Bluetooth

Collaboration between: Arada Systems, eTrans & VTA
VTA and Swiftmile are collaborating on a first / last mile pilot to help VTA employees in North San Jose connect to public transit.

Customers use a mobile app to locate and reserve a Personal Electric Transport (PET), such as an electric bike or scooter, at one of the charging hubs.

SwiftStations utilize smart technology including DSRC, Wi-Fi to communicate to the PETs.
Innovation Projects - Applications

RideScout & Joint Venture SV project
- Working with RideScout to better understand how a Transportation Demand Management TDM application would work.
- Completed internal survey using VTA transit riders
- Developed a set of requirements to help track transit riders
- Developing a Transit Management Strategy
- Testing the new S/W solution in Q1 2016

Multi Modal Trip Planner & Real time data
- Developed first release of a true Multi Modal Trip Planner  www.tripplanner.vta.org
- Included Bus and Rail Real Time Information RTI
- Integrate into the FLEX software in Q1 2016
- Develop a Mobile application in Q2 2016
Way Finding at Levi’s Stadium

PROBLEM:
- Levi’s Stadium way finding application function only works in the stadium.
- VTA customers wanting to find their way to light rail or to their correct bus stop.

PROPOSAL Aruba VenueNext and Levi’s Stadium:
- Extend the way finding application to include the Great America Light Rail Station & VTA bus stops.
- Application testing to be completed by October 16th
- Deployment by November 6th
BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Director of Engr. & Trans. Infrastructure Dev., Carolyn M. Gonot

SUBJECT: Construction Contract Award Contract C640 (15014) Montague Expressway and South Milpitas Boulevard Improvements

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

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to execute a contract with O.C. Jones & Sons, Inc., the lowest responsible and responsive bidder, in the amount of $19,892,991 for the construction of Montague Expressway and South Milpitas Boulevard Improvements.

BACKGROUND:

VTA is implementing the Montague Expressway and South Milpitas Boulevard Improvements Project in cooperation with the County of Santa Clara, the Santa Clara Valley Water District, and the City of Milpitas. Construction of these improvements are being administered by VTA because they are tightly coordinated with the design and construction phasing of VTA’s BART extension to Berryessa.

The C640 Contract is a construction contract that includes all the improvements for the Montague Expressway and South Milpitas Boulevard Improvements Project. The C640 Contract scope includes the widening and raising of approximately 2,000 feet of Montague Expressway between Piper Drive and Pecten Court; replacing the existing Berryessa Creek culvert with a new concrete bridge on Montague Expressway; widening and raising of approximately 350 feet of South Milpitas Boulevard north of Montague Expressway; and constructing approximately 1,130 feet of South Milpitas Boulevard extension from Montague Expressway to west of Gladding Court.

The work consists of demolition and clearing, bridge construction including pile foundations, earthwork, paving, drainage, stormwater treatment basins, landscaping, signing, pavement
delineation, traffic signals, street lights, electrical work and related appurtenances, sanitary sewer, potable and recycled water systems, and other related work.

**DISCUSSION:**

The C640 Contract was advertised on June 17, 2015. Contractor pre-qualification was required and there were twelve pre-qualified contractors for this project. Eight bids were submitted on August 12, 2015 with the following results:

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Bid Amount</th>
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<tbody>
<tr>
<td>O.C. Jones &amp; Sons, Inc.</td>
<td>$19,892,991</td>
</tr>
<tr>
<td>DeSilva Gates Construction</td>
<td>$19,955,555</td>
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<td>Graniterock Company</td>
<td>$20,066,110</td>
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<td>Granite Construction Company</td>
<td>$20,358,358</td>
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<td>Ghilotti Construction Company, Inc.</td>
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<td>RGW Construction, Inc.</td>
<td>$20,626,858</td>
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<td>Teichert Construction</td>
<td>$21,841,895</td>
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<td>Brosamer and Wall, Inc.</td>
<td>$22,972,305</td>
</tr>
<tr>
<td>Engineer’s Estimate</td>
<td>$20,867,129</td>
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</tbody>
</table>

The lowest bid was submitted by O.C. Jones & Sons, Inc. (OCJ) in the amount of $19,892,991. The bids received by VTA were highly competitive, and OCJ’s bid, 4.7% below the Engineer’s Estimate, is fair and reasonable.

Based on identifiable subcontracting opportunities, a Small Business Enterprise (SBE) goal of 13.66% was established for this project. VTA’s review of the bid documents determined that OCJ attained SBE participation of 10.32%, and based on the review of the Good Faith Efforts documentation, OCJ have met the requirements and demonstrated Good Faith Efforts towards attainment of the SBE goal. The Good Faith Efforts Committee met on August 18, 2015, and staff recommended award of this contract to the lowest bidder, OCJ. A list of named subcontractors for OCJ is included in Attachment B.

Notice of Recommended Award to O.C. Jones and Sons, Inc. was issued to the eight bidders on August 24, 2015. The second lowest bidder DeSilva Gates Construction submitted a protest on August 28, 2015 asserting that OCJ submitted a bid that was non-responsive and received a competitive advantage over the other bidders by not complying with the requirements of the Contract Documents. VTA staff reviewed the protest and concluded that OCJ complied with the requirements of the bid documents in the submission of their bid and did not receive a competitive advantage over the other bidders.

VTA staff has completed the bid review process and concludes that OCJ is the lowest responsible and responsive bidder. VTA staff recommends that the VTA Board of Directors award the contract to O.C. Jones & Sons, Inc.

Construction is anticipated to begin in December 2015 with completion by September 2017.
ALTERNATIVES:

The Board could choose to reject all bids and request staff to re-advertise. This action would delay the completion of the Montague Expressway and South Milpitas Boulevard Improvements project, which would negatively affect SVBX’s delivery schedule.

FISCAL IMPACT:

This action will authorize $19,892,991 for construction of Montague Expressway and South Milpitas Boulevard Improvements. Appropriation for this expenditure is included in the FY16 Adopted 2000 Measure A Transit Improvement Program Fund Capital Budget. This contract is funded by a combination of 2000 Measure A and other local fund sources including the Santa Clara Valley Water District, the County of Santa Clara, and the City of Milpitas.

SMALL BUSINESS ENTERPRISE (SBE) PARTICIPATION:

Based on identifiable subcontracting opportunities, a Small Business Enterprise goal of 13.66% was established for this contract. O.C. Jones & Sons, Inc. has committed to 10.32% SBE participation on this contract.

STANDING COMMITTEE DISCUSSION/RECOMMENDATION:

The Administration & Finance Committee considered this item on October 15, 2015 and unanimously recommended that the Board approve the staff recommendation.

Prepared by: Dennis O. Ratcliffe
Memo No. 5231

ATTACHMENTS:

- 5231 - C640 Board Memo Att A (PDF)
- C640 Board Memo Attachment B_Subcontractors List (PDF)
<table>
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<tr>
<th>Contractor Firm</th>
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<tr>
<td>O. C. Jones &amp; Sons</td>
<td>Prime Contractor</td>
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<tr>
<td>MCM Construction</td>
<td>Structural Concrete</td>
<td>Sacramento, CA</td>
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<td>MF Maher</td>
<td>Minor Concrete</td>
<td>Vallejo, CA</td>
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<td>DeKay Demolition &amp; Clearing</td>
<td>Building Demolition and Railroad Tracks Removal</td>
<td>Oakland, CA</td>
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<td>St. Francis Electric</td>
<td>Electrical</td>
<td>San Leandro, CA</td>
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<td>Golden Bay Fence &amp; Iron Works</td>
<td>Fencing and Gates</td>
<td>Stockton, CA</td>
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<td>Lone Star Landscape</td>
<td>Landscaping and Irrigation</td>
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<td>Gerco Contractors</td>
<td>Sign Structure</td>
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<td>Sierra Nevada Construction</td>
<td>Micro-Surfacing</td>
<td>Sacramento, CA</td>
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<tr>
<td>Sierra Traffic Markings</td>
<td>Striping and Pavement Marker</td>
<td>Roseville, CA</td>
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<tr>
<td>Mountain Cascade</td>
<td>Underground Utilities</td>
<td>Livermore, CA</td>
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BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Director of Engr. & Trans. Infrastructure Dev., Carolyn M. Gonot

SUBJECT: Silicon Valley Berryessa Extension (SVBX) Project Construction Management Services Contract No. S12015F Amendment with PGH Wong Engineering, Inc.

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

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to execute a contract amendment with PGH Wong Engineering, Inc. (Wong) to provide additional construction management oversight services for the Silicon Valley Berryessa Extension Project in the amount of $17,500,000 thereby increasing the total agreement value from $27,000,000 to $44,500,000.

BACKGROUND:

The extension of Bay Area Rapid Transit (BART) services into Santa Clara County, known as VTA’s BART Silicon Valley Extension, is being implemented under a comprehensive agreement between BART and VTA. VTA is implementing the extension in stages. The first stage is known as the Silicon Valley Berryessa Extension (SVBX) Project. The SVBX Project is a 10 mile extension of BART service from the Warm Springs Station in the City of Fremont (Alameda County) that proceeds on the former UPRR right-of-way and ends near Las Plumas Avenue in the City of San Jose. The SVBX project includes the Milpitas Station and the Berryessa Station.

On December 8, 2011, the VTA Board approved a contract with PGH Wong Engineering, Inc. (Wong) with a value of $27,000,000 to provide construction management services on the SVBX Project through June 2018. The contract was subsequently executed on March 1, 2012.

Wong is assisting VTA with the management of the SVBX Project by measuring, quantifying, and documenting the progress of completed work, and assuring compliance with contract quality requirements. Specific services being provided by Wong include:
• Inspection, documentation and acceptance of the work
• Independent quality control testing
• Off-site inspection and testing
• Oversight of contractors safety program
• Utility agency coordination and contact administration
• Contract administration support
• Environmental and hazardous material monitoring
• Progress measurement and payment documentation

DISCUSSION:

Wong is providing construction management services for the C700 Line, Track, Systems, and Stations contract and the campus construction contracts, including C730, C740, and C742. The campus contracts include design-build parking structures and design-bid-build campus and roadway contracts for the Milpitas and Berryessa Station sites.

Following the VTA Board action on December 8, 2011, there have been several changes in the SVBX Project schedules and other implementation details which have required increases in the level of effort required for the services provided by Wong. These changes were not contemplated in the labor resource plan that formed the basis for the original contract value.

The SVBX Project is now approximately 70% complete. Most design and design related activities are either complete or nearing completion, and the project is deep in the stages of civil construction and will soon begin systems installation and testing. As the SVBX project progresses through these phases of work, the composition of the SVBX management team is continually being adjusted to meet the changing demands of the work. The design related support VTA has needed from many of the design firms that have been engaged in the project is coming to an end, and the SVBX Project team is rapidly transitioning into a purely construction management and administration organization. Wong is providing the construction management services and personnel that is facilitating this transition.

The SVBX Project involves more than a dozen construction contracts. Each of these construction contracts have interfacing elements, time constraints, and regulatory requirements. Changing conditions during construction require changes to contract schedules and contract interfaces. Such changes during SVBX construction have created changes in construction management staffing requirements that are the basis of the recommended amendment to the Wong contract. The relevant changes are indicated below.

C700 Construction Schedule Modifications
Original C700 schedule: Start March 2012, Complete April 2016
Current C700 schedule: Start March 2012, Complete February 2017

The current forecast completion of the C700 Line, Track, Station, and Systems contract is approximately 10 months later than originally planned. While Wong has been diligent in adjusting staffing levels to match the C700 contractor’s level of effort, key management roles including Project Managers, Construction Managers, Safety Oversight Managers, Office Engineers, and
Support Specialists needed to be consistently staffed to support ongoing operations of the project. Additionally, key construction activities have been prolonged by approximately six months compared to C700’s baseline construction schedule to which Wong developed the original resource allocation plan. Utility relocation, heavy civil and structural construction, station fit up, and trackwork installation have been significantly extended due to prolonged design development, ongoing coordination activities with third parties, and changes in response to C700’s construction methodology. The extended activity durations have impacted the anticipated duration of deployment for specialized Site Representatives and Field Engineers, who are assigned to supervise specific disciplines of construction from start to finish.

Increased Effort on Current Work Scope
Starting in November 2012, VTA requested Wong to provide the following additional professional services not included in the original resource plan for the Contract:

(1) System Design/Build Oversight: VTA requested Wong to provide Systems Design/Build Oversight services to manage oversight of the Systems design, construction, and testing efforts; provide technical leads in areas of Systems Integration, Trackwork, Traction Power, Automatic Train Control, and Communications; provide Systems design oversight; and support VTA with BART Systems Interfaces. During the Testing and Start-Up phase of the project, Wong has been asked by VTA to provide VTA Testing and Start-Up Manager and VTA Test Director.

(2) Additional Safety and Security Oversight: Starting during Fiscal Year 2013 / 2014, VTA requested Wong to furnish an additional Construction Safety and Security Oversight personnel. Original staffing plan of the Contract was based on one Project Safety and Security Manager and one C700 Field Safety Oversight Manager. VTA requested Wong to provide a third C700 Field Safety Oversight representative that would augment the team for approximately four years.

(3) Additional Environmental Compliance Oversight, Security Documentation, and support for As-Built plan preparation: These services are required by the project, and due to project time extension can no longer be supported by prior contracts.

(4) Additional Other Direct Costs: Starting during Fiscal Year 2015 / 2016, VTA requested Wong to furnish six leased vehicles for employees to use on the project for a 24-month period. The C700 Contract had provisions to provide pool vehicles for the project team to use; however, due to the delay in the start of construction and the re-scheduling of the campus contracts, additional vehicles are necessary for the additional staff on the SVBX project.

Campus Contracts Construction Schedule Modifications
In 2014, VTA revised the scope and schedule for the various construction contract packages for the campus contracts. The restructuring of the SVBX work scope resulted in two additional campus contracts not originally anticipated in the labor resource plan for the contract. These contracts address work on Montague Expressway (C640), and Campus Landscaping (C741). During this same time, the start of the three original campus contracts was deferred so additional design
elements could be included in the contracts. This including adding the parking revenue collection system and communication and security systems to the parking structures contract, thereby requiring additional personnel.

Construction activities for Campus Contracts C730, C740, and C742 were scheduled to commence and complete from January 2014 to December 2016. During this same period of time, the C700 Contract was scheduled to be under construction phase (original C700 construction schedule was slated to start March 2012 and complete by April 2016.) The Wong CM staffing plan that was the basis of the Contract budget accounted for utilizing the same Site Representatives for each of the two Station campuses and one additional Field Engineer for each campus to oversee the campus contracts.

To support the changes schedules for the C740, C730, and C742 campus contracts, VTA requested seven additional CM personnel to mobilize that were not accounted for in the original Contract. VTA requested Wong to provide three Resident Engineers, each assigned to oversee one of these campus contracts. Also, each campus contract required two Field Engineers, an additional Field Engineer for each contract. In addition, VTA authorized one additional Support Specialist to support the campus contracts.

For the new campus contracts C640 and C741, six additional CM personnel will be required to mobilize that were not anticipated in the original Wong work plan. VTA has requested Wong to provide one Resident Engineer and two Field Engineers for each of these two campus contracts.

In summary, VTA directed Wong to proceed with the increased effort to address these changing project requirements. As a result of these changes, the current VTA approved Contract amount of $27,000,000 will be exhausted by January 2016. Board action is required to support an amendment to the Contract for continued construction management services through the completion of the SVBX Project.

It is estimated that continued services from Wong through the SVBX Project completion will involve approximately 120,000 hours and cost an additional $17,500,000. The existing SVBX Project budget is not changed by the addition of these costs.
The estimated costs for the recommended contract amendment are summarized as follows:

**C700 Construction Schedule Modifications**
- CM Managers, Engineers, Specialists: $2,500,000
- CM Field Engineers and inspection Staff: $1,800,000

**Increased effort on current Work Scope**
- Systems Design/Build Oversight: $4,200,000
- Safety and Security Oversight: $1,000,000
- Environmental Compliance Oversight: $4,200,000
- Other Direct Costs (equipment etc.): $200,000

**Campus Contracts Construction Schedule Modifications**: $3,600,000

**Total Changes**: $17,500,000

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**PGH Wong Engineering, Inc. Contract Summary**

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<td>Prior Modifications:</td>
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<td>DBE Goal:</td>
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<td>% Modifications including request to original contract:</td>
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<td>SBE Goal:</td>
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<td>Funding Source(s):</td>
<td>Measure A, Federal New Starts SCVWD County of Santa Clara City of Milpitas</td>
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</tbody>
</table>

The Wong team consists of five subconsultants: Cornerstone Transportation Consulting, Harris & Associates, Telamon, Ninyo & Moore, and Safework, Inc. Company details are included in Attachment A.

**ALTERNATIVES:**

The additional construction management services forecasted for Fiscal Year 2015/2016 through Fiscal Year 2017/2018 could be performed by other CM consultants. However, because of
Wong’s familiarity with the construction activities on the SVBX project, it is recommended to continue Wong’s involvement to maintain continuity. Furthermore, Wong has been diligent in its use of approved budget, as evidenced by its record of managing and maintaining services under the approved Work Assignment budgets every Fiscal Year since 2012. Mobilizing a new construction management firm could be potentially more costly than the recommended action and could negatively impact the SVBX schedule.

**FISCAL IMPACT:**

This action will authorize $17,500,000 for construction management services. Appropriation for this expenditure is available in the FY16 Adopted 2000 Measure A Transit Improvement Program Fund Capital Budget. This contract is funded by a combination of Federal New Starts (FFGA) funds, 2000 Measure A proceeds, and other local fund sources including the Santa Clara Water District, the County of Santa Clara, and the City of Milpitas.

**DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:**

In connection with performance with the contract, a DBE goal of 18% has been established based on identifiable subcontracting opportunities. The Contractor has committed to maintain this participation for the construction management services identified under the proposed amendments.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Administration & Finance Committee met on October 15, 2015. Administration & Finance Committee Member Cindy Chavez asked how staff determines whether to add more contracted personnel or whether to assign existing VTA staff for activities such as construction inspection. Staff explained that VTA staff are assigned when their availability and skill set match the needs of the project; because the SVBX Project was initially dominated by the Large Design-Build contract for Line Track Stations and Systems that required staff with design-build experience only and limited roles for VTA staff. As subsequent construction contracts have been awarded, VTA staff has been assigned to these construction contracts related to the station areas. Also, staff added that the PGH Wong firm was selected partly due to their long and successful experience providing similar services to BART-constructed projects.

Member Chavez also asked how VTA is applying lessons learned from VTA’s BART Phase I experience will be applied to the BART Phase II project. Staff replied that the team frequently consults with project directors and managers of other public agencies constructing similar projects to learn about the risks involved and how to manage them; different contracting and project-delivery methods; and various engineering solutions, utility relocations strategies, and complex construction in urban construction environments.

After discussions, the Committee Members unanimously recommended that the Board of Directors approve the staff recommendation.

Prepared by: Dennis O. Ratcliffe
Memo No. 5229
ATTACHMENTS:

- 5229 - Wong VTA Board Memo - Attachment A (PDF)
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<tr>
<td>PGH Wong Engineering, Inc.</td>
<td>Prime Consultant</td>
<td>Peter G.H. Wong</td>
<td>182 2nd Street, Suite 500 San Francisco, CA 94105 (415) 566-0800</td>
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<tr>
<td>Telamon Engineering Consultants, Inc.</td>
<td>• Surveying</td>
<td>Stephen Chan</td>
<td>855 Folsom Street, Suite 142 San Francisco, CA 94107 (415) 837-1336</td>
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<tr>
<td>Cornerstone Transportation Consulting, Inc. (DBE)</td>
<td>• Document Control • Field Engineering Resources As-Needed</td>
<td>Ming Ng</td>
<td>44 Montgomery Street, Suite 3360 San Francisco, CA 94104 (415) 705-7800</td>
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<tr>
<td>Harris &amp; Associates</td>
<td>• C700 LTSS Utility Site Representation • Environmental Monitoring &amp; Mitigation • Field Engineering Support As-Needed</td>
<td>Rob Shackelford</td>
<td>1401 Willow Pass Road, Suite 500 Concord, CA 94520 (925) 827-4900</td>
</tr>
<tr>
<td>Safework, Inc. (DBE)</td>
<td>• Construction Safety/Security Management • UPRR Operations &amp; Safety Coordination</td>
<td>Rebecca Jones</td>
<td>20750 Ventura Blvd., Suite 330 Woodland Hills, CA 91364 (818) 716-0384</td>
</tr>
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BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
    Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Director of Government Affairs, Jim Lawson

SUBJECT: Process for Mitigating Impacts Due to Construction Interruption of the Alum Rock/Santa Clara (AR/SC) Bus Rapid Transit Project

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

ACTION ITEM

RECOMMENDATION:

Authorize the General Manager to establish a process for mitigating impacts to small businesses due to the construction interruption of the Alum Rock/Santa Clara Bus Rapid Transit Project and to negotiate and execute agreements necessary for that purpose. Augment the FY 2016 Santa Clara Valley Transportation Authority’s (VTA) Transit Fund Capital Budget by $1.5 million.

BACKGROUND:

The Alum Rock/Santa Clara (AR/SC) Bus Rapid Transit (BRT) Project will provide just over seven miles of limited-stop rapid transit service from the Eastridge Transit Center to the Arena Station in downtown San José using Capitol Expressway, Alum Rock Avenue and Santa Clara Street. This 2000 Measure A funded project includes installation of new, bus-only lanes on Alum Rock Avenue between U.S. 101 and I-680. These dedicated lanes will allow the BRT vehicles to bypass automobile congestion as well as include rail-like stations that allow for fast, all-door boarding. It will enhance the local community by providing increased mobility and other substantial long-term benefits.
This $114 million project, consisting of multiple contracts (including the primary C830 contract) began construction in late summer 2014. However, a number of recent incidents and concerns, primarily affecting the approximately 1.5 mile long Alum Rock section, led VTA to the difficult and exceptional decision in July 2015 of halting work with the C830 prime contractor. A few of the unforeseen conditions and challenges encountered by VTA and its contractor included:

- Unmarked utilities, some over a century old, during utility relocation and excavation
- Wet, unsuitable soil conditions during repaving
- Changes in design to include shelters and new curb and gutter
- Delays in materials, third party utility relocations, and procurements

In August 2015, VTA undertook an information-gathering exercise and asked businesses within the construction zone of the project to estimate the financial impact from construction. Over the next month, VTA received approximately 40 responses with self-reported estimates ranging from the high four figures to the low six figures. VTA did not request backup information to substantiate these estimates.

At its October 1, 2015 meeting, the VTA Board of Directors, following a closed session meeting, apologized for the inconvenience and impact to the community and small businesses in the affected area caused by the delay. In overview, the Board pledged to move forward by: (1) enacting a process to institute corrective and preventative measures to return the affected area back to normal as soon as possible; and (2) providing support to those small businesses in the affected area. This support will include business assistance, marketing, and some monetary recognition of the unusual impact of this project.

Since then, VTA has aggressively pursued completion of the project and mitigation of the impacts to help ensure the continued commerce, vitality, and quality of life in the affected area. To that end VTA has:

- Restarted construction by reassigning responsibilities among project contractors
- Focused work on graffiti removal and street light and traffic signal replacement
- Expedited repairs to the roadwork to remove barriers
- Increased security patrols in the area

**Administration and Finance Committee Discussion:**

At the October 15, 2015 Administration and Finance Committee meeting, the committee heard a report on this item and the attached memo from Chair Woodward, Vice Chair Chavez and Board Members Liccardo and Carrasco. Following questions and discussion the committee provided staff with the following direction:

1. Due to potential litigation, discuss this matter in Closed Session at the beginning of the November 5th Board of Directors Meeting.
2. Include the memo from Chair Woodward, Vice Chair Chavez and Board Members Liccardo and Carrasco as an attachment in the Board Item.
3. Provide the Board with the Marketing and Outreach plans for the Small Business Sustainability Program.
4. Provide the name and contact information for the prime contact for the Small Business Sustainability Program.

5. Begin those portions of the process that can be performed under the General Manager’s authority based on previous direction from the Board of Directors to assure timely implementation of the project.

6. Circulate the application form and instructions to the Board prior to the meeting.

**DISCUSSION:**

Under both Federal and State law, VTA has no legal duty to provide compensation to property owners or businesses for construction related activities unless there has been a taking of real property or access to the business has been completely denied due to direct construction impacts. Where this has happened, VTA and the affected property or businesses owners have either settled or litigated the matter.

Separately, however, there appears to be a connection between prolonged construction activities and reduced business activity along the active construction zone of the AR/SC BRT project. Accordingly, as a matter of policy, the Board directed staff to explore options for addressing these indirect impacts on small businesses.

This memo outlines the recommended process for implementing additional measures to mitigate existing issues resulting from the project, prevent as many unforeseen future conditions as possible, and help ensure the continued vitality of this East San José community. It is important to emphasize that this program is not legally required. This program is a voluntary undertaking as a show of goodwill and not as a response to any perceived liability.

The following defines the recommended specific plan of action for mitigations in the Alum Rock/Santa Clara corridor and lead organization.

**VTA will:**

- Establish funding for a Small Business Sustainability Program (SBSP) in the amount of $1.5 million to be administered in part by an Independent Administrator.
- Tier I: To those small businesses operating in the affected areas who chose to participate in this tier, distribute checks from the SBSP in the amount of $1,000 (subject to conditions).
- Tier II: To those small businesses operating in the affected area who instead chose to participate in this tier because of a perceived greater financial impact, distribute SBSP checks ranging from $1,000 to $25,000 based on the recommendation of the Independent Administrator (subject to conditions).
- Establish a Project Office along the project site that will:
  - Be staffed with VTA Community Outreach and AR/SC BRT Project staff
  - Be staffed with consultant Community Outreach staff that are both language and culturally competent
  - Serve as the area office for the Independent Administrator
  - House the City of San José’s Economic Development Team representative
- Expedite the cleaning up of the project area.
- Expedite the filling of holes and removing obstructions from streets, sidewalks and other vehicular/bicycle/pedestrian areas to return unobstructed mobility.
- Ensure traffic signals are in place and the lanes in the affected segments of Santa Clara Street and Alum Rock Avenue are open and free of construction impacts in time for the upcoming holiday/shopping season.
- Fix inoperable existing lighting and enhance as warranted.
- Remove graffiti in the local project area for the duration of the project.
- Provide additional security in the local project area for the duration of the project.
- Work with the businesses to light trees and put out holiday decorations to remind people that the establishments are open for business during the holiday season.
- Develop a specific communication plan to be implemented by VTA’s Community Outreach team to keep community residents and businesses informed of our plans, progress and future actions and to solicit community feedback.
- Provide improved temporary signage for businesses.
- Promote businesses on VTA’s website and email communications and offer advertising on VTA properties and rolling stock.
- Hire the Independent Administrator.

City of San José will:

- Provide input and referral on the selection of the Independent Administrator.
- Provide business assistance and guidance for small businesses in the area.
- Provide staff and customer assistance from its Office of Economic Development.
- Provide input to VTA on criteria for contractor-selection processes for the completion of the AR/SC BRT project.

Although not legally required, this program recognizes the extraordinary and unusual impacts in this area. Because of the specific nature of these impacts, this program is not precedent-setting. During future phases of the project there will be additional disruptions, just as there are on all capital improvement projects. And, just as there is generally no duty to compensate business owners for business disruptions, VTA does not envision a repeat of this program for future impacts on this or any other project.

In sum, implementing this action plan’s specific measures will help restore the vitality and quality of life in the area as expeditiously as possible. At the completion of the project, the entire community will enjoy a major infrastructure investment, improving transportation, transit, and the quality of life in the area.
**Activities to Date:**

A. Project completion schedule was revised and introduced to the community. The new schedule is now posted on the website. [www.vta.org/projects-and-programs/transit/santaclara-alum-rock-brt-project](http://www.vta.org/projects-and-programs/transit/santaclara-alum-rock-brt-project)

B. Construction site is being cleaned up, sidewalks installed, lights repaired and the traffic pattern is on schedule to return to normal prior to the holiday shopping season.

C. VTA Project Information Office is open and staffed at 1592 Alum Rock Avenue, San Jose, CA 95116.

D. Mr. George Rios, Esq. was hired to serve as the Independent Administrator. Mr. Rios is an experienced facilitator and previously served as Assistant City Attorney for the City of San José for over twenty-five years. He is both familiar with and well known in the area.

E. Contracted with PRx Digital headed by Daniel Garza to assist with community liaison activities providing both information to the community and feedback from the community on a daily basis.

F. Hired private security to patrol the construction corridor on foot during the day and in radio car at night. These patrols are twenty-four seven.

G. The memo from Chair Woodward, Vice Chair Chavez and Directors Liccardo and Carrasco is included as Attachment B.

H. The Marketing and Outreach plans are attached to this memo as Attachment C.

I. The application form and instructions for the Small Business Sustainability Project were circulated to the Board.

J. The project contact is: Ms. Kathleen Podrasky, Public Communications Specialist II [kathleen.podrasky@vta.org](mailto:kathleen.podrasky@vta.org) or (408) 321-5861

**ALTERNATIVES:**

The Small Business Sustainability Program is outlined in this memo according to direction received from the Board. The Board may modify, change or eliminate the program or any portion thereof.

**FISCAL IMPACT:**

This action will authorize an increase in an amount of $1.5 million to the FY2016 VTA Transit Fund Capital Budget to fund payments to be made to the participating small businesses and to pay for the services of the Administrator from existing reserves. Future unanticipated revenues and/or lower than anticipated expenditures will serve to replenish the reserves to complete the described process. The expenses for other activities described above such as graffiti removal, providing additional security, fixing inoperable lighting, etc. are estimated to be $250,000 and will be funded by the AR/SC BRT Project.

Prepared by: Stephen Flynn, Advisory Committee Coordinator
Memo No. 5239

**ATTACHMENTS:**

- A--AR-SC Business Impacts Map (PDF)
- B--Memo from Chair Woodward, Vice Chair Chavez and Members Liccardo and Carrasco (PDF)
- C--AR-SC Marketing and Outreach Plans_0272015 (PDF)
Alum Rock-Santa Clara BRT Project
Small Business Sustainability Program

Business Impacted Areas
TO: Santa Clara Valley Transportation Authority
   Administration & Finance Committee

FROM: Board Chair Woodward, Vice Chair Chavez, and Members Liccardo and Carrasco

SUBJECT: Alum Rock – East Santa Clara Bus Rapid Transit Project

RECOMMENDATION

Direct General Manager, through a City of San Jose-appointed Administrator (“Administrator”), to approve staff recommendations with the following modifications:

(a) allocate $1,000 to any small business owner in the construction-impacted portion of the Alum Rock corridor seeking immediate payment, with no more than one payment per business. (“Tier I”) If a Tier I owner seeks or obtains additional payment by any means from the VTA, the $1,000 will be deducted from the final award;

(b) where the small business owner demonstrates a greater impact as a result of construction delays, and is willing to waive all claims against the VTA and the City of San Jose, allocate up to $50,000 per small business ("Tier II");

(c) authorize $1.5 million to enable immediate disbursal of payments to those Tier I small businesses, and to those Tier II small business owners readily able to demonstrate the impact construction delays have caused;

(d) after a review of Tier II claims submitted, if in the opinion of the Administrator there are insufficient funds to provide payments, then it is the responsibility of the Administrator to bring that information to the attention of the Board, and seek authority for additional funding;

(e) Approve all of the mitigations previously proposed and approved by the Board, as outlined on page 3 of the October 9th staff memorandum, as well as the following additional mitigations:
   a. explore the leasing of private land for public parking to assist affected businesses; and
b. post site-specific signage or wrap advertising at each construction site identifying the adjacent businesses, and such desired information regarding nearby parking and hours of operation.

BACKGROUND

At the October 1st VTA Board Meeting, the Board thoughtfully, and unanimously, pledged to make payments to acknowledge the severe financial hardship suffered by businesses in the Alum Rock corridor as a result of bus-rapid-transit (BRT) construction impacts. While staff was directed to present a plan at the November Board Meeting, time is of the essence for small businesses along Alum Rock hanging by a thread. Some will shut their doors in the meantime. We should move quickly to assist businesses that cannot weather the storm worsened by the protracted timeline for the project and its construction impacts. We encourage the VTA Board to adopt a framework that ensures swift payment of funds without burdensome red tape.

The Small Business Sustainability Program outlined in the October 9th staff memo creates a basic structure for addressing the impact of construction delays. We recognize the potential need to expand the $1.5 million dollar program fund, and explicitly reject the per business cap of $25,000 in favor of a $50,000 upper limit. By all accounts the impact to small businesses along Alum Rock is considerable – program design to address those impacts must reflect the probability of significant losses.

The Administrator and VTA staff must keep the Board apprised of whether the allocated funds speak adequately to the impact businesses have sustained, and whether a need arises to appropriate additional resources. Should additional funding be necessary, the Administrator should return to the Board to seek authority for those funds.

The City is eager to see the successful completion of the BRT project, and the rapid deployment of resources to struggling enterprises. The City has already initiated the hiring process for the Administrator, and assigned Office of Economic Development staff to provide small business assistance and guidance in the Alum Rock area. Additionally, the City stands ready to provide input to VTA on criteria for the contractor-selection processes for the completion of the project.

We explicitly recognize that businesses will not, and cannot, be made whole for their financial losses. Rather, the payments merely mitigate the harm wrought by construction. Through assistance of VTA and City of San Jose staff, we can also improve the corridor’s aesthetics, support marketing of the businesses, and improve security, all measures that will help businesses – and the surrounding community – quickly recover.

When completed, the BRT project will support a growing and vibrant business district in East San Jose. The medicine must not kill the patient, however. We seek to ensure that businesses can sustain themselves through this time of uncertainty, impact and delay, realizing our common vision for Alum Rock.
Strategic Communications Plan

PURPOSE
As VTA revamps how the Santa Clara Alum Rock Bus Rapid Transit (BRT) Project is delivered over the course of the next year, it has become necessary to augment the open lines of communication with this vital East San Jose community and regain its trust.

More specifically, this plan is designed to:

- Keep the businesses along Alum Rock informed about project delivery, construction impacts, and schedule.
- Assist these businesses by helping reach their customer base and drive additional business to this area during construction.

OBJECTIVES

- Inform the public on the immediate activities and impacts of the bus rapid transit project.
- Remind the community about the long-term goal and benefits.
- Address concerns and give community members multiple avenues to receive information and provide feedback.
- Promote business activities and encourage community support during construction.

STRATEGIES
Coordinate with the City of San Jose, the Hispanic Chamber of Commerce, Mexican Heritage Plaza, elected officials, business partners and others to utilize appropriate venues to amplify constituent and stakeholder group reach by means of the outlined deliverables/tactics.

DELIVERABLES/TACTICS
Mechanisms to expand Communications:

- **Dedicated field office** in Alum Rock business district, staff resources and established field office hours to serve as an information center.
- **Ongoing stakeholder meetings** with: City staff; Council members or representatives from the Offices of Magdalena Carrasco and Raul Perez, Mayor Sam Liccardo, and Supervisor Cindy Chavez; Chairpersons of community groups and business associations such as:
• Story Road Business Association
• Plata Arroyo
• Hispanic Chamber of Commerce Silicon Valley
• Additional digital communications using extensive email distribution lists via GovDelivery, NextDoor, Council member newsletters, chamber lists, etc.
  • Weekly construction updates, or more often as necessary:
    ▪ Monday morning schedule of activities
    ▪ Friday wrap ups of completed activities
  • “Patronization Rotation” – feature a business to promote patronage on a weekly basis
• Monthly newsletter that features completed and future activities, business highlights
• Timely updates provided door to door to those who cannot be reached digitally
• Updated Project Fact Sheet and business Impact Program Q and A Sheet

Communications/Media relations activities will focus on the following key areas:
• News releases/blog posts on major milestones; launch of business assistance program, etc.
• Targeted stories that accompany ads in Spanish print outlets: El Observador, La Oferta.
• Pitch Spanish and Vietnamese TV and radio stations on major milestones, possible media buys.
• Use @VTARapid handle when discussing the project on social media platforms.
• Share project news on business established social media sites like the Facebook page established: https://www.facebook.com/Save-the-Alum-Rock-Corridor-698780596920960/timeline/

Communications to support neighborhood marketing and promotional activities will focus on the following key areas:
• Support the #ShopAlumRock shop local businesses campaign
• “This holiday season, we will work with the businesses to light the trees and to put out holiday decorations to remind people that we are open for business,” Supervisor Chavez said.
  • Consider a Halloween/Day of the Dead event, for example.

MESSAGES

VTA is committed to:
• Completing the project as soon and as safely as possible; current projected date late 2016.
• Being available to the community to address their questions and concerns.
• Building trust and stronger relationships in the community.
• Minimizing impacts to the businesses and surrounding neighbors.
• Promoting business activities and encouraging community support during construction.
• Providing extra security and graffiti clean-up for the duration of the project.
• Delivering a long-term transit investment that:
  • Improves mobility and access
  • Supports the local economy
Santa Clara Alum Rock BRT Project

October 2015

- Enhances the community
- Improves quality of life and livability
- Analyzing the contracting process and determining ways to prevent impacts to the community that are over and above what can be anticipated by any construction project.
- Owning our mistakes and taking new measures to mitigate and avoid as many unforeseen conditions as possible.

What is being said by the community that we need to acknowledge?

- A combination of poor political representation and bureaucratic mismanagement has failed the East Side.
- Only in East Side would a transit route touted as a way to elevate the neighborhood render it a ghost town.
- They want this project but it’s been mismanaged from the beginning.
- Fizzled-out streetlights have darkened the neighborhood, coinciding with a reported uptick in graffiti, vandalism and break-ins.
- The agency needs to take a close look at how the project got to this point and come up with a plan to prevent this from happening again. Especially as the VTA plans to solicit public support for a new transportation tax in 2016.

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Business Assistance Marketing Plan

CAMPAIGN GOALS
VTA will work with the communities affected to mitigate the construction impacts and delays by accomplishment of the following goals:

1. Promote retailers along the corridor as viable destinations for shopping.
2. Engage the local community to shop local.
3. Partner with impacted businesses and the community to regain the trust of VTA.
4. Create a friendly, inviting environment for shopping during the holidays and beyond.

TARGET MARKET
Business owners directly affected by construction along the Santa Clara/Alum Rock Corridor and surrounding communities. The corridors have been identified as Santa Clara, Capitol, downtown San Jose & City Hall and Alum Rock.

DEMOGRAPHICS
The business owners and communities along the corridor consist mainly of Hispanic and Vietnamese ethnicities. A multilingual staff must be utilized to engage both business owners and members of the community. All collateral should be produced in English, Spanish and Vietnamese.

IMPLEMENTATION
Marketing activities would be initiated in phases to coordinate with construction schedule (zones).

- **VTA Transit Advertising**
  1. Take-One newsletter
  2. Interior car cards (Rapid 522 buses)
  3. Light rail posters (Santa Clara and Capitol zones only)
  4. Bus bench ads
  5. Digital billboards

- **Other Transit Advertising**
  1. Bus shelter posters (Clear Channel)

- **Outdoor**
  1. Promotional flags along corridor (City of SJ)
  2. Lights on bus shelters
  3. Lights on trees and in storefront windows
  4. Holiday window art
• Print Advertising
  1. Ethnic publications – Business features
  2. Direct mail (OOH)
  3. Gas station advertising

• Radio/Television Advertising
  1. English – SJ Merc, The Metro
  2. Spanish – El Observador
  3. Vietnamese – Viet Nam Daily
  4. Television – KAXT Ch. 1 (Spanish & Vietnamese)

• Digital/Online Advertising
  1. Bay Area News Group
  2. Mobile advertising
  3. Dedicated web pages on vta.org (Multilingual)

• Events/Tabling
  1. Scavenger Hunt
  2. Giveaway events (Guerilla Marketing)
  3. Church events
  4. SJ Flea Market
  5. Dia de Los Muertos
  6. Thanksgiving
  7. Community marketing and promotion workshop
  8. VTA, COSJ and County utilize businesses to support catering, supply and service needs where possible and appropriate.

• Other Opportunities
  1. VTA Board Members
  2. Council Members
  3. SJ Chamber of Commerce
  4. Downtown Association
  5. Hispanic Chamber of Commerce
  6. Downtown Customer Service Center

MESSAGING
Include messaging that creates a sense of pride in their communities: “shop where you live,” “support your community.”

POTENTIAL TAGLINES
  1. Let’s Make a Difference. Shop Local.
  2. Shop Till You Drop in Alum Rock.
  3. Pride in Community. Shop Local.
4. Shop Smart. Shop Local.
5. Support your Community. Shop Local.
7. Shop Local. Shop Here.
8. There’s No Place Like Home. Shop Local.
10. Stay Local. Shop Local.

Budget for Business Assistance Marketing Plan: $50,000
Launch Date: Immediately
Duration: Throughout construction

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### Resource and Task Grid

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BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
   Board of Directors

THROUGH: General Manager, Nuria I. Fernandez

FROM: Director of Engr. & Trans. Infrastructure Dev., Carolyn M. Gonot

SUBJECT: Emergency Non-Competitive Paving Procurement Request Alum Rock-Santa Clara Bus Rapid Transit Project

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

ACTION ITEM

RECOMMENDATION:

Adopt a resolution finding and declaring and determining that (1) public interest and necessity demand the immediate expenditure of public money to contract for construction services for the completion of the westbound lanes of Alum Rock Avenue between U.S. 101 and Jackson Street in San José (westbound lanes) in the month of November to safeguard life, health, or property; (2) the high likelihood of substantial winter rains means a high likelihood of flooding and dangerous conditions in the westbound lanes constituting an emergency; (3) the emergency will not permit a delay resulting from a competitive solicitation for bids for construction services to finalize construction in the westbound lanes; and (4) the immediate contracting for such construction services is necessary to respond to the emergency; (5) authorizing and directing the General Manager or her designee to contract for the procurement of such construction services without the need for competitive bidding; and (6) directing the General Manager or her designee to report to the Board at its next regularly scheduled meeting on the status of the contracting authorized and directed herein and on whether an emergency continues to exist with respect to such contracted work.

This action requires a four-fifths vote of the Board.

BACKGROUND:

In December 2008, the VTA Board of Directors approved the Alum Rock-Santa Clara Bus Rapid Transit (BRT) Project Environmental Impact Report, defining the 7.2 mile project in the City of San José. The Project extends from the western terminus at the San José Arena on Santa Clara Street to
the Alum Rock Transit Center on Capitol Avenue and continues to the Eastridge Transit Center. Ten new BRT stations are included along the alignment (Exhibit A).

VTA awarded the main civil/stations construction contract (C830) for the BRT Project to Goodfellow Top Grade Construction (GTGC) in late 2013. After a series of events, on September 10, 2015, VTA and GTGC entered into a Closeout Agreement for the resolution of disputes between VTA and GTGC and the prompt and orderly closeout and demobilization of GTGC from the Project.

**DISCUSSION:**

Under the original C830 contract, the main scope of work on Alum Rock Avenue includes installing a concrete busway in the median and reconstructing the asphalt roadway adjacent to the busway in both westbound and eastbound directions over a length of 1.7 miles. The original C830 contractor, GTGC, staged the project so that the final 3-inch lift of asphalt in both directions would be placed after the installation of the concrete busway in order to conform the non-busway traffic lanes to the profile of the median busway lanes, and to cover the temporary striping placed during construction.

Since the westbound lanes are not yet set to finished grade, drainage, particularly during rain, has posed a problem. With the traffic lanes being one lift low, the gutter will not be able to capture the water sheet flow from the crown of the existing roadway, which lies in the existing median. Water can pool and poses a safety concern.

The initial effort to mitigate water pooling on the road was to drill weep-holes into existing or newly installed drain inlet boxes. However, during a recent minor rain event it was observed that the drainage through the weep holes was insufficient, which led to substantial ponding (Exhibit B). This ponding is a serious safety concern, as two lanes of live traffic are currently shifted onto this partially completed surface. With a substantial rain event, large scale ponding, hydroplaning and effective implementation of Storm Water Pollution Prevention Plan (SWPPP) concerns all factor in as potential risks. The most recent forecasts for this winter suggest that numerous substantial rain events are highly likely (Exhibit C). The final paving needs to be installed immediately to mitigate against the stormwater ponding concerns.

With GTGC no longer available, there is no active contractor under the project with available resources to perform such a large scale paving operation. But, given the high potential for significant rains this winter, and thus the high potential for significant flooding in this area, it is imperative that a contractor be selected to perform this work immediately. A traditional competitive bid process would require a minimum of two and a half months before any paving can begin. Therefore, staff recommends that the General Manager or her designee be given the authority to engage a contractor who is willing and able to perform this work in the month of November.

**ALTERNATIVES:**

Going through the competitive solicitation for bid process will result in a delay to pave the westbound lanes and present more opportunities for rain events to cause ponding along the roadway. Without any paving adjustments, VTA would be required to shut down the outside lane
during any rain event (Exhibit B) and shut down both westbound lanes during a significant rain event.

**FISCAL IMPACT:**

This action will authorize up to $500,000 in contract commitments for the immediate paving of the westbound lanes. Appropriation for this expenditure is available in the FY16 Adopted 2000 Measure A Transit Improvement Program Capital Budget. This contract is funded with 2010 State Transportation Improvement Program and 2000 Measure A funds.

**SMALL BUSINESS ENTERPRISE (SBE) PARTICIPATION:**

Based on the limited scope of work and no subcontracting opportunities, no specific goal has been established for this work. Contractor is encouraged to make reasonable effort to utilize SBEs in the performance of this work.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

Not applicable due to emergency nature of request.
Prepared by: Mohamed Basma, Program Manager
Memo No. 5285

ATTACHMENTS:

- 5285_Exhibit A - Alum Rock_SC BRT Project Map  (PDF)
- 5285_Exhibit B - Alum Rock_SC Ponding Along Alum Rock Ave  (PDF)
- 5285_Exhibit C - News Report Regarding Expected Winter Rains  (PDF)
- 5285_Reso_loction _Emergency Non-Competitive Paving Procurement Request_Alum Rock-SClara BRT  (PDF)
Exhibit A – Alum Rock – Santa Clara Bus Rapid Transit Project

Project Map – Limits of Work
Exhibit B – Alum Rock-Santa Clara Bus Rapid Transit Project

Photos – Ponding Along Alum Rock Avenue

Typical Ponding
(at Jose Figueres Ave)
11/02/2015

Outside Lane Closure Due to Ponding
(at Eastgate Ave)
11/02/2015

Use of Street Sweeper to Mitigate Ponding
(near King Rd)
11/02/2015
Exhibit C

News Reports Regarding Expected Winter Rains
El Niño Update: It’s Going to Rain (Almost Certainly, Probably)

by Les Rowntree on October 02, 2015

When we began these posts there was a clear forecast for a strong El Niño, one nurturing hope that California’s multi-year drought might be broken by a normal — even wet — rainy season. However, despite media hype about a drought-busting “Godzilla” super-storm El Niño winter, the atmospheric science community wasn’t convinced that would be the case.

All sorts of reasons were given for this hedging: all El Niños are different; rain would fall, but mainly in southern California; there were significant differences between this El Niño and the wet winters of ’83 and ’98; “The Blob” of warm water off the coast would mess things up; the Ridiculously Resilient Ridge (RRR) was still a volatile factor; the sea surface temperatures (SST) were actually too warm and could inhibit the formation of Pacific storms, and on and on. Unspoken in all this hedging was the intellectual hangover from 2014 when a strong El Niño was predicted, then mysteriously disappeared and never happened.

But now the mood and message is more upbeat, with far less hedging and even agreement that, yes, this El Niño winter could be a wet one. Not just in southern California where historically the effects of El Niño are greater, but also in central and northern California.

So what’s changed in the last month? First, as predicted The Blob is no longer, having moved westward and lost its anomalous warmth through mixing with colder north Pacific waters.

Second, the RRR has weakened considerably in the last several weeks, opening the storm door in the Pacific Northwest with drenching rains that quenched their disastrous fire season, and possibly — just possibly — allowing some early season North Pacific storms into northern and Central California. More on that later. Third, we’ve already seen the effects of El Niño in the southern part of the state with record-breaking mid-September rains from Tropical Storm Linda. Warmer tropical El Niño waters created more and stronger tropical storms, some of which will continue to affect Southern California this autumn. As well, these warm waters off Mexico’s coast have also enhanced the Southwest’s monsoonal rains that often spill over into Southern California.

https://baynature.org/articles/el-nino-update-its-going-to-rain-almost-certainly-probably/
Looking at the Seasonal Forecast Models

Much of the optimism for a wet winter is based on the array of computer models that attempt to predict the future. OK, yes, I fully appreciate the accuracy of weather forecasts is notoriously sketchy beyond five days in the future; true, and in a way this places computerized seasonal forecasts into a special realm of their own, some say closer to The Farmer’s Almanac predictions and those based on furry caterpillars and squirrel nut-gathering activity.

The “official” seasonal forecasts come from our National Weather Service (NWS) and break the probability of future precipitation into three simple categories: above normal; below normal; and equal chance of rainfall being above or below normal. These computer forecasts use the past to predict the future by drawing upon the last 30 years of weather data. Because many professionals (and I’m one of them) are no longer convinced the past is the best guide to future weather given the effects of global warming with its novel (or unseen before) conditions, these NWS seasonal maps are considered ultra-conservative. But let’s take a look anyway.

*Map 1. October-November-December (OND).* This 3-month seasonal map shows a dry autumn in most of California through December, with the only above normal rainfall in Southern California. Note, though, the strong drought (below normal rainfall) in far northern California and the Pacific Northwest. One might call this conventional El Niño wisdom, with a wet Southern California early season and a very dry Pacific Northwest.

*Map 2. December-January-February.* The big changes come with the DJF map. Here the above normal line now extends into Northern California. Good news.

*Map 3. January-February-March.* The JFM map is even better with 50 percent chance of above normal rainfall north of Monterey Bay. Also the 33 percent probability line now includes much of Northern California. Really good news for Shasta Lake and other northern reservoirs.
Forecasters see 95% chance of El Niño this winter

HIGHLIGHTS

El Niño pattern among strongest ever seen
Storms unlikely to end four-year drought
Outlook for Northern California less certain than south state
BY DALE KASLER
dkasler@sacbee.com

As Sacramentans endured another round of triple-digit temperatures Thursday, weather forecasters offered predictions of relief in the months to come: A strong El Niño winter is almost certainly heading toward California, likely bringing heavy precipitation.

The National Weather Service’s Climate Prediction Center, in its monthly update, said California has a 95 percent chance of experiencing El Niño this winter. That’s up from 90 percent a month ago and 85 percent in June.

“The news is that ... we now have a strong El Niño,” said Mike Halpert, deputy director of the climate center in College Park, Md., during a conference call with reporters.

“Obviously, our confidence is increasing.”

Forecasters said El Niño is shaping up as one of the fiercest on record, possibly in the top three. But they said it’s unlikely to be as strong as the winter of 1997-98, when the Sacramento region was drenched with rains and deadly floods hit portions of the Sacramento Valley.

And there probably won’t be enough precipitation to cure the drought, forecasters warned. The Sierra Nevada needs three times the normal precipitation to wipe out the state’s water shortage. The wettest winter on record, in 1982-83, was just twice as wet as normal, said Kevin Werner, director of the National Oceanic and Atmospheric Administration’s regional climate service in Seattle.

“One season of above-normal rain and snow is unlikely to erase four years of drought,” Halpert said.

On a day when temperatures hit 107 degrees in Sacramento, state officials were quick to warn that Californians shouldn’t assume the drought is ending. State residents reduced water consumption by 31 percent in July, significantly above Gov. Jerry Brown’s executive order calling for 25 percent savings, and officials don’t want Californians to become complacent.
“Current El Niño conditions cannot tell us how many storms may cross California this coming winter or how much rain and snow will fall in our state,” said state climatologist Michael Anderson in a prepared statement. “Strong El Niño events in the past have led to wetter-than-average conditions in the southern part of the state but offered mixed results for California’s main water supply regions in the north. This uncertainty means that Californians should continue to use water carefully and sparingly in the face of the ongoing extreme drought.”

El Niño is a fairly reliable predictor of rains in Central and Southern California. But Werner said “there are weak correlations” between the El Niño phenomenon and what happens in Northern California, home to the state’s two most important reservoirs, Shasta and Oroville.

Nor could forecasters say if the precipitation in Northern California will fall as rain or snow. Water officials prefer a bountiful snowpack, which is easier and more predictable to manage.

ONE SEASON OF ABOVE-NORMAL RAIN AND SNOW IS UNLIKELY TO ERASE FOUR YEARS OF DROUGHT.

Mike Halpert, Climate Prediction Center

“There’s a lot of uncertainty,” Werner said.

El Niño winters generally occur when equatorial Pacific Ocean temperatures rise at least 1.5 degrees Celsius above normal during the preceding summer. In August, temperatures were 2 degrees Celsius, or 3.6 degrees Fahrenheit, above normal.

The temperature differential isn’t as pronounced as it was in the months leading up to the 1997-98 El Niño winter. And the wind patterns suggest that a repeat of 1997-98 isn’t likely.

The 1997 pattern “by any measure ... is still stronger than 2015,” Halpert said.
The forecasters also cautioned that El Niño doesn’t guarantee a wet winter. The summer of 1987 saw one of the strongest El Niño patterns ever, but the ensuing winter was something of a dud: just 15 inches of rain in Sacramento, about 3 inches less than normal.

El Niño patterns bring different weather to different parts of the country. Halpert said the Pacific Northwest is likely to experience “drier than average conditions” this winter. He added that El Niño has already made for a relatively quiet hurricane season in the Southeast.

_Dale Kasler: 916-321-1066, @dakasler_
California Drought State and Bay Area readies for El Nino storms

By AMY TAXIN Associated Press
Updated: 08/28/2015 06:10:01 AM PDT

Click photo to enlarge

SANTA ANA -- While drought-plagued California is eager for rain, the forecast of a potentially Godzilla-like El Nino event has communities clearing out debris basins, urging residents to stock up on emergency supplies and even talking about how a deluge could affect the 50th Super Bowl.

Roofers, on the other hand, are reveling in the uptick in business as homeowners ready for the prospect of downpours after four years of dry weather.

In San Francisco, officials are discussing how to contend with possible street closures if there is extensive rain or street flooding during the Super Bowl in February.

"As we move forward with Super Bowl planning, this is one of the things we've put out to various departments and entities," said Rob Dudgeon, deputy director of San Francisco's department of emergency management. "What if it has been raining really hard? What if it has been raining three or four days?"

In a state known for striking mountain landscapes and dramatic seaside cliffs, Californians are used to preparing for natural disasters ranging from treacherous wildfires and earthquakes to devastating floods and landslides.

Often, the state's residents must be ready for more than one potential calamity at a time. Right now, firefighters are battling blazes during the state's wildfire season but also getting ready for the prospect of wet winter months ahead.

Federal meteorologists recently said the El Nino event is already the second strongest on record for this time of year. While the warming of Pacific Ocean waters tends to bring heavy winter rain to California and much of the southern and eastern U.S., California's state climatologist noted only half the time when there have been big El Ninos has there been meaningful, heavy rains.

California would need 1 ½ times its normal rainfall to get out of the extended drought, which is unlikely, according to Mike Halpert, deputy director of the National Oceanic Atmospheric Administration's Climate Prediction Center.

Emergency planners said the prolonged dry conditions across the state could lead to more debris, fallen trees and flooding during early rains.

"The potential for flooding is a very definite possibility with strong storms after a drought," said Tammy Dunbar, emergency planning coordinator for Santa Clara County.

In Los Angeles County, workers have been clearing basins and channels to prevent flooding and capture as much storm water as possible to replenish local water supplies, said Bob Spencer, a spokesman for the county's public works department.
In Laguna Beach, officials are urging homeowners to clear terrace drains and install floodgates where needed. They will also have code enforcement officers personally visit flood-prone properties, said Ben Siegel, deputy city manager.

In some places, residents are heeding the call to get prepared. In Palm Springs, where it rarely rains, homeowners have been getting their roofs checked and gutters cleared, said Rob Winkle, operations manager at Western Pacific Roofing.

"They want someone to come out and tell them everything is going to be OK," said Winkle, who said the company is fielding 20 percent more calls than usual from worried residents.

During California’s prolonged drought, Hull Brothers Roofing president Chuck Jewett said he shifted his business to focus on installing cooling roofs for consumers weary of the heat.

But since the media began reporting on the potential for an El Nino that a NASA oceanographer compared to Godzilla, Jewett said his Culver City-based company has seen a four-fold increase in calls and has a two week wait for evaluations.

"They are like a beehive that is all stirred up," Jewett said. "This is the busiest we have ever been."

AP-WF-08-26-15 0606GMT
California drought: Strengthening El Niño could mean wet winter

By Kurtis Alexander  Updated 5:36 pm, Thursday, July 9, 2015

The U.S. Climate Prediction Center reported that telltale signs of El Niño, which include warming sea surface temperatures and emerging equatorial winds, bore close resemblance to conditions preceding...more

The chances that California will begin clawing its way out of the drought with a wet winter got a bump Thursday with a federal report showing an El Niño weather pattern continuing to strengthen in the Pacific.

The U.S. Climate Prediction Center reported that telltale signs of El Niño — which include warming sea surface temperatures and emerging equatorial winds — bore close resemblance to conditions preceding some of the strongest El Niños in recent history.

NWS Predicts Strong El Nino This Winter Bringing Heavy Rain To Bay Area

El Niños carry no assurances for forecasters, but big ones have correlated with increased rainfall across much of California, such as in the winters of 1982-83 and 1997-98, which were among the state’s wettest years.

“If the event continues to strengthen (this year), then that’s what we’ll see,” said Mike Halpert, deputy director of the Climate Prediction Center, a division of the National Oceanic and Atmospheric Administration. “It’s been a while since we’ve seen one like this.”

The forecast is good news for California, which has seen four consecutive winters of below-average precipitation. Cities and farms statewide are being forced to cut their water use because of shortages.

The next several weeks will be crucial for whether this year’s El Niño really delivers, Halpert said.

Some parts of the Pacific tropics did not warm as quickly as others during June, which could weaken the phenomenon, according to the Climate Prediction Center. However, a giant underwater swell known as a Kelvin wave appears to be beginning to push colder water downward, which could boost surface temperatures.

“I think we’ll see this Kelvin wave,” Halpert said. “The next month or two are going to tell us a lot.”

El Niños are one of the most closely watched weather patterns because of their duration and ability to influence worldwide conditions. The phenomenon is characterized by warm equatorial waters that push moisture into the atmosphere far beyond its origin.

Strong El Niños have been associated with wetter-than-average conditions in the Americas and drier conditions in Asia and Australia. Weak and moderate events have had less association with global weather.

Thursday’s report cited a 90 percent chance that El Niño conditions will persist through California’s rainy season, up from 65 percent last month.

And most of the models now favor a strong event. Things could change, however, Halpert warned.

Last year, forecasters said conditions were ripe for an El Niño, but the pattern didn’t take hold.

Kurtis Alexander is a San Francisco Chronicle staff writer. E-mail: kalexander@sfchronicle.com Twitter: @kurtisalexander
El Niño Forecast Reaches 'Very Strong' Category

A "very strong" El Niño could be good for California, which is in its fourth year of drought

By Jonathan Lloyd

The most recent forecasts show El Niño reaching the "very strong" category, but remaining below the strength of the weather pattern that brought significant precipitation to California in the late 1990s.

Computer models suggest El Niño, a warming of the water off the Pacific coast of South America that influences conditions in California, will reach the "very strong" category. The Climate Prediction Center's Aug. 13 report suggested there is greater than 90-percent chance El Niño will continue through the winter and an 85-percent chance it will last into early spring.

- Sizzling 2015 Almost Sure to Be 'Warmest on Record': Scientist

El Niño categories range from weak to very strong. Winter 2014-15 brought a weak El Niño as drought-stricken California entered its fourth year of below-normal precipitation.

But the latest forecast does not guarantee a wet winter for the state because El Niño conditions vary. Since 1950, there have been 22 seasons with an El Niño. Twelve brought above-average rainfall and 10 were below-average.

This animation shows El Niño condition in the Pacific Ocean during winter 1998. Photo credit: NOAA

During the 1997-98 El Niño event, frequent downpours led to flooding and mudslides to California. More than 30 inches of rain were reported in downtown Los Angeles during the water year.

Published at 10:43 AM PDT on Aug 13, 2015

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Is This The Brightest Flashlight Available?
G700 Flashlight
With El Niño threatening to turn California's drought into drenching winter, worries mount

By Bruce Newman bnewman@mercurynews.com
Updated: 09/09/2015 06:31:50 AM PDT

- Sep 15:
- El Niño DNA seen in Southern California storm, while northern part of state continues to burn
- Sep 8:
- El Niño: 5 tips for preparing for a wet winter

Among all the apocalyptic disasters that Californians routinely prepare for -- earthquake, drought, wildfire, carmageddon -- the most welcome is rain, even though giant El Niño events like the one currently massing in the Pacific can bring their own set of calamities: flooding, mudslides, carmageddon with hydroplaning.

After four years of drought, creeks and rivers flowing through the Bay Area are more trickle than torrent. But weather scientists are recording water temperatures in the Pacific nearing the highest they've ever seen, suggesting El Niño will open an atmospheric fire hose in the jet stream this winter. That's caused a rising tide of anxiety that has left even the highest-and-driest Californians on edge.

Across the Bay Area, roofers and tree-trimmers are so busy preparing for the onslaught that many have stopped accepting new jobs. And public works crews are shoring up creek beds, clearing storm drains and stocking up on sandbags in preparation.

The pre-El Niño buzz is already building along the banks of the San Francisquito Creek in below-sea-level East Palo Alto, and on rooftops from Alamo to Morgan Hill.

As the final nails were being driven into a new roof on Charles Hwang's Alamo home this week, he said he would sleep better this winter. "Hearing about El Niño made me more nervous," Hwang said, "made me do something about it sooner rather than later. I'll sleep better tonight."

The last "very strong" El Niño winter of 1997-98 left 17 Californians dead and property damage of $550 million in its wake. It also brought San Francisquito Creek, quite literally, to the Palo Alto doorstep of Kevin Fisher. His was one of 1,700 Peninsula properties damaged when the creek overtopped its banks after a month of steady rains. "It was like being in an aquarium," Fisher said, recalling the water's ominous rise outside a picture window facing his backyard.

If the rains come in quick succession, city storm drains in low-lying places like Pinole and Hercules in the East Bay can be counted on to back up and turn the streets into rivers.

"A few days of heavy rain, you'll have flooding throughout the Bay Area," said Bill Allenbaugh, of El Sobrante, owner of Bill's Defensive Driving School. "That's when it's more likely there are going to be rear-end accidents with multiple vehicles involved. People just don't pay attention. They drive at a certain speed, then it starts raining and they drive at the same speed. You can't do that!"
The roar of chain saws is likely to get louder this winter as PG&E crews respond to power outages caused by the drought-weakened timber. "I think we’ve had 5,000 major trees die," said Gary Kremen, chairman of the board of the Santa Clara Valley Water District, which for months has been urging its customers to conserve water, and now must prepare to provide them with sandbags for flood control -- in a very real sense the sky is falling.

Everyone wants this to be the deluge that douses the drought, but too much rain coming down too fast could sink low-lying communities like Alviso, East Palo Alto and Fisher’s neighborhood, which is a mile and a half southeast of San Francisquito Creek.

"Lives are at stake when it floods in East Palo Alto," Kremen said. "In the 1998 flood, people almost died there. And it’s going to come. We will get some floods."

"What people don’t realize is that San Francisquito Creek drains 40 square miles of the Santa Cruz Mountains," says Fisher, an engineer, who had a narrow middle-of-the-night escape the last time, carrying his two small children, dog and elderly mother-in-law to a neighbor’s SUV after his family vehicles were flooded.

That night, the city of Palo Alto "got caught totally flat-footed," Fisher said. "They didn’t have a clue." Since then, an auto-dialer system to alert residents that the creek could flood has been installed, and a monitoring system allows anyone to watch the creek rise on their computer. "But it’s been nearly 20 years," Fisher said, "and truthfully, in terms of the flood risk, there’s been zero change. I think another flood would just about do us in."

To prevent anybody being done in by the next El Niño, San Mateo and Santa Clara counties created the Joint Powers Authority (JPA), which has taken a special interest in the Pope-Chaucer Street Bridge, a chokepoint on San Francisquito Creek that sits at the juncture of Palo Alto, Menlo Park and East Palo Alto. Crews were out last week shoring up the creek’s banks, and if the water gets dangerously high this winter, they will be back with sandbags and inflatable flood walls -- berms filled, perversely, with water.

In the heart of tech-savvy Silicon Valley, the preposterously low-tech burlap bag filled with sand remains the most sophisticated weapon to fight flooding. "Short of actually building a big engineered solution," JPA Executive Director Len Materman said, "sandbags are the tried-and-true solution."

The East Bay Municipal Utility District, which has no responsibility for flood control, maintains a stockpile of sandbags to prevent its water treatment plant from being flooded by an El Niño monsoon. "There’s a lot of talk about what needs to be done this fall to be ready for it," Abby Figueroa, the district’s spokeswoman, said. "It’s on everyone’s mind."

On an average day, the west Oakland water treatment plant gets about 60 million gallons of wastewater.
During the sort of unhalting storms El Niño can bring, groundwater leaks into cracks in the sewer pipes and the volume of wastewater can triple, overwhelming the system and sensitive noses near the Bay Bridge. Figueroa said if the plant's capacity remains maxed out for too long, it releases "partially treated sewage" into the bay.

Four years of dry winters have lulled many homeowners into a false sense of security about the fitness of their roofs to withstand an El Niño pounding, said Jeff Tamayo, co-owner of Town & Country Roofing in Brentwood. His company would hire 25 additional workers if Tamayo could find them, which is why his crews are booked two months out.

"What happens historically is people wait for it to start raining before they call for a roof repair," he said. "And by then it's too late. We'll be a month to six weeks out before we can get to them. With a heavy downpour and strong winds, things that should never, ever leak all of sudden leak very bad."

Of course, there is no guarantee the coming storms will deliver the marauding moisture marinade that will recharge aquifers, refill reservoirs and leave a sable of snow in the Sierra to melt our troubles away. "All the forecasts we've seen so far are about El Niño conditions. They're not rainfall forecasts," meteorologist Jan Null, of Golden Gate Weather Services, said. "We don't know what we're going to get."

The faster one storm is followed by another, the less water the ground can absorb, causing the kind of runoff that led to 33 landslides along Portola Valley's Alpine Road during the '97-98 El Niño storms. Because Kevin Fisher lives in what the Federal Emergency Management Agency has designated a floodplain, he is part of the tiny fraction of Californians who have flood insurance. About 8.3 million homeowner policies were in effect in 2011, according to the Association of California Insurance Companies, a private trade association, and yet as of this year only 232,651 of those included flood coverage. That's 3.6 percent, compared to the 10 percent who carry earthquake insurance.

"Flood is not covered in a homeowners insurance policy," said Nicole Mahrt Ganley, the group's spokeswoman. "People talk about getting physically prepared for disaster, but they don't always talk about being financially prepared. Even if you're not required to have it, that doesn't mean that it's not a good idea." And flood insurance requires a 30-day waiting period to take effect.

Along the bone-dry banks of the San Francisquito, you can almost hear the lyrics of the old Johnny Cash song, If the good Lord's willing and the creeks don't rise. Fisher doesn't know the words, but he's heard the tune before. "Of course I'm worried," he said. "We all are."

Contact Bruce Newman at 408-920-5004. Follow him at Twitter.com/BruceNewmanTwit.

WHEREAS, in December 2008, the VTA Board of Directors approved the Alum Rock-Santa Clara Bus Rapid Transit (BRT) Project Environmental Impact Report, defining the 7.2 mile project in the City of San José; and

WHEREAS, VTA awarded the main civil/stations construction contract (C830) for the BRT to Goodfellow Top Grade Construction (GTGC) in late 2013; and

WHEREAS, after a series of events, on September 10, 2015, VTA and GTGC entered into a Closeout Agreement for the resolution of disputes between VTA and GTGC and the prompt and orderly closeout and demobilization of GTGC from the Project; and

WHEREAS, under the original C830 contract, the main scope of work on Alum Rock Avenue included installing a concrete busway in the median and reconstructing the asphalt roadway adjacent to the busway in both westbound and eastbound directions over a length of 1.7 miles; and

WHEREAS, the westbound lanes of Alum Rock Avenue between U.S. 101 and Jackson Street in San José (Westbound Lanes) are currently in a state of partial completion and are not yet set to finished grade; and

WHEREAS, with the traffic lanes being one lift low, recent rains have demonstrated that the gutter will not be able to capture the water sheet flow from the crown of the existing roadway; and

WHEREAS, the most recent forecasts for this winter suggest that numerous substantial rain events are highly likely; and

WHEREAS, large-scale ponding, hydroplaning and effective implementation of Storm Water Pollution Prevention Plan (SWPPP) concerns all factor in as potential risks if the Westbound Lanes are not brought to finished grade; and

WHEREAS, with GTGC no longer available, there is no active contractor under the project with available resources to perform such a large scale paving operation;

WHEREAS, raising the Westbound Lanes to finished grade through temporary measures would prove nearly as expensive as raising the Westbound Lanes to finished grade through permanent measures;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Santa Clara Valley Transportation Authority that:
Section 1. The Board hereby finds that the public interest and necessity demand the immediate expenditure of public money to contract for construction services for the completion of the Westbound Lanes in the month of November to safeguard life, health, or property.

Section 2. The Board hereby finds, based on the report attached hereto dated November 2, 2015 that 1) the high likelihood of substantial winter rains means a high likelihood of flooding and dangerous conditions in the Westbound Lanes constituting an emergency; 2) the emergency will not permit a delay resulting from a competitive solicitation for bids for construction services to finalize construction in the Westbound Lanes; and 3) the immediate contracting for such construction services is necessary to respond to the emergency.

Section 3. The General Manager (or her designee) is hereby authorized and directed to contract for the procurement of construction services to finalize construction on the Westbound Lanes without the necessity of soliciting competing bids.

Section 4. The General Manager (or her designee) is hereby directed to report to the Board at its next regularly scheduled meeting on the status of the contracting authorized and directed herein and on whether an emergency continues to exist with respect to such contracted work.
On August 15, 2013 Santa Clara Valley Transportation Authority (VTA) staff began an analysis of Compressed Natural Gas (CNG) as a potential fuel for the transit fleet. This study was requested by the Transit Planning and Operations Committee (TP&O) based on a recommendation from Director Khamis. The analysis is complete and staff’s recommendation is to continue with the policy the Board adopted in 2000; namely to pursue the diesel path to conversion to a zero emission fleet.

BACKGROUND:

In 1999 the California Air Resources Board (CARB) required transit operators to select either a diesel path or a CNG fuel path to achieve a zero emission standard. Based upon available evidence at that time, the Board selected the low sulfur diesel fuel path. Because of the recent low cost and increased availability of CNG, the committee requested staff to reevaluate this decision.

With the continued requirement of transitioning to a zero emission fleet, staff evaluated the several aspects of a proposed conversion to determine if there was an opportunity to achieve a cost savings to the organization through the use of CNG fuel. The analysis shows that while there is a theoretical savings of $2.3 million per year, this is offset by other factors involved in conversion to a CNG fuel source beyond the cost of fuel:

- Capital cost of facilities for service and fueling
- Potentially greater Green House Gas (GHG) emissions
- Increased service costs
- Decreased service reliability
- Challenge of supporting three technologies (diesel, electric and CNG) simultaneously
Given the importance of potential savings suggested by the cost comparison of diesel fuel to CNG, staff analyzed the overall impacts on our operation with great care. We also participated with CARB in an extensive test of emissions generated by our hybrid electric coaches as compared to CNG coaches on both dynamometer testing as well as actual revenue service testing. Staff’s decision was influenced by the fact that the majority of the cost savings is in the purchase comparison of the vehicles (diesel electric hybrid v. CNG). Due to CARB’s requirement that we begin purchasing a percentage of zero emission vehicles in 2018 transitioning to all zero emission bus purchases by 2028, this advantage is reduced.

Staff recognizes and appreciates the opportunity to examine this potential economy. As a result of this analysis, we are reassured that the Board has selected the most prudent and path to achieve the transition to a zero emission fleet. Attachment A provides more detailed information on the analysis that was performed and updates the previous report.

**SUMMARY**

Conversion to CNG buses could potentially result in some operating cost savings. However, the cost for yearly maintenance is higher. The buses are less fuel efficient. CNG may increase Greenhouse Gas emissions. Pending regulations requiring zero-emission buses would require additional facility costs and result in three different fuel structures per division, increasing maintenance, parts and materials complexity and likely requiring expansion of two divisions. The timeline to complete facility modifications and fueling station infrastructure is also substantial. These factors offset any potential savings.

Therefore, VTA staff recommends continuing the purchase of hybrid buses with a shift to zero-emission battery buses as they become more widely available.

**STANDING COMMITTEE DISCUSSION/RECOMMENDATION:**

The Transit Planning and Operations (TP&O) committee reviewed this item at its September 16, 2015 meeting. Chairperson Khamis noted that VTA would realize substantial savings by purchasing CNG buses and would realize substantial savings in annual fuel costs. He did not fully support the facility infrastructure costs VTA would pay to accommodate CNG buses and felt that the emissions data presented did not fully represent the true benefit of Hybrids over CNG. However, Chairperson Khamis would support whatever direction the Board of Directors would take on this issue. Chairperson Khamis requested that staff present this memo at the October 1, 2015 Board meeting.

The VTA Board of Directors met on October 1, 2015, and deferred this item to a future meeting.

Prepared By: Art Douwes
Memo No. 5154
FUEL COSTS

The fuel cost analysis in the 2013 report was based on average pricing for that year, with a 3% inflation escalator going forward, as projected by the Federal Department of Energy. Since that time, both diesel and CNG prices have actually fallen significantly, as shown below. Forecasting fuel prices is likely to remain extremely difficult.

<table>
<thead>
<tr>
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<th>Diesel (per gallon)</th>
<th>CNG (per diesel gallon equivalent)</th>
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<tr>
<td>2013 Report Cost Assumption</td>
<td>$3.64</td>
<td>$0.91</td>
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<tr>
<td>2015 Year to Date Actual Average</td>
<td>$1.88</td>
<td>$0.36</td>
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Please note that VTA pays wholesale prices and receives some tax exemptions. Diesel pricing shown is per gallon; CNG pricing is given in diesel gallon equivalency (DGE). These figures include sales tax.

Considering the updated fuel pricing, any savings from switching the fleet to CNG are substantially reduced. Fuel savings would decline from an estimated cumulative of $35,162,503 to $19,577,657. The total savings over 12 years, which included cost estimates for maintenance of CNG vehicles, facility installation and maintenance costs, and the cost savings from buying CNG vehicles instead of hybrid vehicles, would now be $27,357,619, down from $42,942,465 in the 2013 analysis.

BUS COST

The 2013 evaluation indicated a bus cost differential between comparably equipped CNG and hybrid buses of approximately $150,000 per bus. This is the main area of savings in all analyses done. This price differential appears to be the same in 2015.

FUELING FACILITY O&M COST

VTA’s experience indicates that the diesel fueling facilities have negligible Operation and Maintenance (O&M) costs. VTA does not have any experience operating a CNG fueling facility. However, based on other transit agencies such as Los Angeles County Metropolitan Transportation Authority (LACMTA) and figures from CNG providers, there is a significant cost for the compression of natural gas as well as maintenance cost of the compressors and other parts of the facility. This cost is estimated to be approximately $0.41 per diesel gallon equivalent (DGE).

FACILITY MODIFICATION

Modifications are required for maintenance facilities to safely accommodate CNG buses. Procurement and installation of CNG fueling facilities is required as well. Estimates for these facility projects range from $18,000,000 to $47,000,000, for VTA’s three bus divisions. In the 2013 analysis, VTA estimated these costs at $28,000,000. These numbers are still valid in 2015. These are construction cost estimates. There may also be some real estate acquisition costs, as noted on the Fleet Projections section of this memorandum.
MAINTENANCE COST

It is widely acknowledged that the maintenance cost for CNG buses is higher than diesel hybrid buses. VTA’s maintenance cost for standard diesel buses is approximately $1.30 per mile, which includes parts and labor. VTA’s maintenance cost for hybrid buses is lower, approximately $1.01 per mile -- though it should be noted that the hybrid buses are newer and they will require a one-time battery replacement. The estimated cost for the battery replacement adds approximately $0.08 per mile.

Other agencies with CNG fleets contacted for this analysis indicated that the additional costs for maintenance of the CNG buses are between $0.06 and $0.20 per mile more than standard diesel buses. VTA buses logged 18,071,293 miles in FY 2015. Using an average of $0.13 per mile, this would add $2.35 million per year to VTA’s annual maintenance cost for a CNG fleet. This alone offsets the purchasing and fuel cost advantages of CNG.

EFFICIENCY

All of the cost analyses provided take into account the lower energy capacity of CNG versus diesel hybrid. Because of that lower energy capacity, the mileage for CNG buses is approximately 3.6 mpg (using DGE) as compared to 5.1 mpg for diesel hybrid buses. This could potentially exacerbate future fuel cost increases because the CNG fleet would require more fuel. The current fleet used approximately 4 million gallons of fuel in FY 2015. A CNG fleet would have required 5 million gallons to complete the same number of miles.

The 2013 CNG analysis assumed 176 new buses in service by FY 2018. For a variety of regulatory and funding reasons, VTA purchases are now planned to be compressed for delivery between FY 2017 and FY 2020 (see Fleet Projections section). While this alone would change the numbers of the estimate, it does not affect the overall conclusion from 2013.

That analysis showed that when the costs of maintenance, fuel and facilities, and new bus costs are taken into account, savings are possible by switching from hybrid diesel buses to CNG buses for VTA’s fleet. However, the savings are offset by reliability and emissions issues. We also know, going forward, we face the costs associated with the State’s mandate to switch to zero-emission buses. Other potential costs and issues are discussed elsewhere in this report.

CALIFORNIA AIR RESOURCES BOARD (CARB) TESTING and RESULTS:

EMISSIONS

The California Air Resources Board (CARB) requested the use of three VTA hybrid buses for emissions testing and evaluation. In 2014, CARB tested three VTA hybrid buses (low mileage, medium mileage, and high mileage) on a chassis dynamometer as well as on the road over a specific route. The preliminary result of the testing indicated that there was no apparent degradation of the emissions system.

Previously, CARB contracted with West Virginia University (WVU) to test CNG buses. CARB provided the following analysis based on those and the VTA bus tests:
“Results from these two studies, as well as those from the VTA study, are reported in the attached table. CNG Total Hydrocarbon (THC) emissions were higher for both chassis dynamometer and on-road testing relative to the hybrid and diesel buses. This is most likely due to the use of CH₄, a hydrocarbon itself, as the primary fuel source. Emissions of Carbon Monoxide (CO) were also considerably higher for CNG buses relative to the hybrid and diesel buses for chassis dynamometer and on-road testing. CO emissions are significantly larger for the more aggressive urban driving routes and for the higher-mileage CNG buses relative to the low-mid-mileage buses tested. Nitrogen Oxides (NOₓ) emissions are on average lower for CNG buses for dynamometer testing, and similar values for on-road testing compared to hybrid buses. However, for both testing regimes, CNG buses show large inter-bus variability for NOₓ emissions. CO₂ emissions are comparable between hybrid, diesel, and CNG buses for all tests. However, CNG buses again show larger variability between buses and routes than for hybrid and diesel buses.”

CARB also provided their Emission Comparison of Transit Bus Technologies. This assessment indicates that the greenhouse gas (GHG) emissions of the hybrid bus, on a well-to-wheel basis, are lower than that of a CNG bus. The electric bus is projected to produce the least GHG. More detail on the CARB testing data is included in Appendix A of this memorandum.

**BUS FLEET PROJECTIONS**

CARB proposed new regulations to reduce Greenhouse Gas Emissions as well as other regulated emissions for transit bus fleets. The goal is to have 100% of the transit buses be zero emissions buses (ZEBs) by 2040. To achieve this goal and transition from fossil fuel buses to ZEBs, the proposed regulation is to mandate that a percentage of transit buses purchased in California after 2018 be ZEBs and that all new transit buses purchased after 2028 be ZEBs.

**VTA’s BUS PROCUREMENT NEEDS**

VTA’s bus procurement plans include bus replacements and buses for service expansion. Between now and 2028, VTA estimates purchasing approximately 600 new buses. Considering the expected requirement to start purchasing ZEBs effective 2018, the estimated bus procurement plan is as follows:

<table>
<thead>
<tr>
<th>Year Order</th>
<th>Fossil Fuel Buses</th>
<th>ZEBs</th>
<th>Total</th>
</tr>
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<tbody>
<tr>
<td>2015</td>
<td>179</td>
<td>5</td>
<td>184</td>
</tr>
<tr>
<td>2017</td>
<td>57</td>
<td>0</td>
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</tr>
<tr>
<td>2018</td>
<td>45</td>
<td>11</td>
<td>56</td>
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<td>56</td>
<td>14</td>
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<td>37</td>
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<tr>
<td>2026</td>
<td>65</td>
<td>65</td>
<td>130</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>439</strong></td>
<td><strong>147</strong></td>
<td><strong>591</strong></td>
</tr>
</tbody>
</table>
VTA will be purchasing another (439) fossil fuel buses, which could be diesel, hybrid electric
diesel, or CNG. The following factors should be considered for the purchase of the buses.

**FACILITIES**

To operate CNG or electric buses, VTA must make significant facility modifications. For CNG
buses, the maintenance facilities need to be modified to safely accommodate the volatile lighter-
than-air natural gas.

Additionally, CNG fueling facilities must be installed at the three bus divisions. For zero
emission buses, charging stations must also be installed at each bus division.

The use of CNG buses would mean that, in the near future, VTA would be operating buses on
three different fuels (diesel, CNG and electricity). This would also mean that the facilities would
need to be equipped for such. Adding both CNG fueling and electric charging facilities will be
difficult at two of the bus divisions due to space limitations, compounded by the expansion of
VTA’s fleet -- especially with plans to more than double the number of 60’ articulated buses.

The Chaboya Division is VTA’s most crowded facility, and the introduction of articulated buses
to that yard for planned BRT routes will bring it to maximum capacity, even without additional
fueling facilities.

At North Division, the situation is similar, full introduction of the Santa Clara-Alum Rock BRT
service and the future increase in standard articulated buses will also bring it to its maximum
practical capacity. The issue overall is more critical at North because, with Hwy 101 and surface
roads on all sides, there is no adjacent property that could be used for expansion.

CNG will be new technology to VTA. There will be costs associated with introducing it to the
fleet. As examples, other properties have experienced issues with the methane detection and fire
suppression systems becoming sources of service interruptions and requiring specialized
maintenance. They found it critical to work with the fuel station manufacturer to review and
revise maintenance practices and procedures, and to determine life-cycle planning, including
regulatory agencies periodic inspections. They found it essential to review and revise staffing
levels, financial plans, and capital funding, and they discovered that some materials required for
vehicle and station maintenance have long lead times.

**OPERATIONS RELIABILITY**

Reliability is a major factor in transit operation. Breakdowns on the road (Roadcalls) are a
disruption to passengers. An excessive number of Roadcalls could lead the public to lose
confidence in the system and therefore reduced ridership. Although the CNG buses have made
improvements in their performance, they are still more prone to breakdowns than diesel engines.
CNG Engines require more frequent overhauls.

VTA’s experience with the hybrid buses indicates a better reliability. For the 3rd quarter of FY
2014, the overall fleet averaged 8,409 miles between road calls, while the standard hybrid bus
averaged 11,556 miles between road calls. This equates to a 37% improvement in reliability.
The Express hybrid buses operated at more than 67,000 miles between road calls.
MAINTAINABILITY

Extensive new equipment and training of maintenance mechanics at an unknown cost will be required to safely maintain CNG buses. VTA training staff will need to be expanded if both CNG and zero-emission buses are introduced to the fleet. Along with specialized training for the CNG itself, specialized training will be needed for handling the high-pressure tanks, valves, and plumbing used to store the CNG on board the buses.
CALL TO ORDER

The Regular Meeting of the Governance and Audit Committee was called to order at 4:02 p.m. by Chairperson Woodward in Conference Room 157, County Government Center, 70 West Hedding Street, San José, California.

1. ROLL CALL

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<thead>
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<tr>
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<tr>
<td>Rose Herrera</td>
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<td>Absent</td>
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<tr>
<td>Ash Kalra</td>
<td>Member</td>
<td>Present</td>
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<tr>
<td>Johnny Khamis</td>
<td>Member</td>
<td>Present</td>
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<tr>
<td>Perry Woodward</td>
<td>Chairperson</td>
<td>Present</td>
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A quorum was present.

2. PUBLIC PRESENTATIONS

There were no Public Presentations.

3. ORDERS OF THE DAY

M/S/C (Chavez/Kalra) to accept the Orders of the Day and approve the Consent Agenda.

CONSENT AGENDA

4. Regular Meeting Minutes of September 3, 2015

M/S/C (Chavez/Kalra) to approve the Regular Meeting Minutes of September 3, 2015.

5. Appointments to the State Route (SR) 85 Corridor Policy Advisory Board

M/S/C (Chavez/Kalra) to recommend that the Board of Directors approve appointments to the State Route 85 Corridor Policy Advisory Board.

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

6. **General Manager/CEO and General Counsel Performance Evaluation Process**

   Jim Lawson, Director of Government Affairs and Executive Policy Advisor, provided an overview of the staff report.

   The Committee and staff discussed the following: 1) assessed whether the performance evaluation process used in the past was effective; 2) noted the importance of modifying the performance evaluation questions to assess the goals and outcomes; and 3) suggested conducting research/surveys to determine how executive evaluations are done in other agencies and what management/evaluation tools are available.

   **M/S/C (Chavez/Kalra)** to determine the process for the 2015 and future annual performance evaluations of the General Manager/CEO and General Counsel.

7. **Recommended Guidelines for VTA Member Agency Use in Making Appointments to the VTA Board of Directors or Policy Advisory Committee**

   Mr. Lawson provided a brief summary of the staff report.

   **M/S/C (Chavez/Kalra)** to review and approve the guidelines for use by VTA Member Agencies in making appointments to the VTA Board of Directors or Policy Advisory Committee.

8. **Cooperative Agreement with the Peninsula Corridor Joint Powers Board (Caltrain) for real property acquisitions in Santa Clara County that are required for the Peninsula Corridor Electrification Project (PCEP)**

   Mr. Lawson provided an overview of the staff report.

   **M/S/C (Chavez/Kalra)** to authorize the General Manager to negotiate and execute a Cooperative Agreement (Agreement) with the Peninsula Corridor Joint Powers Board (Caltrain) regarding the parties’ responsibilities for real property acquisitions in Santa Clara County that are required for the Peninsula Corridor Electrification Project (PCEP). This authorization would also permit staff to agendize hearings for its Board to consider the adoption of resolutions of necessity if negotiated acquisition activities were unsuccessful.

OTHER ITEMS

9. **Items of Concern and Referral to Administration**

   There were no Items of Concern and Referral to Administration.

10. **Governance & Audit Committee Work Plan**

    Nuria I. Fernandez, General Manager, provided a brief overview of the status of projects in the Governance & Audit Committee Work Plan.

    Vice Chairperson Chavez suggested inviting all regular and alternate Board Members to the New Board Member Orientation.

    **On order of Chairperson Woodward** and there being no objection, the Committee reviewed the Committee Work Plan.
11. **Committee Staff Report**
   There was no Committee Staff Report.

12. **Chairperson’s Report**
   There was no Chairperson’s Report.

13. **Determine Items for the Consent Agenda for future Board of Directors’ Meetings.**

   **CONSENT:**
   
   **Agenda Item # 5** – Recommend that the Board of Directors approve appointments to the State Route 85 Corridor Policy Advisory Board.

   **Agenda Item #8** – Authorize the General Manager to negotiate and execute a Cooperative Agreement (Agreement) with the Peninsula Corridor Joint Powers Board (Caltrain) regarding the parties’ responsibilities for real property acquisitions in Santa Clara County that are required for the Peninsula Corridor Electrification Project (PCEP). This authorization would also permit staff to agendize hearings for its Board to consider the adoption of resolutions of necessity if negotiated acquisition activities were unsuccessful.

   **REGULAR:** None

14. **ANNOUNCEMENTS**
   There were no Announcements.

**OTHER ITEMS**

15. **ADJOURNMENT**

   On order of Chairperson Woodward and there being no objection, the Committee was adjourned at 4:34 p.m.

   Respectfully submitted,

   Anita McGraw, Board Assistant
   VTA Office of the Board Secretary
CALL TO ORDER

The Regular Meeting of the Silicon Valley Rapid Transit (SVRT) Program Working Committee was called to order at 10:13 a.m. by Chairperson Liccardo in Conference Room B-104, Valley Transportation Authority (VTA), 3331 North First Street, San Jose, California.

1. ROLL

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<tr>
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<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Sam Liccardo</td>
<td>Chairperson</td>
<td>Present</td>
</tr>
</tbody>
</table>

A quorum was present.

2. Public Presentations

There were no Public Presentations.

3. ORDERS OF THE DAY

M/S/C (Esteves/Yeager) to accept the Orders of the Day and approve the Consent Agenda.

CONSENT AGENDA


M/S/C (Esteves/Yeager) to approve the Meeting Minutes of August 3, 2015.

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

5. Report on BART Operations Control Center Modifications and Principles of Agreement

Dennis Ratcliffe, Deputy Director, SVRT Program, provided an update highlighting: 1) VTA and BART continued coordination to establish scope for Operations Control Center (OCC) modifications; 2) OCC modifications to serve BART Silicon Valley Extension Phase I and II; 3) VTA and BART staff discussions on cost sharing are underway; and 4) cost sharing agreement is scheduled to be completed by the end of 2015.

Discussion ensued about how the cost of the BART expansion to Santa Clara County is shared between VTA and BART.

Public Comment

Roland Lebrun, Interested Citizen, suggested making OCC modifications for Phase I only as funding has not been secured for Phase II.

On order of Chairperson Liccardo and there being no objection, the Committee received a report on BART Operations Control Center Modifications and Principles of Agreement.

6. VTA Auditor General’s Report on the BART Silicon Valley Comprehensive Agreement Assessment

Corey Saunders, Deputy Auditor General, provided an update highlighting: 1) the opportunities for risk on VTA’s part in the Agreement; 2) the ways VTA can leverage the Agreement; 3) the possibility of forming a Joint Powers Authority (JPA); 4) observations made during the audit include: a) no joint committee with the authority to manage and approve measures; b) sufficient details of the Operations & Maintenance (O&M) agreement are missing; and c) VTA’s limited authority; and 5) VTA holding a seat on the BART Board of Directors.

Chairperson Liccardo queried if there is the possibility for a South Bay seat on the BART Board of Directors in the future. Jim Lawson, Director of Public Affairs, Executive Policy Advisor, responded that VTA would need to go back to BART and inquire if there are opportunities for change to the current agreement. Carolyn Gonot, Director of Engineering and Transportation Infrastructure Development and Committee Staff Liaison, noted that creating an ex-officio seat is a possibility but is difficult because BART has their own enabling statutes which may require changes to add the seat.

Chairperson Liccardo left the meeting at 10:33 a.m., relinquished his seat to Chairperson Pro Tem Yeager. The quorum was lost and a Committee of the Whole was declared.

On order of Chairperson Pro-Tem Yeager and there being no objection, the Committee of the Whole received the VTA Auditor General’s Report on the BART Silicon Valley Comprehensive Agreement Assessment.
7. **Update on Silicon Valley Berryessa Extension (SVBX) Operations and Maintenance Agreement**

Ms. Gonot and Mr. Ratcliffe provided an update highlighting: 1) costs associated with operation and maintenance of the Silicon Valley Rapid Transit (SVRT) extension; 2) VTA and BART’s continued coordination for the development of Principles of Agreement for the cost sharing; and 3) VTA staff is anticipating the Principles of Agreement to be fully executed by end of 2015.

Chairperson Liccardo returned at 10:40 am, a quorum was established, and chaired the remainder of the meeting.

Member Esteves inquired about the O&M contract, the operating cost model, and the amount to be paid to BART. Staff will report back at future meetings as progress is made on the O&M contract and the operating cost model.

*On order of Chairperson Liccardo* and there being no objection, the Committee received an update on Silicon Valley Berryessa Extension (SVBX) Operations and Maintenance Agreement.

8. **VTA BART Silicon Valley Berryessa Extension (SVBX) Project and Silicon Valley Rapid Transit (SVRT) Program Updates/Key Activities**

Mr. Ratcliffe and John Engstrom, SVBX Project Director, provided a brief presentation on the following:

a. **Schedule & Budget Update**

Mr. Ratcliffe and Mr. Engstrom presented information on the SVRT Program cost summary and the SVBX Project integrated summary schedule.

**Public Comment**

Mr. Lebrun commented on the following: 1) the real cost of SVBX Project is between $3 and $3.6 billion; 2) the need to differentiate between Phase I and Phase II; and 3) Silicon Valley Rapid Transit Program Working Committee or Administration & Finance should identify funding sources to finish the entire project.

Mr. Ratcliffe reported that the SVBX Project is 10 months ahead of schedule.

Ms. Gonot noted that the Warm Springs Station opening has been delayed which will not affect the Berryessa work as the connection between the two extensions is mostly completed. As of this time, there is no opening date for Warm Springs. VTA and BART are working closely to meet the February 5, 2016, contractual obligation to tie into the Warm Springs tracks.

b. **Construction Progress (Activities/Safety/Interfaces)**

Mr. Engstrom provided a status update on the following: 1) Mission Boulevard Bridge in Fremont; 2) Kato Road in Fremont; 3) Dixon Landing Trench in Fremont; 4) Calaveras to Abel Guideway in Milpitas; 5) Montague Trench in...
Milpitas; 6) Milpitas Station; 7) Hostetter underpass in San Jose; and 8) Berryessa Aerial Structure in San Jose.

c. **C700 Contract Status (Line, Track Stations, Systems)**

C700 Contract status was received as noted in the staff presentation.

d. **C730 Contract Status (Parking Structures)**

C730 Contract status was received as noted in the staff presentation.

e. **Status of Other Contracts**

Ms. Gonot mentioned that there will be a substantial amendment to the contract for professional services due to the project going longer than originally anticipated. The Construction Management firm has added more staff and assumed other duties, specifically systems testing and safety. These additional costs are within the construction contingency and will not affect the overall project cost.

f. **Community Outreach Activities**

Community Outreach Activities was received as noted in the staff presentation.

**On order of Chairperson Liccardo** and there being no objection, the Committee received the VTA BART Silicon Valley Berryessa Extension (SVBX) Project and Silicon Valley Rapid Transit (SVRT) Program Updates/Key Activities.

9. **Update on BART Silicon Valley Phase II Activities**

Leyla Hedayat, Project Manager, Transportation Planning, provided a brief update on the following:

a. **Community Working Groups**

Ms. Hedayat provided a brief update on the status of the Community Working Groups and noted the schedule for public meetings.

b. **Environmental Process Update**

Ms. Hedayat provided a brief update on the scoping process for Phase II and the Alum Rock alternative concept.

**Public Comment**

Mr. Lebrun commented on the following: 1) disappointment the Alum Rock option was not chosen; and 2) the 30 foot berm being built on Las Plumas.

Ms. Hedayat stated that the berm will be discussed at the upcoming CWG meetings.

**On Order of Chairperson Liccardo** and there being no objection, the Committee received an update on BART Silicon Valley Phase II Activities.
OTHER ITEMS

10. Committee Staff Report

There was no Committee Staff Report.

11. Open/Pending Issues

There were no Open/Pending Issues.

12. Announcements

There were no Announcements.

13. Adjournment

On order of Chairperson Liccardo and there being no objection, the meeting was adjourned at 11:14 a.m.

Respectfully submitted,

Thalia Young, Board Assistant
VTA Office of the Board Secretary
CALL TO ORDER

The Regular Meeting of the Transit Planning and Operations (TP&O) Committee was called to order at 11:04 a.m. by Chairperson Khamis in Conference Room B-104, Valley Transportation Authority (VTA), 3331 North First Street, San Jose, California.

1. ROLL CALL

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<tr>
<td>Johnny Khamis</td>
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<td>Ken Yeager</td>
<td>Vice Chairperson</td>
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<td>Jeannie Bruins</td>
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<td>Dave Cortese</td>
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</tr>
<tr>
<td>Raul Peralez</td>
<td>Alternate Member</td>
<td>Absent</td>
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</tbody>
</table>

*Alternates do not serve unless participating as a Member.

A quorum was not present and a Committee of the Whole was declared.

2. PUBLIC PRESENTATIONS

There were no Public Presentations.

The Agenda was taken out of order.

REGULAR AGENDA

5. Public Will Building

Bernice Alaniz, Director of Communications, provided a presentation, highlighting: 1) Project Goal; 2) Project overview; 3) Key findings; 4) Knowledge gaps; 5) Internal research: methodology; 6) Internal research: interview findings; 7) Internal research: survey findings; 8) External research: methodology; 9) External research: survey findings; and 10) Next steps.

Ms. Alaniz expounded on the key findings, highlighting: 1) riders are happy with the service but find system hard to navigate; 2) position VTA to help solve issues of
sustainability to enhance the economic vitality of the region; 3) get the community to spread positive messages about transit; 4) use the media to portray VTA as a solution provider and not just service provider; and 5) refresh the VTA brand and use imagery of people benefitting from using the system.

Member Liccardo arrived at the meeting and took his seat at 11:21 a.m., and a quorum was established.

Members of the Committee discussed the following: 1) attracting riders who are not transit dependent; 2) projecting an image of safety; and 3) suggested ways of highlighting competitiveness of public transportation versus driving, especially during commute hours.

Member Liccardo inquired how this study differs from the Market Segmentation and Comprehensive Operations Analysis that were completed in previous years. Ms. Alaniz responded the current campaign is a bit of a crossover, but more of an effort to change social norms, behavior, and the public perception of VTA.

Nuria I. Fernandez, General Manager/CEO, commented on the focus groups and noted it allowed staff to dig deeper and obtain a clearer outcome.

Member Liccardo suggested holding community meetings aboard a bus will give opportunity for people to engage.

On order of Chairperson Khamis and there being no objection, the Committee received an update on VTA’s Brand Revitalization/Public Will Building Effort.

3. ORDERS OF THE DAY

M/S/C (Liccardo/Bruins) to accept the Orders of the Day and approve the Consent Agenda.

CONSENT AGENDA

4. Regular Meeting Minutes of September 16, 2015

M/S/C (Liccardo/Bruins) to approve the Regular Meeting Minutes of September 16, 2015.

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


Ken Ronsse, Deputy Director, Engineering, provided a brief presentation, highlighting: 1) VTA’s BART Silicon Valley Extension; 2) Silicon Valley Rapid Transit corridor establishment and maintenance; 3) Light Rail Efficiency project; 4) Capitol Expressway Light Rail to Eastridge; and 5) Bus Rapid Transit program.

Upon inquiry of Member Bruins, Ms. Fernandez noted the differences in the car and seat designs, but indicated the noise level and vibrations would be determined by BART’s guideway and not the train design.

Member Liccardo commented on the need to provide the quantitative benefits of the construction projects and capital investments to the public to let them know the benefits. He also suggested information regarding a direct BART connection to the San Jose Airport be available to share with the public.

**On order of Chairperson Khamis** and there being no objection, the Committee received a report on the 2000 Measure A Transit Improvement Program Semi-Annual Report Ending June 30, 2015.

7. **VTA's Technology Innovation Initiatives**

Gary Miskell, Chief Information Officer, provided a presentation, highlighting: 1) Innovation at VTA; 2) Customer messaging project status; 3) Safety and security project status; 4) Dedicated short range communications demonstration – stop request; 5) Dedication short range communications demonstration – PETS; 6) Innovation projects – applications; and 7) Way finding at Levi’s Stadium.

Member Liccardo suggested integrating way finding with local businesses to provide information on available services in the area.

Member Liccardo left the meeting at 12:14 pm, the quorum was lost, and a Committee of the Whole was declared.

Member Bruins commented on the pilots being done in San Jose and encouraged staff to look at other communities as well. She suggested talking with the David and Lucille Packard Foundation regarding the On-Demand and Electric Bicycle pilot programs and having pilot programs in Los Altos Hills.

**On order of Chairperson Khamis** and there being no objection, the Committee of the Whole received a report on VTA’s Technology Innovation Initiatives.

**OTHER ITEMS**

8. **Stadium Events**

Jim Unites, Deputy Director, Operations, provided a brief report, highlighting: 1) Levi’s stadium averaging 10,000 riders per game; 2) Avaya Stadium averaging 1,000 riders per
game; 3) planning for Super Bowl 50 and meetings with the host committee, National Football League (NFL), and the City of San Jose; and 4) implementation of new buses scheduled for November 2015 in the Alum Rock Santa Clara corridor.

On order of Chairperson Khamis and there being no objection, the Committee of the Whole received a report on Stadium Events.

9. Ridership Report

Joonie Tolosa, Manager, Operations Analysis, Reporting & Systems, provided a brief overview of the September 2015 Monthly Ridership and Fare Revenue Performance report.

On order of Chairperson Khamis and there being no objection, the Committee of the Whole received the September 2015 Monthly Ridership Report and Fare Revenue Performance.

10. Transit Ridership Improvement Program (Deferred)

On order of Chairperson Khamis and there being no objection, the Committee of the Whole deferred the Transit Ridership Improvement Program update.

11. Items of Concern and Referral to Administration

There were no Items of Concern and Referral to Administration.

12. Review Committee Work Plan

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

13. Committee Staff Report

Inez Evans, Chief Operating Officer, indicated a written report was provided and called attention to the mini shutdown of the Mountain View light rail line from November 13 – November 23, 2015.

On order of Chairperson Khamis and there being no objection, the Committee of the Whole received the Committee Staff report.

14. Determine Consent Agenda for the November 5, 2015, Board of Directors Meeting

CONSENT:


REGULAR:

None
15. **Chairperson’s Report**

There was no Chairperson’s Report.

16. **Announcements**

There were no Announcements.

17. **ADJOURNMENT**

*On order of Chairperson Khamis* and there being no objection, the meeting was adjourned at 12:31 p.m.

Respectfully submitted,

Menominee L. McCarter, Board Assistant
VTA Office of the Board Secretary
CALL TO ORDER

The Regular Meeting of the Congestion Management Program & Planning Committee (CMPP) was called to order at 10:00 a.m. by Vice Chairperson Whittum in the VTA Auditorium, 3331 North First Street, San José, California.

1. ROLL CALL

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<td>Jose Esteves</td>
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<td>David Whittum</td>
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<tr>
<td>Jamie Matthews</td>
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<td>Raul Peralez</td>
<td>Alternate Member</td>
<td>Absent</td>
</tr>
</tbody>
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* Alternates do not serve unless participating as a Member.

A quorum was not present and a Committee of the Whole was declared.

2. PUBLIC PRESENTATIONS

Roland Lebrun, Interested Citizen, suggested that the headsign of light rail cars should display the train consist, and make this information available on the TransLoc mobile app as well.

3. ORDERS OF THE DAY

Vice Chairperson Whittum requested that Information Items be heard before Action Items, beginning with Agenda Item #10 – State Route (SR) 85 Ramp Metering from US 101 North to I-280 - After Study. He noted the Consent Agenda will be considered when the quorum is established.

On order of Vice Chairperson Whittum and there being no objection, the Committee of the Whole accepted the Orders of the Day.

The Agenda was taken out of order.

REGULAR AGENDA

10. State Route (SR) 85 Ramp Metering from US 101 North to I-280 - After Study

David Kobayashi, Senior Transportation Planner, provided an overview of the staff report. Vice Chairperson Whittum suggested it would be beneficial to show improvements in morning and afternoon peak travel periods despite the increase in traffic volume along the corridor.

Nuria Fernandez, General Manager & CEO, inquired about ramp metering queue on SR 87.

Member Esteves arrived at the meeting at 10:08 a.m.
On order of Vice Chairperson Whittum and there being no objection, the Committee of
the Whole received an update on the metering of SR 85 between US 101 in Mountain View
to I-280.

11. VTA’s Technology Innovation Initiatives Update
Richard Bertalan, Technology Manager, provided an overview of the report and discussed
the goals of VTA’s Innovation Center.

Members of the Committee commended VTA’s technology innovation efforts.

Member Carrasco arrived at the meeting at 10:24 a.m.
and a quorum was established.

Public Comment
Mr. Lebrun offered the following comments: 1) enhance passenger detection at bus stops;
and 2) transit delays or system advisories should be readily available on displays at transit
stations.

Vice Chairperson Whittum expressed support and interest in proposing that developers in
his jurisdiction assist with VTA technology innovation programs as part of conditions of
approval for significant development projects. He expressed support in utilizing
technology to assess bicycle and pedestrian safety on Bus Rapid Transit (BRT) projects
and how Transit Signal Priority (TSP) systems can be improved. He added that missed
passengers at bus stops should not happen.

Staff noted the Dedicated Short Range Communication (DSRC) technology could support
improved transit flow and passenger detection, particularly at bus stops with more than one
designated route.

Upon query of Member Esteves, staff provided a brief overview of the Transit Innovation
Alliance.

Vice Chairperson Whittum suggested forwarding this report to the VTA Board of
Directors.

On order of Vice Chairperson Whittum and there being no objection, the Committee
received a report on VTA's Technology Innovation Initiatives.

CONSENT AGENDA

4. Regular Meeting Minutes of September 17, 2015
M/S/C (Carrasco/Esteves) to approve the Regular Meeting Minutes of
September 17, 2015.

5. Adopt the 2015 VTA Congestion Management Program (CMP)
Members of the Committee made the following comments: 1) expressed concern on the
adverse effects of Express Lanes in the City of Milpitas; 2) asked about the effects of transit
improvements in the North Bayshore area; and 3) asked about the effects of diverted trips
from the El Camino Real Bus Rapid Transit Project, Alternative 4C to traffic congestion.

M/S/C (Carrasco/Esteves) to approve submitting a recommendation to the VTA Board of
Directors to adopt the 2015 VTA Congestion Management Program (CMP).

NOTE: M/S/C MEANS MOTION SECONDED AND CARRIED AND, UNLESS OTHERWISE INDICATED,
THE MOTION PASSED UNANIMOUSLY.
6. **Vehicle Registration Fee Funds for I-880 Soundwall Plans, Specifications & Estimates**

M/S/C (Carrasco/Esteves) to approve submitting a recommendation to the VTA Board of Directors to program $502,000 in Vehicle Registration Fee (VRF) Countywide Matching funds for the Plans, Specifications, and Estimates and Right of Way phases of the soundwall project on I-680 between Capitol Expressway and Mueller Avenue in San Jose.

REGULAR AGENDA (continued)

12. **VTA’s Brand Revitalization/Public Will Building Effort**

Bernice Alaniz, Director of Communications, provided a project overview, highlighting: 1) key findings from the grounding effort; 2) knowledge gaps; 3) overview of internal and external research, noting methodology, interview, and survey findings; and 4) next steps, including conducting focus groups and developing campaign strategy.

9. **Land Use and Transportation Briefing Series: Mountain View**

Robert Swierk, Senior Transportation Planner, provided a brief background of the presentation and introduced Randy Tsuda, City of Mountain View Community Development Director.

Mr. Tsuda and Mr. Swierk proceeded with the report, noting: 1) key development areas, including North Bayshore, San Antonio Center, El Camino Real corridor, South Whisman and East Whisman; 2) summary of Transportation Management Association (TMA) and shuttle efforts; 3) overview of Shoreline Boulevard Corridor Study and the Mountain View Transit Center; 4) potential bicycle/pedestrian crossing over Stevens Creek; and 5) shorter-term and longer-term potential transportation strategies.

Members of the Committee and staff engaged in a discussion and made the following comments: 1) commended the City of Mountain View on their initiatives; 2) timelines for both development and infrastructure to support the development should coincide with one another, noting importance of coordinated efforts between agencies; 3) asked whether proximity of housing to employment reduces commute; 4) affordability of housing near job centers is key; and 5) expressed support of pedestrian or transit-oriented developments (TOD).

Ms. Fernandez noted this presentation is part of a series that is intended to identify upcoming major developments in Santa Clara County and their potential impacts to transportation. Presentations on land use and transportation integration will be brought to the Committee and the Board of Directors at future meetings, particularly when there is discussion on Transportation Impact Fee (TIF) programs.

**On order of Vice Chairperson Whittum** and there being no objection, the Committee received and discussed information about land use and transportation in the City of Mountain View.

12. **VTA’s Brand Revitalization/Public Will Building Effort (continued)**

**Public Comment**

Mr. Lebrun made the following comments: 1) VTA could consider changing its name to something more reflective of its mission; and 2) improve transit network connections.

Discussion ensued between Members of the Committee and staff regarding the following: 1) different messaging to suit different target groups; 2) prioritizing and addressing issues related to VTA public perception; 3) importance of positive transit rider experience and
safety; 4) utilizing Google Analytics to determine target audience and appropriate incentives; 5) overview of current transit user demographics; 6) overview of research focus group demographics; and 7) next steps, including data analysis, brand/message development, and testing.

On order of Vice Chairperson Whittum and there being no objection, the Committee received an update on VTA's Brand Revitalization/Public Will Building Effort.

7. **Fiscal Year (FY) 15/16 Transportation Development Act Article 3 Funding Program**

Marcella Rensi, Transportation Planning Manager, provided a brief background and overview of the staff report.

Upon query of Member Carrasco, staff provided clarification on the East San Jose Pedestrian Improvements project by the County of Santa Clara.

M/S/C (Carrasco/Esteves) to recommend that the VTA Board of Directors adopt a resolution authorizing the General Manager to execute a funding agreement with the Metropolitan Transportation Commission (MTC) in order to receive Transportation Development Act (TDA) funds.

8. **One Bay Area Grant Cycle 2 – Program Structure**

Ms. Rensi provided an overview of the staff report and the Santa Clara County OBAG Cycle 2 program structure proposal. She noted that staff will forward an outline of the program development adoption schedule to the Committee.

M/S/C (Esteves/Carrasco) to recommend that the VTA Board of Directors approve the One Bay Area Grant (OBAG) Cycle 2 program structure.

**OTHER ITEMS**

13. **Items of Concern and Referral to Administration**

There were no items of concern or referral to administration.

14. **Committee Work Plan**

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

15. **Committee Staff Report**

Mr. Ristow distributed a copy of the Committee Staff Report, containing information on local events; Metropolitan Transportation Commission (MTC)/Association of Bay Area Governments (ABAG), State & Federal; and VTA CMA.

Mr. Ristow highlighted the series of public open house meetings for the Envision Silicon Valley process. The meetings will engage the community and gather their feedback on the approved list of projects received from Member Agencies and the County.

16. **Chairperson’s Report**

There was no Chairperson’s Report.

17. **Determine Consent Agenda for the November 5, 2015 Board of Directors Meeting**

CONSENT:

Agenda Item #5. Adopt the 2015 VTA Congestion Management Program (CMP).

Agenda Item #7. Adopt a resolution authorizing the General Manager to execute a funding agreement with the Metropolitan Transportation Commission (MTC) in order to receive Transportation Development Act (TDA) funds.

Agenda Item #8. Approve the One Bay Area Grant (OBAG) Cycle 2 program structure.

Agenda Item #10. Receive an update on the metering of State Route (SR) 85 between US 101 in Mountain View to I-280.

Agenda Item #11. Receive a report on VTA's Technology Innovation Initiatives.

REGULAR:

None.

18. ANNOUNCEMENTS

There were no Announcements.

19. ADJOURNMENT

On order of Vice Chairperson Whittum and there being no objection, the meeting was adjourned at 11:49 a.m.

Respectfully submitted,

Michelle Oblena, Board Assistant
VTA Office of the Board Secretary
CALL TO ORDER

The Regular Meeting of the Administration and Finance Committee (A&F) was called to order at 12:01 p.m. by Vice Chairperson Baker in the Auditorium, VTA River Oaks Campus, 3331 North First Street, San Jose, California.

1. ROLL

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
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<tbody>
<tr>
<td>Cindy Chavez</td>
<td>Board Member</td>
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<tr>
<td>Jason Baker</td>
<td>Vice Chairperson</td>
<td>Present</td>
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<tr>
<td>Ash Kalra</td>
<td>Chairperson</td>
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<tr>
<td>Perry Woodward</td>
<td>Board Member</td>
<td>Present</td>
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<tr>
<td>Larry Carr</td>
<td>Alternate Board Member</td>
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<tr>
<td>David Cortese</td>
<td>Alternate Board Member</td>
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<td>Raul Peralez</td>
<td>Alternate Board Member</td>
<td>Absent</td>
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<tr>
<td>Howard Miller</td>
<td>Alternate Board Member</td>
<td>N/A</td>
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* Alternates do not serve unless participating as a Member.

A quorum was not present and a Committee of the Whole was declared.

2. PUBLIC PRESENTATIONS

There were no Public Presentations.

3. ORDERS OF THE DAY

Member Chavez referred to Agenda Item #5., I-880/Coleman Avenue Interchange Landscaping – Construction Contract Amendment and provided the following comments: 1) inquired about the public art policy; and 2) pleased to see an 85% Disadvantaged Business Enterprise (DBE) participation commitment.

Member Chavez referred to Agenda Item #6., Fiscal Year 2015 Statement of Revenues and Expenses for the Period Ending June 30, 2015, unfavorable variance for Materials and Supplies and Other Services due to special events. She inquired how services for special events will be budgeted in the future.

Nuria Fernandez, General Manager/CEO, responded the budget for FY 2015 for special events was done in 2013 and was based on estimates. When the two stadiums were opened, extra effort and resources were deployed to ensure safe and successful delivery of service.

Carol Lawson, Fiscal Resources Manager, added there will be less variance in future years as the budget will be based on actual experience as opposed to estimates.
Discussion ensued about the cost for providing transit service to the stadiums and who are the potential partners for cost sharing and level of service. Member Chavez suggested staff look into other agencies/municipalities and find out how service to special events are provided and paid for.

Member Woodward took his seat at 12:14 p.m. and a quorum was established.

Staff requested that the following Agenda Items be removed from the Regular Agenda and placed on the Consent Agenda: Agenda Item #7: Construction Contract Award Contract C640 (15014) Montague Expressway and South Milpitas Boulevard Improvements; Agenda Item #10: Monthly Investment Report for July 2015; and Agenda Item #11: Legislative Update Matrix.

M/S/C (Woodward/Chavez) to accept the Orders of the Day and approve the Consent Agenda, as amended.

CONSENT AGENDA

4. Regular Meeting Minutes of September 17, 2015

M/S/C (Woodward/Chavez) to approve the Regular Meeting Minutes of September 17, 2015.

5. I-880/Coleman Avenue Interchange Landscaping – Construction Contract Amendment

M/S/C (Woodward/Chavez) to approve submitting a recommendation to the Board of Directors to authorize the General Manager to amend the construction contract with JJ Nguyen, Inc. from the existing Board authorized contract value of $509,155 to $689,155 for I-880/Coleman Interchange Landscaping in San Jose.


M/S/C (Woodward/Chavez) to approve submitting a recommendation to the Board of Directors to review and accept the Fiscal Year 2015 Statement of Revenues and Expenses for the period ending June 30, 2015.


M/S/C (Woodward/Chavez) to authorize the General Manager to execute a contract with O.C. Jones & Sons, Inc., the lowest responsible and responsive bidder, in the amount of $19,892,990.50 for the construction of Montague Expressway and South Milpitas Boulevard Improvements.


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

M/S/C (Woodward/Chavez) to receive the Legislative Update Matrix.

**REGULAR AGENDA**

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

Authorize the General Manager to execute a contract with O.C. Jones & Sons, Inc., the lowest responsible and responsive bidder, in the amount of $19,892,990.50 for the construction of Montague Expressway and South Milpitas Boulevard Improvements.

8. **Silicon Valley Berryessa Extension (SVBX) Project Construction Management Services Contract No. A12015F Amendment with PGH Wong Engineering, Inc.**

Dennis Ratcliffe, Deputy Director, SVRT Program, provided an overview of the staff report.

Member Chavez inquired about how VTA determines what work is performed in-house versus contracted out. Mr. Ratcliffe responded that the SVBX project requires staff with design-build expertise which VTA does not have in-house. Mr. Ratcliffe noted VTA staff were subsequently assigned to construction contracts related to station areas.

**Public Comment**

Roland Lebrun, Interested Citizen, expressed concern with the cost of professional services rising while the project cost is decreasing.

Member Chavez questioned if there is opportunity to review lessons learned from Phase I before proceeding with Phase II.

Carolyn Gonot, Director of Engineering and Transportation Infrastructure Development, explained the following: 1) VTA consults with peer agencies with similar experience to learn about the risks, contracting and project delivery methods, and how to manage the project; 2) PGH Wong Engineering, Inc. (Wong) was selected because the firm has experience and knowledge on BART systems; 3) Wong’s staff is sharing their knowledge of BART with VTA staff; and 6) VTA is looking at different options for Phase II.

M/S/C (Chavez/Woodward) to approve submitting a recommendation to the Board of Directors to authorize the General Manager to execute a contract amendment with PGH Wong Engineering, Inc. (Wong) to provide additional construction management oversight services for the Silicon Valley Berryessa Extension Project in the amount of $17,500,000 thereby increasing the total agreement value from $27,000,000 to $44,500,000.


Jim Lawson, Director of Public Affairs, Executive Policy Advisor, provided an overview of the staff report, highlighting the following: 1) a lease has been signed for an on-site project office which will open the week of October 19, 2015; and 2) contract negotiations
with the Special Master is underway. Mr. Lawson reviewed the similarities and differences between the staff report and the memo from Board Members Carrasco, Chavez, Liccardo, and Woodward.

Ms. Fernandez noted the VTA proposal extends financial assistance to the impacted business owners and business owners have the opportunity to file a claim under Tier II if they believe that the amount proposed by VTA is inadequate. She noted the importance of following the claims process carefully to ensure proper documentation in case VTA gets audited. Ms. Fernandez noted the second proposal suggests an increased amount and may also suggest to businesses that they have access to that amount without providing any information to substantiate the claim.

Discussion ensued regarding the staff report and the memo from Members of the Board, highlighting: 1) having the Special Master report back to the Board after reviewing claims to verify that an appropriate amount of money has been set aside; 2) process and requirements for Tier I and Tier II claims; 3) this may be an opportunity to strengthen the relationship with the community; 4) identify by November 5, 2015, who will manage the marketing and support services in the affected area; 5) the importance of bringing the Special Master on-board as soon as possible so that the process can move forward; 6) transparency for all claims; 7) VTA’s commitment to expedite the payment of the checks upon receipt of a complete claim; and 8) requested staff to bring the claim form/application to the Board for review.

Member Woodward recommended convening a short Closed Session discussion before the Open Session discussion at the November 5, 2015 Board Meeting, which Rob Fabela, General Counsel, confirmed will occur.

M/S/C (Chavez/Woodward) to approve submitting a recommendation to the Board of Directors to authorize the General Manager to establish a process for mitigating impacts to small businesses due to the construction interruption of the Alum Rock/Santa Clara Bus Rapid Transit Project and to negotiate and execute agreements necessary for that purpose. Augment the FY 2016 Santa Clara Valley Transportation Authority’s (VTA) Transit Fund Capital Budget by $1.5 million. Consider the letter from Board Members Carrasco, Chavez, Liccardo, and Woodward with the staff report. Identify a marketing person for the public to contact for concerns not related to construction.

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


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

Receive the Legislative Update Matrix.

OTHER ITEMS

12. **Items of Concern and Referral to Administration**

Items of Concern and Referral to Administration were discussed throughout the meeting.
13. **Committee Work Plan**

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

14. **Committee Staff Report**

There was no Committee Staff Report.

15. **Chairperson’s Report**

There was no Chairperson’s Report.

16. **Determine Consent Agenda for the November 5, 2015, Board of Directors Meeting**

**CONSENT:**

**Agenda Item #5.** Authorize the General Manager to amend the construction contract with JJ Nguyen, Inc. from the existing Board authorized contract value of $509,155 to $689,155 for I-880/Coleman Interchange Landscaping in San Jose.

**Agenda Item #6.** Review and accept the Fiscal Year 2015 Statement of Revenues and Expenses for the period ending June 30, 2015.

**Agenda Item #10.** Receive the Monthly Investment Report for July 2015.

**Agenda Item #11.** Receive the Legislative Update Matrix.

**REGULAR:**

**Agenda Item #7.** Authorize the General Manager to execute a contract with O.C. Jones & Sons, Inc., the lowest responsible and responsive bidder, in the amount of $19,892,990.50 for the construction of Montague Expressway and South Milpitas Boulevard Improvements.

**Agenda Item #8.** Authorize the General Manager to execute a contract amendment with PGH Wong Engineering, Inc. (Wong) to provide additional construction management oversight services for the Silicon Valley Berryessa Extension Project in the amount of $17,500,000 thereby increasing the total agreement value from $27,000,000 to $44,500,000.

**M/S/C (Chavez/Woodward)** to approve submitting a recommendation to the Board of Directors to authorize the General Manager to establish a process for mitigating impacts to small businesses due to the construction interruption of the Alum Rock/Santa Clara Bus Rapid Transit Project and to negotiate and execute agreements necessary for that purpose. Augment the FY 2016 Santa Clara Valley Transportation Authority’s (VTA) Transit Fund Capital Budget by $1.5 million. Consider the letter from Board Members Carrasco, Chavez, Liccardo, and Woodward with the staff report. Identify a marketing person for the public to contact for concerns not related to construction.
17. **Announcements**

Vice Chairperson Baker announced that the Cities Association of Santa Clara County Holiday Party is on December 3, 2015.

18. **ADJOURNMENT**

On order of Vice Chairperson Baker and there being no objection, the Committee meeting was adjourned at 1:13 p.m.

Respectfully submitted,

Thalia Young, Board Assistant
VTA Office of the Board Secretary
CALL TO ORDER

The Regular Meeting of the Committee for Transit Accessibility (CTA) was called to order at 1:03 p.m. by Chairperson Morrow in the Auditorium, Building A, Santa Clara Valley Transportation Authority (VTA), 3331 North First Street, San José, California.

1. ROLL CALL

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<tr>
<th>Attendee Name</th>
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<tr>
<td>Roseryn Bhudsabourg</td>
<td>Representative/Board Member</td>
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<td>Kalra CTA Ex-Officio Member</td>
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<td>Kathy Bonilla</td>
<td>Member</td>
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<td>Christine Fitzgerald</td>
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<td>Katie Heatley</td>
<td>Ex-Officio Member</td>
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<td>Troy Hernandez</td>
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<td>Jeffery Jokinen</td>
<td>First Vice Chairperson</td>
<td>Absent</td>
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<tr>
<td>Lupe Medrano</td>
<td>Member</td>
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<td>Laura Michaels</td>
<td>Member</td>
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<tr>
<td>Aaron Morrow</td>
<td>Chairperson</td>
<td>Present</td>
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<td>Lechi Nguyen</td>
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<td>David Robinson</td>
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<td>Dilip Shah</td>
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<td>Barbara Stahl</td>
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<td>Chaitanya Vaidya</td>
<td>Second Vice Chairperson</td>
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<td>Lori Williamson</td>
<td>Member</td>
<td>Absent</td>
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A quorum was not present and a Committee of the Whole was declared.

The Agenda was taken out of order.

3. INTRODUCTION OF AUDIENCE MEMBERS

David Ledwitz, Management Analyst; John Sighamony, Senior Transportation Planner; Stephen Flynn, Advisory Committee Coordinator; Gary Miskell, Chief Technology Officer; Marcella Rensi, Transportation Planning Manager; Adam Burger, Senior Transportation Planner; Patrick Griffin, Customer Relations Manager; Robin Garcia, Operations Service Planning; Manolo Gonzalez - Estay, Public Communications Specialist II; Ken Ronsse, Deputy Director, Construction; and, Alberto Lara, Director of Business Services.
2. **Orders of the Day**
   Jim Unites, Deputy Director, Operations and Committee Staff Liaison, informed the Committee of the passing of CTA Member, Larry Saltman. He indicated the meeting would be adjourned in memory of Mr. Saltman.

   Mr. Unites announced Cam Acker retired from the Committee. He also indicated Member Vaidya is on medical leave and plans to be back for the January 2016 meeting.

   Chairperson Morrow and Ex-Officio Member Heatley shared kind words and fond memories of Mr. Saltman and the work he did while on the Committee.

   **On Order of Chairperson Morrow** and there being no objection, the Committee of the Whole received the Orders of the Day.

4. **PUBLIC PRESENTIONS**
   There were no Public Presentations.

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

   **General Manager’s Report**
   Mr. Unites indicated Nuria I. Fernandez, General Manager, was unable to attend the meeting.

   Mr. Unites introduced Alberto Lara, Director of Business Services. Upon inquiry of Chairperson Morrow, Mr. Lara provided an overview of his areas of responsibility within VTA.

   Mr. Unites announced Inez Evans was appointed as the new Chief Operating Officer, replacing Michael Hursh who accepted the General Manager position at AC Transit.

6. **Envision Silicon Valley**
   Chairperson Morrow indicated the Envision Silicon Valley report would be heard with **Agenda Item #12.**, Envision Silicon Valley List of Projects.

**CONSENT AGENDA**

7. **Regular Meeting Minutes of June 10, 2015**
   **On Order of Chairperson Morrow** and there being no objection, the Committee of the Whole deferred the Regular Meeting Minutes of June 10, 2015.

8. **Chief Operating Officer’s Report**
   **On Order of Chairperson Morrow** and there being no objection, the Committee of the Whole received the Chief Operating Officer’s Report.

   **On Order of Chairperson Morrow** and there being no objection, the Committee of the Whole received the Transit Operations Performance Report.
10. **October 2015 Service Changes**
   
   On Order of Chairperson Morrow and there being no objection, the Committee of the Whole received the October 2015 Service Changes.

**REGULAR AGENDA**

11. **Nomination Subcommittee for the Chairperson and Vice Chairpersons for 2016**
   
   Stephen Flynn, Advisory Committee Coordinator, provided a brief overview of the nomination subcommittee process.
   
   Member Medrano and Ex-Officio Member Heatley volunteered to serve.

   On order of Chairperson Morrow and there being no objection, Member Medrano and Ex-Officio Member Heatley will serve as the Nomination Subcommittee to identify members interested in serving as the chairperson or vice chairperson for 2016.

12. **Envision Silicon Valley List of Projects**
   
   John Sighamony, Senior Transportation Planner, provided a brief overview of the staff report and briefly discussed the preliminary list of projects.
   
   The Committee of the Whole discussed the following: 1) amount of the projects included in the list; 2) process of paring the list; and 3) timeline.
   
   Upon inquiry, Mr. Unites indicated the item will be brought back to the Committee.

   On order of Chairperson Morrow and there being no objection, the Committee of the Whole recommended that the VTA Board of Directors approve the List of Projects received from VTA's Call for Projects and direct staff to submit the complete list to the Metropolitan Transpiration Commission for consideration of inclusion in the Regional Transportation Plan.

13. **One Bay Area Grant Cycle 2**
   
   Marcella Rensi, Transportation Planning Manager, provided a brief overview of the report and an overview of the OBAG II structure proposal.
   
   The Committee of the Whole expressed the need for additional bus shelters and fully accessible bus stops.

   On order of Chairperson Morrow and there being no objection, the Committee of the Whole recommended that the VTA Board of Directors approve the One Bay Area Grant (OBAG) Cycle 2 program structure.

14. **Transit Ridership Improvement Program**
   
   Adam Burger, Senior Transportation Planner, provided a presentation, highlighting: 1) Changing our approach; 2) Transit network design guidance; 3) consultants - Jarrett Walker and Associates; and 4) Project timeline.
   
   The Committee of the Whole suggested the following: 1) add a component specifically for people with disabilities and the elderly; 2) strategies to address accommodations for mothers with strollers; 3) address the schedule frequency, adding schedules to bus stops, and notifying customers sooner of any changes; and 4) increase number of free passes.
On order of Chairperson Morrow and there being no objection, the Committee of the Whole received a presentation on the Transit Ridership Improvement Program.

15. Santa Clara-Alum Rock Project Bus Rapid Transit (BRT) Project Status

Ken Ronsse, Deputy Director, Construction, provided a brief report and presentation, highlighting: 1) Overview; 2) Project alignment and station locations; 3) Typical media bus lane; 4) Typical median BRT station on Alum Rock; 5) Typical station shelters; 6) Art enhancements; 7) Background; 8) Current conditions; 9) Construction plan; and 10) Summary schedule.

The Committee of the Whole expressed concern with the impacts of the construction shutdown to the community and businesses in the surrounding area. Staff indicated the new contractor is already working in the field and has made vast improvements.

The Committee of the Whole suggested the following: 1) more planning beforehand so consumers are less impacted; 2) include electric outlets at bus stops; and 3) provide support to local merchants during transportation inconveniences to help them stay in business.

On order of Chairperson Morrow and there being no objection, the Committee of the Whole received a presentation on Santa Clara-Alum Rock Project BRT Project Status.

16. Transportation Assistance Program (TAP)

Manolo Gonzalez-Estey, Public Communications Specialist II, provided a brief overview of the staff report.

In response to the Committee of the Whole’s request to make the forms more readily available, Mr. Gonzalez-Estey stressed that it is a pilot program and that more information will be distributed as the program goes forward and funds are secured for its continuance. He noted staff will look into getting the information to senior centers to disseminate program details.

Member Shah requested staff to forward to the Committee the program brochure.

On order of Chairperson Morrow and there being no objection, the Committee of the Whole received an update on the Transportation Assistance Program (TAP) for Low Income patrons.

17. Dynamic Transit Service Pilot Program Implementation

Aiko Cuenco, Transportation Planner III, provided a brief overview and a presentation, highlighting: 1) Background; 2) First pilot – Tasman; 3) Tasman zone details; 4) Tasman zone FLEX stops; 4) Proposed fare structure; 5) Priorities in service design; 6) FLEX vehicles; 7) Opportunities for public-private partnerships; 8) Measure results and improve service design; 9) VTA FLEX vs. other ridesharing services; 10) Future pilot applications; and 11) Next steps.

The Committee of the Whole made the following comments and suggestions: 1) utilize corporate resources for promotion of program; 2) ensure FLEX app is vetted for accessibility features; 3) cautioned against charging "no-show" fees; 4) consult Federal Transit Administration (FTA) amendment language on provision for demand response transit to provide curb-to-curb assistance upon customer request; 5) advertise new FLEX service on the bus and in the media; 6) inability to use transfers and passes; and 7) concern over credit card payment only option.
Mr. Unites responded the fare structure is one of the key areas that staff will continue to evaluate and monitor throughout the pilot.

**On order of Chairperson Morrow** and there being no objection, the Committee of the Whole received information on the Dynamic Transit Service Pilot Program Implementation.

18. **Real Time Transit Information (RTI) Project**  
Gary Miskell, Chief Technology Officer, provided a presentation, highlighting: 1) Real time data; 2) Vehicle safety innovation; 3) Pedestrian collision avoidance system; and 4) Pedestrian and bike collision avoidance pilot.

The Committee of the Whole discussed audio signage features and the continuous feed of information.

**On order of Chairperson Morrow** and there being no objection, the Committee of the Whole received an update on the Real Time Transit Information (RTI) project.

19. **Bus Stop Improvement Program Status Report**  
**On order of Chairperson Morrow** and there being no objection, the Committee of the Whole deferred the Bus Stop Improvement Status Report.

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

**REPORTS**

21. **Committee Staff Report**  
There was no Committee Staff Report.

22. **Citizens Advisory Committee (CAC)/Citizens Watchdog Committee (CWC) Report**  
There was no Citizens Advisory Committee (CAC)/Citizens Watchdog Committee (CWC) Report.

23. **Chairperson's Report**  
There was no Chairperson’s Report.

**OTHER**

24. **ANNOUNCEMENTS**  
There were no Announcements.

25. **ADJOURNMENT**  
**On order of Chairperson Morrow** and there being no objection, the meeting was adjourned at 3:05 p.m., in memory of CTA Member, Larry Saltman.
Respectfully submitted,

Menominee L. McCarter, Board Assistant
VTA Office of the Board Secretary
CITIZENS ADVISORY COMMITTEE
and
2000 MEASURE A CITIZENS WATCHDOG COMMITTEE

Wednesday, October 7, 2015

MINUTES

CALL TO ORDER

The Regular Meeting of the Citizens Advisory Committee (CAC)/2000 Measure A Citizens Watchdog Committee (CWC) was called to order at 4:02 p.m. by Vice Chairperson Wadler in Conference Room B-104, VTA River Oaks Campus, 3331 North First Street, San Jose, California.

1. ROLL CALL

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
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<tbody>
<tr>
<td>Stephen Blaylock</td>
<td>Member</td>
<td>Absent</td>
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<tr>
<td>Clinton Brownley</td>
<td>Member</td>
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</tr>
<tr>
<td>Bena Chang</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Chris Elias</td>
<td>Member</td>
<td>Absent</td>
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<tr>
<td>Sharon Fredlund</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>William Hadaya</td>
<td>Chairperson</td>
<td>Absent</td>
</tr>
<tr>
<td>Ray Hashimoto</td>
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</tr>
<tr>
<td>Roberta Hughan</td>
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</tr>
<tr>
<td>Aaron Morrow</td>
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<tr>
<td>Charlotte Powers</td>
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<tr>
<td>Lucas Ramirez</td>
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<tr>
<td>Connie Rogers</td>
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<tr>
<td>Stephen Schmoll</td>
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<tr>
<td>Martin Schulter</td>
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</tr>
<tr>
<td>Noel Tebo</td>
<td>Member</td>
<td>Present</td>
</tr>
<tr>
<td>Herman Wadler</td>
<td>Vice Chairperson</td>
<td>Present</td>
</tr>
</tbody>
</table>

A quorum was present.

2. ORDERS OF THE DAY

M/S/C (Morrow/Brownley) to accept the Orders of the Day, and approve the Consent Agenda.

3. PUBLIC PRESENTATIONS

There were no Public Presentations.

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

Aaron Quigley, Senior Policy Analyst, reported the VTA Board of Directors took the following actions at their October 1, 2015, meeting: 1) received an update from Bijan Sartipi, Caltrans District 4 Director, on iTeam and Caltrans District 4 Activities; 2) increased the contract with Caltrain for the Mountain View Double Track Project; 3) authorized a co-op agreement with Caltrain for VTA to provide eminent domain activities for the Caltrain Electrification Project; 4) made several contract changes for the Alum Rock/Santa Clara Bus Rapid Transit (BRT) project; 5) approved the preliminary project list for Envision Silicon Valley; 6) approved additional appointments to the State Route (SR) 85 Corridor Policy Advisory Board; 7) deferred the Memorandum of Understanding (MOU) with San Benito Council of Governments for the SR 152 Trade Corridor Policy Advisory Board; 8) approved the successor labor agreement with the Amalgamated Transit Union (ATU) Local 265; and 9) engaged in an extensive discussion concerning the impact to businesses in the Alum Rock area and instructed staff to develop a plan to address some of the issues impacting the small businesses.

Mr. Quigley informed the Committee that the Dynamic Transit Service Pilot Program has been postponed until 2016. He added the American Public Transportation Association (APTA) awarded VTA the Grand Prize for print media for VTA’s Annual Report. Also, Nuria I. Fernandez, General Manager/CEO, was selected for APTA’s Executive Committee.

Jim Lawson, Director of Government Affairs, Executive Policy Advisory and Committee Staff Liaison, introduced Alberto Lara, the new Director of Business Services.

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

5. **Envision Silicon Valley Update**

John Sighamony, Senior Transportation Planner, provided a report on Envision Silicon Valley highlighting the following: 1) the VTA Board of Directors approved the preliminary list of projects, asked staff to test the projects against the Board adopted criteria, and present the findings to the Ad Hoc Committee - Envision Silicon Valley and stakeholder groups. VTA will conduct outreach on the project list and will be hosting open houses on the following dates: October 22, 2015, at Mountain View City Hall; October 26, 2015, at the Morgan Hill Main Library; and October 29, 2015, at San Jose City Hall. Mr. Sighamony noted the information will be posted on VTA’s website, flyers will be mailed and additional open houses will be held in West Valley Cities.

Staff explained the current process will have two separate outcomes: Valley Transportation Plan (VTP) and a Board decision on which of the projects will be included into the proposed tax measure. Staff noted the El Camino BRT project would not be a consideration for a potential ballot measure project because the project is funded by 2000 Measure A and can potentially receive federal funding.

Members of the Committee noted the following: 1) expressed interest in seeing the list of test projects; 3) requested a report on what is VTA’s concerted public relations strategy to quell the public perception that El Camino Real BRT will be a part of a new ballot measure, noting a public relations effort needs to take place right now; 4) requested updates on the Bay Area Rapid Transit (BART) project including financing; and
5) requested an update on both the El Camino and Alum Rock/Santa Clara BRT projects and funding.

On order of Vice Chairperson Wadler and there being no objection, the Committee received the Envision Silicon Valley Update.

6. **Chairperson’s Report**

There was no Chairperson’s Report.

7. **Committee for Transit Accessibility (CTA) Report**

There was no Committee for Transit Accessibility (CTA) Report.

8. **Bicycle and Pedestrian Advisory Committee (BPAC) Report**

Vice Chairperson Wadler stated that Dan Collen, County of Santa Clara Roads & Airport Department Deputy Director for Infrastructure Development, announced his retirement.

On order of Vice Chairperson Wadler and there being no objection, the Committee received the Bicycle and Pedestrian Advisory Committee (BPAC) Report.

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

9. **Regular Meeting Minutes of September 9, 2015**

M/S/C (Morrow/Brownley) to approve the Regular Meeting Minutes of September 9, 2015.

10. **Citizens Advisory Committee (CAC) Quarterly Attendance Report**

M/S/C (Morrow/Brownley) to receive the Citizens Advisory Committee Quarterly Attendance Report.


12. **Legislative Update Matrix**

M/S/C (Morrow/Brownley) to review the Legislative Update Matrix.

**2000 MEASURE A CITIZENS WATCHDOG COMMITTEE REGULAR AGENDA**

Member Hashimoto arrived at 4:29 p.m.


Ken Ronse, Deputy Director, Construction, Engineering & Transportation Infrastructure, provided a brief overview of the staff report, and a presentation entitled “Measure A Capital Projects Progress Photographs,” highlighting: 1) VTA’s BART Silicon Valley Extension; 2) SVRT Corridor Establishment and Maintenance; 3) Light Rail Efficiency Project; 4) Capitol Expressway Light Rail to Eastridge; and 5) Bus Rapid Transit Program.

Members of the Committee discussed the following: 1) reparation efforts for Alum Rock business owners; 2) queried about the project completion date. Staff indicated the
tentative completion date is the end of 2016; and 3) commended VTA for their reparation efforts to the small business community along the Alum Rock BRT Corridor.

**On order of Vice Chairperson Wadler** and there being no objection, the Committee received the 2000 Measure A Semi-Annual Report Ending June 30, 2015.

**CITIZENS ADVISORY COMMITTEE REGULAR AGENDA**


Stephen Flynn, Advisory Committee Coordinator, provided an overview of the staff report.

**M/S/C (Chang/Powers)** to appoint Members Tebo, Hashimoto, and Chairperson Hadaya if he wishes to, as the nomination subcommittee to identify Committee members interested in serving as the Chairperson or Vice Chairperson for 2016.

15. **One Bay Area Grant Cycle 2 – Program Structure**

Marcella Rensi, Transportation Planning Manager, provided a brief overview of the staff report, and a presentation entitled “Santa Clara County OBAG II Structure Proposal – for August 2015; and 2) Santa Clara County OBAG I Structure.

Member Ramirez requested a copy of the map showing the projects.

The Committee discussed the following: 1) program integration; 2) program length; and 3) project eligibility.

**M/S/C (Powers/Rogers)** to recommend that the VTA Board of Directors approve the One Bay Area Grant (OBAG) Cycle 2 program structure.

16. **Vehicle Registration Fee Funds for I-880 Soundwall Plans, Specifications & Estimates**

Ms. Rensi provided the staff report. Upon inquiry of Members of the Committee, Ms. Rensi explained there were no other pending requests, therefore, no projects will be delayed if the VTA Board of Directors approves the staff recommendation.

**M/S/C (Fredlund/Morrow)** to recommend that the VTA Board of Directors program $502,000 in Vehicle Registration Fee (VRF) Countrywide Matching funds for the Plans, Specifications, and Estimates and Right of Way phases of the sound wall project on I-680 between Capitol Expressway and Mueller Avenue in San Jose.

Member Morrow left the meeting at 5:11 p.m.

17. **Transit Ridership Improvement Program**

Adam Burger, Senior Transportation Planner, provided a brief overview of the staff report and provided a presentation entitled “Transit Ridership Improvement Program,” highlighting the following: 1) changing VTA’s approach; 2) Transit Network Design Guidance; 3) consultant - Jarrett Walker and Associates; and 4) project timeline.

Members of the Committee expressed support for the project’s objectives and suggested the following: 1) reach out via workshop to the Silicon Valley Leadership Group and Developer Groups; 2) consider public private partnerships; and 3) encourage community workshops.
On order of Vice Chairperson Wadler and there being no objection, the Committee received the Transit Ridership Improvement Program.

COMBINED CAC AND CITIZENS WATCHDOG COMMITTEE ITEMS

18. **Citizens Advisory Committee and Citizens Watchdog Committee Work Plan**
   
   Member Chang suggested VTA fold the BART funding update and the upcoming BART Silicon Valley Semi-Annual Update into one presentation.

   **On order of Vice Chairperson Wadler** and there being no objection, the Committee reviewed the Citizens Advisory Committee and Citizens Watchdog Committee Work Plans.

OTHER

19. **ANNOUNCEMENTS**

   There were no Announcements.

20. **ADJOURNMENT**

   **On order of Vice Chairperson Wadler** and there being no objection, the meeting was adjourned at 5:26 p.m.

Respectfully submitted,

Anita McGraw, Board Assistant
VTA Office of the Board Secretary
CALL TO ORDER

The Regular Meeting of the Bicycle and Pedestrian Advisory Committee (BPAC) was called to order at 6:30 p.m. by Chairperson Brinsfield in Conference Room B-104, Santa Clara Valley Transportation Authority (VTA), 3331 North First Street, San José, California.

1. ROLL CALL

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<thead>
<tr>
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<tbody>
<tr>
<td>David Almeida</td>
<td>City of Gilroy</td>
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<tr>
<td>Jim Bell</td>
<td>City of San José</td>
<td>Present</td>
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<tr>
<td>Wes Brinsfield, Chairperson</td>
<td>City of Los Altos</td>
<td>Present</td>
</tr>
<tr>
<td>Kristal Caidoy, Vice Chairperson</td>
<td>City of Milpitas</td>
<td>Present</td>
</tr>
<tr>
<td>Barry Chaffin</td>
<td>City of Monte Sereno</td>
<td>Present</td>
</tr>
<tr>
<td>Paul Goldstein</td>
<td>City of Palo Alto</td>
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<tr>
<td>Peter Hertan</td>
<td>Town of Los Gatos</td>
<td>Present</td>
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<tr>
<td>Breeene Kerr</td>
<td>Town of Los Altos Hills</td>
<td>Absent</td>
</tr>
<tr>
<td>Dale Schouten</td>
<td>City of Santa Clara</td>
<td>Present</td>
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<tr>
<td>Mary Seehafer</td>
<td>City of Morgan Hill</td>
<td>Present</td>
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<tr>
<td>David Simons</td>
<td>City of Sunnyvale</td>
<td>Present</td>
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<tr>
<td>Jim Stallman</td>
<td>City of Saratoga</td>
<td>Present</td>
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<tr>
<td>Greg Unangst</td>
<td>City of Mountain View</td>
<td>Present</td>
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<tr>
<td>Herman Wadler</td>
<td>City of Campbell</td>
<td>Present</td>
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<tr>
<td>James Wiant</td>
<td>City of Cupertino</td>
<td>Absent</td>
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<tr>
<td><strong>VACANT</strong></td>
<td><strong>County of Santa Clara</strong></td>
<td>N/A</td>
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<tr>
<td>Colin Heyne</td>
<td>Ex-Officio, SVBC</td>
<td>Present</td>
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<tr>
<td>Shiloh Ballard</td>
<td>Alternate Ex-Officio, SVBC</td>
<td>N/A</td>
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</table>

A quorum was present.

2. ORDERS OF THE DAY

Member Simons requested that Agenda Item #5., Approve the Regular Meeting Minutes of September 9, 2015, be removed from the Consent Agenda and placed on the Regular Agenda.

**M/S/C (Simons/Wadler)** to accept the Orders of the Day and approve the Consent Agenda, as amended.

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

Betsy Megas, Interested Citizen, commented on the dangerous bicycle crossing on 10th Street at the train tracks and inquired about who she should contact at the City of San José to address the issue.

Member Bell provided Ms. Megas with the contact information she requested.

4. **Update on Envision Silicon Valley**

Lauren Ledbetter, Senior Transportation Planner and Staff Liaison, provided a report highlighting: 1) the Envision Silicon Valley preliminary list of projects was adopted by the VTA Board of Directors on October 1, 2015; 2) about 600 projects were submitted totaling $48 billion; 3) over the next six to eight months staff will work with the stakeholder groups and advisory committees to refine the project list; 4) projects will be included in the Valley Transportation Plan when it is updated; 5) VTA will host a series of Open Houses to review the project list and the process; 6) VTA will work with the advisory committees, stakeholder groups, and the VTA Board of Directors to develop a subset of the total project list that can be included in the potential ballot measure; 7) the Envision Silicon Valley webpage will be updated with additional information; and 8) the budget tool is in beta testing.

Member Wadler provided the following comments: 1) bus rapid transit (BRT) projects will not be on the ballot measure because BRT projects are part of Measure A; and 2) there are misconceptions about the ballot measure that need to be clarified.

**CONSENT AGENDA**

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

Approve the Regular Meeting Minutes of September 9, 2015

**REGULAR AGENDA**

5. **Approve the Regular Meeting Minutes of September 9, 2015**

Member Simons requested edits to the minutes to accurately reflect his intent. He referred to page 6 of 6 of the minutes, Item #15, to add “because the recommendations being discussed were impacting development fees” at the end of his comment.

Ms. Ledbetter requested that page 3 of 6, Item #7, of the minutes read “specifics of potential bicycle and pedestrian projects” instead of “specifics of projects”.

M/S/C (Simons/Wadler) to approve the Regular Meeting Minutes of September 9, 2015 as amended.

   Stephen Flynn, Advisory Committee Coordinator, provided a brief overview of the staff report.

   At the request of Member Simons, staff will provide attendance records in addition to contact information for each member to the nomination subcommittee.

   **M/S/C (Wadler/Schouten)** to appoint Members Simons and Stallman as the nomination subcommittee to identify Committee members interested in serving as the chairperson or vice chairperson for 2016.

7. **One Bay Area Grant Cycle 2 – Program Structure**

   Marcella Rensi, Transportation Planning Manager – Planning and Grants, provided an overview of the staff report.

   **M/S/C (Bell/Schouten)** to recommend that the VTA Board of Directors approve the One Bay Area Grant (OBAG) Cycle 2 program structure.

8. **Transit Ridership Improvement Program (TRIP)**

   Ms. Ledbetter provided a presentation, highlighting: 1) Transit Ridership Improvement Program (TRIP); 2) Changing our Approach; 3) Transit Network Design Guidance; 4) consultants - Jarrett Walker and Associates; and 5) project timeline.

   **Public Comment**

   Doug Muirhead, Interested Citizen, made the following comments: 1) negative view of program because of staff report wording; 2) expressed concern that there is no mention of other VTA services (on demand service, Envision Silicon Valley, etc.); and 3) expressed concern that the program does not fit with Envision Silicon Valley.

   Committee Members discussed the following: 1) the difference between TRIP and FLEX, the pilot on demand transit service currently being developed; 2) relationship of development projects and transit; 3) concern that changing priorities will lead to a loss of support for the areas which are expected to increase ridership; 4) first and last mile connections; 5) quantitative measures; and 6) how to provide input on the program.

   **On order of Chairperson Brinsfield** and there being no objection, the Committee received a presentation on the Transit Ridership Improvement Program.

9. **Mathilda Avenue Improvements at SR 237 and US 101 – Bicycle and Pedestrian Access**

   Gene Gonzalo, Engineering Group Manager - Capital Program, reviewed the report highlighting: 1) Project Location; 2) Project Purpose; 3) Environmental Review Schedule; 4) Existing Challenges: Mathilda at 101; 5) Existing Challenges: Mathilda at 237; 6) Existing Bicycle and Pedestrian Access; and 7) Project Alternatives.
Members of the Committee discussed the following: 1) the project is a high priority for the City of Sunnyvale; 2) the potential construction impacts of the improvements on Highway 101 and State Route 237; 3) bicycle lane design; 4) bicycle facility at Moffett Park; 5) adding a lane reduction option as part of the Environmental Impact Report (EIR); and 6) bicycle access across Mathilda Avenue.

Mr. Gonzalo introduced Tim Lee, Consultant - WMH Corporation. Mr. Lee answered questions about the Sunnyvale West Channel trail system which the Santa Clara Valley Water District plans to construct.

Chairperson Brinsfield would like VTA staff to be aware of the State Route 85/Almaden Road debate so it is not repeated on Mathilda Avenue.

**On order of Chairperson Brinsfield** and there being no objection, the Committee received and discussed information about the bicycle and pedestrian improvements for the Mathilda Avenue Improvements at SR 237 and US 101.

**OTHER**

10. **Committee Staff Report**

Ms. Ledbetter provided a report highlighting the following: 1) the October 21, 2015 webinar titled “Tactical Urbanism”; and 2) Viva CalleSJ event on October 11, 2015.

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

11. **Santa Clara County Staff Report**

There was no report.

**On order of Chairperson Brinsfield** and there being no objection, the Committee received the Santa Clara County Staff Report.

12. **Chairperson’s Report**

There was no Chairperson’s Report.

13. **Reports from BPAC Subcommittees**

Chairperson Brinsfield reported that the Anti-Harassment Subcommittee has not made progress. A report will be made when the Board of Supervisors takes action.

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

There was no CAC/CWC Report.
15. **BPAC Work Plan**

Ms. Ledbetter distributed the Staff Work Plan to the Committee.

Member Stallman requested an update on the Across Barrier Connections at the December County Workshop.

Chairperson Brinsfield noted that the November meeting will be held on Tuesday, November 10, 2015 instead of Wednesday, November 11, 2015 due to Veteran’s Day.

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

16. **ANNOUNCEMENTS**

Ex-Officio Member Heyne noted Viva Calle SJ will be held on October 11, 2015.

Member Seehafer noted the following: 1) update to the Parks and Recreation master plan in Morgan Hill; 2) Morgan Hill may form a BPAC; and 3) the City Council voted to not keep the bike lane on Monterey Street in downtown.

Member Bell has been travelling for work and will attend the Committee meetings until a new member has been appointed.

Member Stallman spoke with John Brazil, Head of the Active Transportation Program for the City of San José, and thinks he will have no problem getting a representative on the BPAC for the City and the County. Mr. Stallman indicated Mr. Brazil also mentioned that San José is working with the Federal Aviation Administration (FAA) to construct a Class 1 bike lane on the east end of the runway at San José International Airport from the Guadalupe River Trail to Coleman Avenue.

Member Hertan made the following comments: 1) impressed with the innovation of the FLEX plan; and 2) expressed interest in possibly forming a subcommittee to look at how FLEX will affect bikes and pedestrians.

Member Unangst commented on the following: 1) Mountain View will consider the bike transportation plan with connections to Palo Alto, Los Altos, and Sunnyvale; and 2) the meeting of the BPACs will be held May 15, 2016; at History Park in San José.

Chairperson Brinsfield noted the following: 1) Los Altos School District requested the Los Altos BPAC to provide a presentation on the pedestrian master plan and safe bike routes to schools; 2) City Council would like the Los Altos BPAC to present an implementation plan for the pedestrian master plan and bike transportation plan; and 3) Caltrain is considering fare increases.

17. **ADJOURNMENT**

*On order of Chairperson Brinsfield* and there being no objection, the Committee meeting was adjourned at 8:36 p.m.
Respectfully submitted,

Thalia Young, Board Assistant
VTA Office of the Board Secretary
TECHNICAL ADVISORY COMMITTEE
Thursday, October 8, 2015

MINUTES

CALL TO ORDER

The Regular Meeting of the Technical Advisory Committee (TAC) was called to order at 1:30 p.m. by Chairperson Servín in Conference Room B-104, Santa Clara Valley Transportation Authority (VTA), 3331 North First Street, San José, California.

1. ROLL CALL

<table>
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<tr>
<th>Attendee Name</th>
<th>Representing</th>
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<tbody>
<tr>
<td>Shahid Abbas</td>
<td>Member</td>
<td>City of Sunnyvale</td>
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<tr>
<td>Carol Shariat</td>
<td>Alternate Member</td>
<td>City of Sunnyvale</td>
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<tr>
<td>Rajeev Batra</td>
<td>Member</td>
<td>City of Santa Clara</td>
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<tr>
<td>Kevin Riley</td>
<td>Alternate Member</td>
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<tr>
<td>Karl Bjarke</td>
<td>Member</td>
<td>City of Morgan Hill</td>
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<td>Scott Creer</td>
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<td>Timm Borden</td>
<td>Member</td>
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<td>David Stillman</td>
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<td>Todd Capurso</td>
<td>Member</td>
<td>City of Campbell</td>
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<tr>
<td>Michelle Quinney</td>
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<tr>
<td>John Cherbone</td>
<td>Vice Chairperson</td>
<td>City of Saratoga</td>
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<td>Macedonia Nunez</td>
<td>Alternate Member</td>
<td>City of Saratoga</td>
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<tr>
<td>Richard Chiu</td>
<td>Member</td>
<td>Town of Los Altos Hills</td>
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<tr>
<td>Tina Tseng</td>
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<tr>
<td>Dan Collen</td>
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<td>County of Santa Clara</td>
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<tr>
<td>Dawn Cameron</td>
<td>Alternate Member</td>
<td>County of Santa Clara</td>
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<td>Helen Kim</td>
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<td>Linda Forsberg</td>
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<td>Steve Chan</td>
<td>Alternate Member</td>
<td>City of Milpitas</td>
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<tr>
<td>Matt Morley</td>
<td>Member</td>
<td>Town of Los Gatos</td>
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<tr>
<td>Lisa Petersen</td>
<td>Alternate Member</td>
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<td>Cedric Novenario</td>
<td>Member</td>
<td>City of Los Altos</td>
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<tr>
<td>Susanna Chan</td>
<td>Alternate Member</td>
<td>City of Los Altos</td>
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<tr>
<td>Jim Lightbody</td>
<td>Member</td>
<td>City of Palo Alto</td>
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<tr>
<td>Jessica Sullivan</td>
<td>Alternate Member</td>
<td>City of Palo Alto</td>
</tr>
<tr>
<td>Ray Salvano</td>
<td>Member</td>
<td>City of San José</td>
</tr>
<tr>
<td>Jim Ortbal</td>
<td>Alternate Member</td>
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</tr>
<tr>
<td>Henry Servín</td>
<td>Chairperson</td>
<td>City of Gilroy</td>
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<tr>
<td>Teresa Mack</td>
<td>Alternate Member</td>
<td>City of Gilroy</td>
</tr>
<tr>
<td>Mo Sharma</td>
<td>Member</td>
<td>City of Monte Sereno</td>
</tr>
<tr>
<td>Nick Saleh</td>
<td>Ex-Officio Member</td>
<td>California Department of Transportation (Caltrans)</td>
</tr>
<tr>
<td>Dina El-Tawansy</td>
<td>Ex-Officio Alternate Member</td>
<td>California Department of Transportation (Caltrans)</td>
</tr>
<tr>
<td>Therese Trivedi</td>
<td>Ex-Officio Member</td>
<td>Metropolitan Transportation Commission (MTC)</td>
</tr>
<tr>
<td>Stefanie Hom</td>
<td>Ex-Officio Alternate Member</td>
<td>Metropolitan Transportation Commission (MTC)</td>
</tr>
</tbody>
</table>

* Alternates do not serve unless participating as a Member.

A quorum was present.
2. ORDERS OF THE DAY
M/S/C (Batra/Capurso) to accept the Orders of the Day, and approve the Consent Agenda.

3. PUBLIC PRESENTATIONS
Rob Means, Interested Citizen, provided a brief presentation regarding Automated Transit Network (ATN)/ personal rapid transit (PRT) technology. He distributed a handout to the Committee containing information on the Podcar City 9 conference and a proposal for a “Montague Expressway Crossing Shuttle” pilot project in the City of Milpitas.

4. Committee Staff Report
John Ristow, Director of Planning and Program Development and Staff Liaison, gave the following report: 1) announced the appointment of Mike Hursh, former VTA Chief Operating Officer, as Alameda-Contra Costa Transit District’s new General Manager; 2) announced the appointment of Inez Evans as the new VTA Chief Operating Officer; and 3) introduced Alberto Lara, Director of Business Services.

Mr. Lara provided a brief introductory remark.

Mr. Ristow continued his report and acknowledged Member Collen’s service to the Committee.

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

Ex-Officio Member Saleh took his seat 1:37 p.m.

5. Envision Silicon Valley Update
Mr. Ristow provided a brief report noting the preliminary list of projects was approved by the VTA Board of Directors at their October 1, 2015, Regular Meeting. There will be a series of open house meetings to engage the community on the approved list of projects and meeting dates will be announced as they are confirmed.

Public Comment
Doug Muirhead, a resident of Morgan Hill, provided the following comments via email: 1) requested that VTA Advisory Committees ask staff to report on Member Agencies’ public outreach process during the call-for-projects; 2) expressed confusion on how the preliminary project list would be used; and 3) suggested to improve the www.envisionsv.org contents.

On order of Chairperson Servín and there being no objection, the Committee received an update on Envision Silicon Valley.

6. Chairperson’s Report
Chairperson Servín gave a brief report which included receiving an overview from staff on the following topics: 1) the City of Santa Clara’s “City Place” development project; 2) Envision Silicon Valley process update; and 3) summary of the Overcoming Legal Obstacles to Complete Streets Design discussion held on September 24, 2015.

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

- Capital Improvement Program (CIP) Working Group
  
  Celeste Fiore, Transportation Planner, provided a brief report of the September 22, 2015 meeting, noting the CIP Working Group received information on the following: 1) Priority Development Area (PDA) Planning grant applications; 2) Envision Silicon Valley process; and 3) One Bay Area Grant (OBAG) Cycle 2 scoring criteria and program structure.

  The next meeting of the CIP Working Group is scheduled for October 27, 2015. The CIP Working Group plans to convene a combined November/December meeting at a date to be determined.

- Systems Operations & Management (SOM) Working Group
  
  Eugene Maeda, Senior Transportation Planner, provided a brief overview of the September 23, 2015, SOM Working Group meeting, noting the following topics were discussed: 1) speed/traffic surveys; 2) the City of Sunnyvale’s Intelligent Transportation Systems (ITS) project fund request; 3) State Route (SR) 82 relinquishment study findings; and 4) Transportation System Monitoring Program (TSMP) update.

  The next meeting of the SOM Working Group is tentatively scheduled for October 21, 2015 and will be held in the City of Sunnyvale.

- Land Use/Transportation Integration (LUTI) Working Group
  
  Robert Swierk, Senior Transportation Planner, noted the LUTI Working Group has not met since August 2015. The next meeting will be scheduled sometime in November 2015. Mr. Swierk added that the draft environmental impact report for the “City Place” development in the City of Santa Clara will be released on October 9, 2015.

**On order of Chairperson Servín** and there being no objection, the Committee received reports from TAC Working Groups.

**CONSENT AGENDA**

8. **Regular Meeting Minutes of September 10, 2015**

M/S/C (Batra/Capurso) to approve the Regular Meeting Minutes of September 10, 2015.

9. **Adopt the 2015 VTA Congestion Management Program (CMP)**

M/S/C (Batra/Capurso) to recommend that the VTA Board of Directors adopt the 2015 VTA Congestion Management Program (CMP).


11. **Legislative Update Matrix**

M/S/C (Batra/Capurso) to review the Legislative Update Matrix.
REGULAR AGENDA


Stephen Flynn, Advisory Committee Coordinator, provided a brief overview of the 2016 Advisory Committee leadership election process.

Members Borden, Bjarke, and Cherbone volunteered to be on the Nomination Subcommittee.

M/S/C (Salvano/Batra) to appoint Members Borden, Bjarke, and Cherbone to the nomination subcommittee, which will identify Committee members interested in serving as the chairperson or vice chairperson for 2016.

13. One Bay Area Grant (OBAG) Cycle 2 - Program Structure

Marcella Rensi, Transportation Planning Manager, provided an overview of the staff report and a summary of the Santa Clara County OBAG Cycle 2 program structure proposal.

Members of the Committee and staff engaged in a discussion concerning: 1) Priority Development Areas (PDAs) and PDA serving areas in the City of Sunnyvale; 2) distribution formula for the different programs are to be determined; 3) overview of eligibility requirements for OBAG programs; and 4) additional information on Complete Streets guidelines.

Chairperson Servín commented on the need to have further discussions regarding Complete Streets guidelines and suggested the CIP Working Group lead the discussion via a workshop.

M/S/C (Abbas/Salvano) to recommend that the VTA Board of Directors approve the One Bay Area Grant (OBAG) Cycle 2 program structure.

14. Vehicle Registration Fee Funds for I-880 Soundwall Plans, Specifications & Estimates

Ms. Rensi provided a brief overview of the staff report, noting staff recommendations.

For Attachment A of the report, Member Collen requested to indicate “Completed by County”, next to the “Capitol Expressway New” soundwall legend.

M/S/C (Salvano/Collen) to recommend that the VTA Board of Directors program $502,000 in Vehicle Registration Fee (VRF) Countywide Matching funds for the Plans, Specifications, and Estimates and Right of Way phases of the soundwall project on I-680 between Capitol Expressway and Mueller Avenue in San Jose.

Members Batra and Salvano left the meeting at 2:26 p.m.

15. State Route (SR) 85 Ramp Metering from US 101 North to I-280 - After Study

David Kobayashi, Senior Transportation Planner, provided a brief staff report, highlighting overall travel time reduction along the corridor.

On order of Chairperson Servín and there being no objection, the Committee received an update on the metering of SR 85 between US 101 in Mountain View to I-280.

16. Transit Ridership Improvement Program

Adam Burger, Senior Transportation Planner, provided a staff presentation, highlighting overview of the program and next steps.
Members of the Committee and staff engaged in a brief discussion concerning ridership thresholds and operating funds.

**On order of Chairperson Servín** and there being no objection, the Committee received a presentation on the Transit Ridership Improvement Program.

**17. Alternative Transportation Technologies**

Burford Furman, Mechanical Engineering Professor, San Jose State University, gave a brief introduction and introduced Ron Swenson, Director of the International Institute of Sustainable Transportation (INIST).

Mr. Furman and Mr. Swenson provided a presentation on Solar-Powered Automated Transit Network and the Spartan Superway initiative. They discussed the benefits of the technology and their proposal to build a full scale proof of concept. They invited the Committee members to attend the Podcar City 9 Conference scheduled for November 5-6, 2015.

**On order of Chairperson Servín** and there being no objection, the Committee received a presentation on Solar-Powered Automated Transit Network development for Silicon Valley.

**OTHER ITEMS**

**18. Update on MTC Activities and Initiatives**

Ex-Officio Member Trivedi provided a brief update, noting the following: 1) Caltrans planning grants are due on October 30, 2015, and requests for MTC letter of support should be submitted to MTC by October 12, 2015; and 2) the Regional Advisory Working group convened a workshop to discuss scenarios for the next Plan Bay Area update. The Association of Bay Area Governments (ABAG) will work with the regional planning directors for the upcoming update of Plan Bay Area.

**On order of Chairperson Servín**, and there being no objection, the Committee received an update on MTC Activities and Initiatives.

**19. Update on Caltrans Activities and Initiatives**

Ex-Officio Member Saleh made the following announcements: 1) He was appointed to the TAC as the Ex-Officio Member, while Dina El-Tawansy is the TAC Alternate Ex-Officio Member; 2) requested local agency participation in *The Mile Marker*, Caltrans’ survey of service, performance, communication, and accountability; and 3) noted the “Proposition 1B: Promises Made, Promises Kept”, accountability measures and transparent reporting of Proposition 1B bond funds expenditure is now available online.

Upon query of Chairperson Servín, Mr. Saleh noted he can provide a fact sheet related to the freeway overhead signs replacement project.

**On order of Chairperson Servín**, and there being no objection, the Committee received an update on Caltrans Activities and Initiatives.

**20. TAC Committee Work Plan**

**On order of Chairperson Servín**, and there being no objection, the Committee reviewed the work plan.
21. **ANNOUNCEMENTS**
Mr. Ristow announced Member Collen’s retirement.

22. **ADJOURNMENT**
On order of Chairperson Servín, and there being no objection, the meeting was adjourned at 3:00 p.m.

Respectfully submitted,

Michelle Oblena, Board Assistant
VTA Office of the Board Secretary
CALL TO ORDER

The Regular Meeting of the Policy Advisory Committee (PAC) was called to order at 4:01 p.m. by Vice Chairperson Davis in Conference Room B-104, Valley Transportation Authority (VTA), 3331 North First Street, San Jose, California.

1. ROLL CALL

<table>
<thead>
<tr>
<th>Attendee Name</th>
<th>Title</th>
<th>Status</th>
</tr>
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<tbody>
<tr>
<td>Paul Resnikoff</td>
<td>City of Campbell</td>
<td>Present</td>
</tr>
<tr>
<td>Michael Kotowski (Alternate)</td>
<td>City of Campbell</td>
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</tr>
<tr>
<td>Savita Vaidhyathan</td>
<td>City of Cupertino</td>
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<tr>
<td>Barry Chang (Alternate)</td>
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<td>Cat Tucker</td>
<td>City of Gilroy</td>
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<td>Vacant (Alternate)</td>
<td>City of Gilroy</td>
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<tr>
<td>Vacant</td>
<td>City of Los Altos</td>
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<tr>
<td>Mary Prochnow (Alternate)</td>
<td>City of Los Altos</td>
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<tr>
<td>John Harpootlian</td>
<td>Town of Los Altos Hills</td>
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<td>Marcia Jensen</td>
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<tr>
<td>Rob Rennie (Alternate)</td>
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<tr>
<td>Carmen Montano</td>
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<td>Garry Barbadillo (Alternate)</td>
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<td>Susan Garner</td>
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<td>Marshall Anstandig (Alternate)</td>
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<tr>
<td>Larry Carr</td>
<td>City of Morgan Hill</td>
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<td>Rich Constantine (Alternate)</td>
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<tr>
<td>John McAlister</td>
<td>City of Mountain View</td>
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<tr>
<td>Chris Clark (Alternate)</td>
<td>City of Mountain View</td>
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<td>Liz Kniss</td>
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<td>Cory Wolbach (Alternate)</td>
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<tr>
<td>Charles “Chappie” Jones</td>
<td>City of San Jose</td>
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<td>Teresa O’Neill</td>
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<td>Jerry Marsalli (Alternate)</td>
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<tr>
<td>Howard Miller</td>
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<td>Rishi Kumar (Alternate)</td>
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<tr>
<td>Jim Davis</td>
<td>City of Sunnyvale</td>
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<td>Gustav Larsson (Alternate)</td>
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<tr>
<td>Mike Wasserman</td>
<td>SCC Board of Supervisors</td>
<td>Present</td>
</tr>
</tbody>
</table>

A quorum was present.
3. **PUBLIC PRESENTATIONS**

Kishore Karnad, Interested Citizen, commented about the need for more transportation service in the Cupertino area and inquired about a petition that was submitted to VTA. Mr. Karnad stated that increasing frequency to the existing routes would be sufficient.

Jim Lawson, Director of Government Affairs and Executive Policy Advisor and Staff Liaison noted transit planning staff will have a response and provide it to the PAC Committee members.

4. **Committee Staff Report**

Mr. Lawson introduced Alberto Lara, the new Director of Business Services.

Member McAlister arrived and took his seat at 4:06 p.m.

Mr. Lawson provided a report highlighting the following: 1) the VTA Board of Directors (Board) took the following actions at the October 1, 2015 meeting: a) received a report from Bijan Sartipi Caltrans District 4 Director, about the success of iTeam; b) approved the appointments to the State Route (SR) 85 Corridor Policy Advisory Board; c) approved several contract amendments related to the Santa Clara-Alum Rock Bus Rapid Transit (BRT) project; d) approved the Envision Silicon Valley preliminary project list; e) approved the Cooperative Agreement with the Peninsula Corridor Joint Powers Board (Caltrain) for real property acquisitions in Santa Clara County that are required for the Peninsula Corridor Electrification Project (PCEP); f) deferred the Memorandum of Understanding between Council of San Benito County and Santa Clara Valley; and g) approved the Labor Agreement between Santa Clara Valley Transportation Authority and Amalgamated Transit Union (ATU), Local 265; 2) business owners along Alum Rock addressed the Board regarding the construction impacts of the Santa Clara Alum Rock BRT Project; 3) noted that the Dynamic Transit Service Pilot Program was delayed until next year to give staff time to address changes and ensure the success of the pilot program; 4) the American Public Transportation Association (APTA) held its annual meeting in San Francisco and VTA received the Grand Award for Print Media; and 5) announced Nuria I. Fernandez, General Manager, was selected for APTA’s Executive Committee.

Member Jones arrived and took his seat at 4:09 p.m.

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

5. **Envision Silicon Valley**

Mr. Lawson noted that the call for list of projects will continue to go through a series of evaluation. He further noted that VTA welcomes feedback and reported there will be several open house meetings to be held on October 22, 2015, Mountain View City Hall; October 26, 2015, Morgan Hill main library; October 29, 2015, San Jose City Hall; November 4, 2015, Los Gatos Town Council Chambers; and November 12, 2015, Grace Lutheran Church.
On order of Vice Chairperson Davis and there being no objection, the Committee received an update on Envision Silicon Valley.

6. Chairperson’s Report

Vice Chairperson Davis announced the following: 1) Viva Calle San Jose will be held Downtown on October 11, 2015, from 10:00 a.m.-3:00 p.m.; 2) Heroes run will be held in Cupertino on November 7, 2015, from 9:00 a.m. to 12:00 p.m.; and 3) following the PAC meeting, new member orientation will begin.

Vice Chairperson Davis and Member Howard noted the importance of responding to the VTA polling and to notify their Alternate Member if they cannot attend the meeting.

2. ORDERS OF THE DAY

Member Wasserman requested placing the following regular items on the Consent Agenda: Agenda Item #10., One Bay Area Grant Cycle 2 - Program Structure; Agenda Item #11., Vehicle Registration Fee Funds for I-880 Soundwall Plans, Specifications & Estimates; and Agenda Item #12., Transit Ridership Improvement Program.

Member Miller requested to keep Agenda Item #10., One Bay Area Grant Cycle 2 - Program Structure on the Regular Agenda.

Member McAlister requested to keep Agenda Item #11 on the Regular Agenda and noted he will comment on Agenda Item #12., Transit Ridership Improvement Program.

M/S/C (Wasserman/Miller) to accept the Orders of the Day and approve the Consent Agenda.

Member Kniss arrived and took her seat at 4:16p.m

CONSENT AGENDA

7. Regular Meeting Minutes of September 10, 2015

M/S/C (Wasserman/Miller) to approve the Regular Meeting Minutes of September 10, 2015.


9. Legislative Update Matrix

M/S/C (Wasserman/Miller) to review the Legislative Update Matrix.

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

On Order of Vice Chairperson Davis and their being no objection, the Committee received a presentation on the Transit Ridership Improvement Program.

**REGULAR AGENDA**

10. **One Bay Area Grant Cycle 2 - Program Structure**

Marcella Rensi, Transportation Planning Manager, provided an overview of the staff report and distributed a handout.

Members of the Committee made the following comments: 1) inquired about the 70%/30% PDA/Non-PDA split; and 2) requested clarification regarding the Program Structure.

M/S/C (Wasserman/Kniss) to recommend that the VTA Board of Directors approve the One Bay Area Grant (OBAG) Cycle 2 program structure.

11. **Vehicle Registration Fee Funds for I-880 Soundwall Plans, Specifications & Estimates**

Ms. Rensi provided an overview of the staff report.

Upon inquiry, Ms. Rensi provided clarification regarding the existing sound walls and noted staff will provide the Sound Barrier Program Policy to the Committee.

M/S/C (Wasserman/Miller) to recommend that the VTA Board of Directors program $502,000 in Vehicle Registration Fee (VRF) Countywide Matching funds for the Plans, Specifications, and Estimates and Right of Way phases of the soundwall project on I-680 between Capitol Expressway and Mueller Avenue in San Jose.

**Public Comment**

Omar Chatty, Interested Citizen, expressed concern about SR152 and the need to fund the Environmental Impact Report (EIR) that could lead to improving the corridor.

12. **Transit Ridership Improvement Program (TRIP)**

Adam Burger, Senior Transportation Planner, provided a brief presentation.

Member McAlister inquired if the TRIP is VTA’s direct response to the West Valley and North County Mayors’ joint letter to VTA regarding initiation of a comprehensive study to develop a system-wide plan for mass transit. Mr. Burger reported the TRIP was initiated in December 2014 and is not a direct response to the letter. However, Mr. Burger noted that some of the concerns noted in the letter may be addressed by the TRIP.

Member Miller noted there was a two page letter provided by VTA, addressing the concerns brought up by the nine mayors in the document that was submitted. Member Miller further recommended that the Committee talk to their Technical Advisory Committee representative to see VTA’s response.

Member Wasserman left the meeting at 4:49 p.m.
13. **Regional Reports Update**

Vice Chairperson Davis reported the written reports are placed at the table.

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

B. **California Transportation Commission (CTC)**

**OTHER**

14. **Committee Work Plan**

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

15. **ANNOUNCEMENTS**

There were no Announcements.

16. **ADJOURNMENT**

On order of Vice Chairperson Davis and there being no objection, the Committee meeting was adjourned at 4:50 p.m.

Respectfully submitted,

Theadora Travers, Board Assistant
VTA Office of the Board Secretary
EL CAMINO REAL RAPID TRANSIT POLICY ADVISORY BOARD

Tuesday, September 30, 2015

MINUTES

CALL TO ORDER

The Regular Meeting of the El Camino Real Rapid Transit (ECRRT) Policy Advisory Board ("Committee") was called to order at 3:02 p.m. by Chairperson Bruins in VTA Conference Room B-104, 3331 North First Street, San José, California.

1. ROLL CALL

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<th>Title</th>
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</tr>
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<tbody>
<tr>
<td>Jeannie Bruins</td>
<td>Chairperson</td>
<td>City of Los Altos</td>
<td>Present</td>
</tr>
<tr>
<td>Liz Kniss</td>
<td>Member</td>
<td>City of Palo Alto</td>
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<tr>
<td>Leonard Siegel</td>
<td>Member</td>
<td>City of Mountain View</td>
<td>Present</td>
</tr>
<tr>
<td>Jamie Matthews</td>
<td>Member</td>
<td>City of Santa Clara</td>
<td>Present</td>
</tr>
<tr>
<td>Pierluigi Oliverio</td>
<td>Member</td>
<td>City of San José</td>
<td>Present</td>
</tr>
<tr>
<td>Joe Simitian</td>
<td>Member</td>
<td>County of Santa Clara</td>
<td>Present</td>
</tr>
<tr>
<td>David Whittum</td>
<td>Member</td>
<td>City of Sunnyvale</td>
<td>Present</td>
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<tr>
<td>Cory Wolbach</td>
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<td>City of Palo Alto</td>
<td>Absent</td>
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<tr>
<td>Ken Yeager</td>
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<td>County of Santa Clara</td>
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<tr>
<td>Vacant</td>
<td></td>
<td>Santa Clara Valley Transportation Authority</td>
<td>N/A</td>
</tr>
</tbody>
</table>

A quorum was present.

Chairperson Bruins provided a brief overview of the Agenda.

2. PUBLIC PRESENTATIONS

There were no Public Presentations.

3. ORDERS OF THE DAY

There were no Orders of the Day.

CONSENT AGENDA

4. **Regular Meeting Minutes of August 26, 2015**

M/S/C (Whittum/Siegel) to approve the Regular Meeting Minutes of the August 26, 2015.

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

5. **Project Alternatives Not Fully Analyzed in the Environmental Analysis Process**

   Adam Burger, Senior Transportation Planner, provided a brief overview of the staff report, highlighting the following: 1) these alternatives have not generated widespread support from the public or cities; 2) analysis of new alternatives for inclusion in a recirculated Draft Environmental Impact Report/Environmental Assessment (DEIR/EA) would require concurrence from the Federal Transit Administration (FTA) as well as budget for completion of the environmental report; and 3) the cost to analyze each additional project would be roughly $1M and takes two years to complete.

   Chairperson Bruins reminded the Committee of their goal to determine a preferred alternative that could move forward.

**Public Comment**

   Sandra Slater, Interested Citizen, expressed support for Bus Rapid Transit (BRT).

   Roland Lebrun, Interested Citizen, noted his reluctance to a plan using the median, and suggested each individual city consider eliminating street parking and carve out a lane dedicated to transit.

   Member Oliverio arrived at the meeting at 3:17 p.m., and took his seat.

   Chairperson Bruins stated Member Siegel has a recommendation for the Committee to consider.

   Member Siegel reiterated the Committee’s two goals: 1) make it more convenient for people to take public transportation as opposed to single occupancy vehicles, noting this includes time getting to the bus and transfers, not just the speed of the bus; and 2) to maintain vehicular flow along El Camino while minimizing the impact of traffic on adjacent neighborhoods.

   Member Siegel stated he would like to have the following options studied: 1) consider looking at having both buses in the lane; 2) adding High Occupancy Vehicle (HOV) lanes as a way to minimize traffic; and 3) lane placement at the curb.

   Discussion ensued regarding the following: 1) expressed interest in seeing the impacts of mixed flow and how it differentiates from the dedicated lane; 2) consensus for a form of mixed flow around HOV, or mixed flow at the curb with some improvement at the transit stations for passengers’ comfort; 3) expressed concern that HOV lanes will not garner the kind of results desired; 4) project definition; 5) ridership breakdown; and 6) expressed concern that a dedicated lane serving only one piece of transit would be very underutilized.

   Mr. Burger commented the main focus has been upgrading Route 522 and converting it into a BRT system. He stated the evaluation encompasses the entire corridor because current riders of the 522 may switch to BRT in the future. It is difficult to assess a single route in isolation.

   Member Oliverio stated he is ready to support a mixed flow dedicated lane for transit oriented uses, and suggests moving forward, so the Committee can get to the different options of what can be shared even though there may be some degradation of speed.

   Member Whittum reiterated his understanding of the Committee’s goal to provide improved transit service on El Camino Real in such a way that improves ridership at an acceptable cost both in dollars and environmental impact.
Members of the Committee discussed the following: 1) suggested combining Route 522 and Route 22; 2) suggested VTA work with each of the cities along the corridor to analyze what can be done to limit curb cuts and limit parking on El Camino Real; 3) dedication of lanes that include HOV components; 4) length of transition period; 5) cost versus benefit; 6) noted the lane would need to be sufficiently busy to justify dedicating a lane; 7) support the dedication of a lane at the curb and as time goes on and it catches on and has the ridership, then the investment can be made to move the lane incrementally to the median; and 8) support transit area improvements, parking restrictions, bulb-outs and safety improvements.

Nuria I. Fernandez, General Manager/CEO, commented she believes the entire corridor would benefit from improved transit service along El Camino Real. She stated the cities and VTA will have to work together on issues such as curbcuts, driveways, and parking along El Camino Real to ensure the outcome will lead to improvement of travel speeds along the corridor for BRT and HOV.

Chairperson Bruins stated the Committee has consensus in the following areas: 1) dedicated transit lane with some shared use; 2) Members of the Committee would like to understand more about dedicated transit lane with shared use as opposed to a dedicated lane that is BRT only; 3) dedicated shared use includes Route 522, emergency vehicles, private buses, HOV, and comparing whether Routes 22 and 522 should remain separate or be combined.

Member Yeager left the meeting at 4:01 p.m.

Member Whittumn stated his understanding was the Committee would like to look at modified alternatives in the EIR context, which is most likely revised or supplemental, that provide certain project goals at a more reasonable cost in environmental impact and dollars.

Member Simitian expressed concern about the political will, and stated he is not persuaded that the public benefit derived from a dedicated lane is worth the financial cost and the adverse impact on other commuters and other users of the corridor.

Member Oliverio stated he believed there was a potential motion on the table for a right lane which is to be mixed use, and the Committee does not support a single dedicated lane for BRT.

Chairperson Bruins noted a dedicated lane for BRT only is not supported by the Committee. The Committee would like VTA to look at the benefits of a shared use lane at the right curb with the appropriate environmental review.

**Public Comment**

The following Interested Citizens expressed support for El Camino BRT with bike lane access:

- Tessa Woodmansee
- Kristal Caidoy

Omar Chatty, Interested Citizen, stated the Metro Magazine has conducted a BRT Survey, noting results indicate three quarters of the cities use mixed flow. He thanked the Committee for supporting mixed flow.

Mr. Lebrun noted he would forward a London article on what could actually be used in the mixed flow lane.
On order of Chairperson Bruins and there being no objection, the Committee received a report on El Camino Real Bus Rapid Transit (BRT) Alternatives Not Fully Analyzed in the Environmental Analysis Process.


David Ory, Ph.D. Planning Principal, Metropolitan Planning Commission (MTC) Steering Committee, introduced himself and Mark Spencer, Principal and Vice President, W-Trans, Steering Committee. He noted they were co-chairs of the ECR BRT (El Camino Real Bus Rapid Transit) Third-Party Review Committee. Mr. Ory also introduced Sam Morrissey, Associate Vice President of Transportation Systems, Iteris, indicating he provided technical support to the Steering Committee in their review.

Mr. Ory provided the report, and stated the Steering Committee defined the scope as what are the Environmental Documents intending to do. The Review Group established that the point of the Environmental Documents was to: 1) adequately disclose the environmental impacts of the project; and 2) provide adequate information to the Committee, Stakeholders and the VTA Board to make an informed recommendation as to a preferred alternative. Mr. Ory stated the documents succeed on both fronts. He noted recommendations are listed in the report on how the documents could be improved in terms of transparency and presentation. He stated the findings indicate the report adequately disclosed what the expected impacts are for California Environmental Qualtiy Act (CEQA), and that given the range of alternatives as well as the depth in which those alternatives were evaluated, there is sufficient information for people to comment on preferred alternatives.

Members of the Committee discussed the following: 1) press coverage on the third party review; 2) VTA’s analysis that repurposing a lane on El Camino Real from a mixed-use lane to a dedicated transit lane may result in significant and unavoidable impacts; 2) three key expected effects of the ECR BRT project that were not fully considered in the DEIR/EA are significant; 3) the report states “based on Iteris’ experience with other BRT projects, achieving a range of 25 to 50 percent mode shift from auto to transit in a corridor where an improved transit service is introduced is high. Such high mode shifts are uncommon;” 4) noting concerns related to benefit/cost; 5) “The traffic diversion discussion in the El Camino Real BRT Traffic Operation Analysis Report (DKS, August 6, 2014) was found to be incomplete, and did not include enough information for the Steering Committee to develop an informed decision.”; 6) mode shift versus mode choice in transit; 7) level of service analysis; 8) noting 4 of 16 areas of the report were adequate to make a decision; 9) dedicated curbside lane; and 10) multiple study areas were confusing.

Public Comment

Mr. Lebrun expressed his dissatisfaction with the process of the third party review.

On order of Chairperson Bruins and there being no objection, the Committee received a report from the Independent Third Party Review Committee.

7. Report on VTA Staff Response to El Camino Real BRT Independent Third Party Review

Mr. Burger thanked the Independent Third Party Review team for their volunteer work. He reported the Review Team made a number of good suggestions which VTA will incorporate into future documentation on the project, and will report back to the Committee.
The Committee requested VTA staff prepare a preliminary scoping document of their tasks. Designated Committee members will review the document to make sure the scope is correct, and at the October 28, 2015, meeting staff can update the Committee.

On order of Chairperson Bruins and there being no objection, the Committee received the Report on VTA Staff Response to El Camino Real BRT Independent Third Party Review.

8. ANNOUNCEMENTS

There were no Announcements.

9. ADJOURNMENT

On order of Chairperson Bruins and there being no objection, the meeting was adjourned at 4:45 p.m.

Respectfully submitted,

Anita McGraw, Board Assistant
VTA Office of the Board Secretary